



# Ohio Legislative Service Commission

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## Final Analysis

Wendy H. Gridley

### Sub. H.B. 3

131st General Assembly  
(As Passed by the General Assembly)

**Reps.** Derickson and Romanchuk, Anielski, Antani, Antonio, Baker, Blessing, Boose, Boyce, Brenner, Brown, Burkley, Conditt, Craig, Cupp, Dever, DeVitis, Dovilla, Duffey, Gerberry, Ginter, Green, Grossman, Hackett, Hagan, Hall, Hambley, Henne, Hill, Huffman, Koehler, Kraus, Kunze, Landis, Maag, McClain, McColley, M. O'Brien, S. O'Brien, Pelanda, Perales, Phillips, Reece, Retherford, Rezabek, Ruhl, Ryan, Schaffer, Slaby, R. Smith, Sprague, Stinziano, Terhar, Thompson, Young, Rosenberger

**Sens.** LaRose, Uecker, Hottinger, Bacon, Balderson, Beagle, Brown, Burke, Coley, Eklund, Faber, Gardner, Hite, Hughes, Jones, Jordan, Lehner, Manning, Obhof, Oelslager, Patton, Peterson, Schiavoni, Seitz, Tavares, Thomas, Widener, Williams

**Effective date:** September 24, 2015

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## ACT SUMMARY

- Reduces certain corporate and trade and fictitious name filing fees collected by the Secretary of State.
- Eliminates the requirement for a date of incorporation on a foreign corporation's certificate that is necessary for a license to do business in Ohio.
- Provides that all Ohio-based companies in good standing with the state have the same access to employer application services available through the OhioMeansJobs website.
- Requires the Governor's Executive Workforce Board to prepare an annual report on the performance of the OhioMeansJobs website.

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## **CONTENT AND OPERATION**

### **Corporate filing fees reduced**

The act reduces filing fees collected by the Secretary of State. For corporations that do not issue shares of capital stock, the fee for filing and recording articles of incorporation is reduced from \$125 to \$99. For stock-issuing corporations, the minimum fee of \$125 is reduced to \$99; the maximum fee of \$100,000 is unchanged. Under continuing law, the filing fee for stock-issuing corporations is computed based on the number of shares the corporation is authorized to issue.<sup>1</sup>

The fees for filing and recording the following are reduced from \$125 to \$99: (1) the articles of incorporation of a savings and loan association, (2) a certificate of conversion, including a designation of agent, a certificate of merger, or a certificate of consolidation, (3) the articles of incorporation of a credit union or the American Credit Union Guaranty Association, (4) the articles of organization of a limited liability company, an application to become a registered foreign limited liability company, a registration application to become a domestic limited liability partnership, or an application to become a registered foreign limited liability partnership, (5) a certificate of limited partnership or an application for registration as a foreign limited partnership, or an initial statement of partnership authority, (6) a license to transact business in Ohio by a foreign for profit corporation or a foreign nonprofit corporation, and (7) a report to operate a business trust or a real estate investment trust, either foreign or domestic.<sup>2</sup>

### **Trade and fictitious name filing fees reduced**

The former \$50 fee for filing and recording a trade name or fictitious name registration or report is reduced to \$39. Similarly, the former \$50 fee for an application for the exclusive right to use a name or an application to reserve a name for future use is reduced to \$39.<sup>3</sup>

### **Date of Incorporation**

The act eliminates a requirement that the certificate a foreign corporation must file to do business in Ohio contain the date of incorporation. To procure a license to do business in Ohio, a foreign corporation needs to provide a certificate from its home state showing only the exact corporate title and a statement of the fact that the corporation is

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<sup>1</sup> R.C. 111.16(A)(1) and (2).

<sup>2</sup> R.C. 111.16.

<sup>3</sup> R.C. 111.16(S)(1) and (2) and 1329.01.



in good standing or is a subsisting corporation in its home state; the date of its incorporation is no longer required.<sup>4</sup>

### **OhioMeansJobs access**

The act provides that all Ohio-based companies in good standing with the state have the same access to automated employer application services available through the OhioMeansJobs website. The services include, but are not limited to, posting job openings and searching resumes of job applicants, identifying and exploring employment programs, improving a company's workforce, hiring veterans, and hiring or making accommodations for employees with disabilities. The act's equal-access requirement applies to any contract related to the operation of the OhioMeansJobs website that is amended, extended, or entered into after September 24, 2015.<sup>5</sup>

### **OhioMeansJobs annual report**

The act requires the Governor's Executive Workforce Board<sup>6</sup> annually to review the performance of the OhioMeansJobs website. This review must be completed on or before January 31 of each year. Upon completion, the Board must submit an electronic report of its findings to the Governor, the President and Minority Leader of the Senate, and the Speaker and Minority Leader of the House of Representatives. The report must include the following data with respect to the preceding calendar year: the number of referrals and placements to jobs displayed on the OhioMeansJobs website, the number of jobs posted to the website by employers based in Ohio, and the number of resumes displayed on the website that were aggregated from other websites.<sup>7</sup>

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## **HISTORY**

<b>ACTION</b>	<b>DATE</b>
Introduced	01-28-15
Reported, H. Economic & Workforce Development	03-25-15
Passed House (95-0)	03-26-15
Reported, S. State & Local Gov't	04-22-15
Passed Senate (32-0)	06-03-15

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<sup>4</sup> R.C. 1703.04(A).

<sup>5</sup> R.C. 6301.16.

<sup>6</sup> Although the act uses "state board," the term is defined to be the Governor's Executive Workforce Board under R.C. 6301.01, which is not in the act.

<sup>7</sup> R.C. 6301.17.

