



OHIO LEGISLATIVE SERVICE COMMISSION

Terry Steele

Fiscal Note & Local Impact Statement

Bill: H.B. 34 of the 132nd G.A.

Status: As Passed by the Senate

Sponsor: Reps. Hambley and Ryan

Local Impact Statement Procedure Required: No

Subject: Authorizes delivery of certain notices by ordinary mail and Internet identifier instead of certified mail, and makes other changes

State & Local Fiscal Highlights

- Allowing state agencies, local governments, and certain boards, commissions, and officers to deliver particular types of notices by the ways allowed in the bill, such as ordinary mail, email, or other mode of Internet communication, could reduce mailing costs for the affected jurisdictions.
- The savings in notification costs will depend on the circumstances where these alternative notification options are used. As a point of comparison, the certified mail rate established by the U.S. Postal Service for 2017 ranges from \$4.72 to \$6.67 for a one ounce certified letter.
- The bill permits a regional airport authority to contract with the county prosecutor to provide legal services for the authority. Presumably, a regional airport authority would contract for legal services with the county prosecutor instead of a private law firm when there is a cost advantage for doing so.

Detailed Fiscal Analysis

Notification by electronic means

The bill allows for certain required notifications to be made by means of a combination of ordinary mail and Internet identifier of record, which is defined in the bill as an electronic mail address, or any other designation used for self-identification or routing in Internet communications. In most cases, current law allows only delivery by certified mail. The bill establishes numerous different types of notifications that fall into the permissive authority of the bill and where the alternative ways of notification may be used. Please see the table in the LSC Bill Analysis for a list of these notifications.

Overall, sending the required notifications by the alternative ways allowed under the bill could reduce certified mailing costs to the state, political subdivisions, or other entities. The extent of these potential savings would depend on a variety of factors, mostly the situations in which this authority would be used. There could be

cases in which a required notice would fall under the authority granted in the bill, but the entity sending the notice may decide to send the notice by certified mail. The cost of sending a one ounce envelope via certified mail ranges from \$4.72 (with an electronic receipt confirmation) to \$6.67 (with a paper receipt conformation). Cuyahoga County estimates that approximately 85% of all required certified mail deliveries are returned unclaimed or undeliverable in a typical year. At an average cost of \$5.00 per mailing to the county, the cost of these unclaimed or undeliverable items adds up to an estimated \$500,000 annually.

Regional airport authorities

The bill allows the board of trustees of a regional airport authority to contract with the prosecuting attorney of a county to obtain legal services. Consequently, there could be a potential for savings in certain situations where county prosecuting attorneys are able to provide legal advice and representation at a lower cost than current contracts. While county prosecutors could incur new costs to provide legal services to these entities, those costs would be offset by agreed upon legal fees to be paid by the regional airport authority.

Public official training

The bill allows future elected officials to take required training programs and seminars, as certified by the Attorney General, before taking office. There does not appear to be any fiscal impact to this provision since these individuals would be required to take these courses one way or another, either before or after taking office.