



# OHIO LEGISLATIVE SERVICE COMMISSION

Tom Wert

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## Fiscal Note & Local Impact Statement

**Bill:** S.B. 239 of the 132nd G.A.  
(L\_132\_1873-1)

**Status:** In Senate Government Oversight & Reform

**Sponsor:** Sen. Dolan

**Local Impact Statement Procedure Required:** No

**Subject:** Modifies the laws governing regional councils of government

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The bill makes changes to the law governing regional councils of government (COGs) that do not appear to affect the revenues or expenditures of COGs or their member political subdivisions. Rather, the bill appears to make changes that clarify the status of COGs relative to the Public Records Law and the Ethics Law. However, COGs could be exposed to financial liability through an exception to sovereign immunity applied to COGs under the bill. Specifically, under the bill COGs may not be covered by sovereign immunity if a COG's officer, staff member, or independent contractor causes injury, death, or loss to person or property in connection with a governmental or proprietary function. This would be the case if the individual working for or on behalf of the COG is not also an officer, employee, agent, or servant or a member political subdivision and if the individual's action or inaction that gives rise to the liability constitutes a violation of the Ethics Law or statutes governing criminal offenses against justice and public administration. Under these circumstances, these individuals as well as the COG could be sued by the damaged party and found liable for damages. Any costs to the COG would depend on the nature of the damages.

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