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H.B. 690
134th General Assembly

Bill Analysis

Version: As Introduced

Primary Sponsors: Reps. Lanese and Manning

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SUMMARY

- Requires one of the five Public Utilities Commissioners to be nominated by the Office of the Consumers' Counsel (OCC) and appointed by the Governor with the advice and consent of the Senate.
- Establishes timing and other requirements pertaining to OCC's nominations and appointments.

DETAILED ANALYSIS

Public Utilities Commissioners

The bill requires one of the five Public Utilities Commissioners (Commissioners) to be selected from a nomination list submitted to the Governor by the Office of the Consumers' Counsel (OCC), and the other four Commissioners to be selected from nomination lists provided by the Public Utilities Commission Nominating Council (Nominating Council). Current law provides that all five Commissioners must be selected from nomination lists supplied by the Nominating Council. Consistent with existing law, the bill provides that all Commissioners, regardless of whether nominated by OCC or the Nominating Council, must be appointed by the Governor with the advice and consent of the Senate to serve for a term of five years.

The bill applies current law requirements regarding the background of prospective Commissioners and the nominating process only to the four Commissioners nominated by the Nominating Council. However, the bill maintains the current law requirement that no more than three of the five total Commissioners can belong to or be affiliated with the same political party.¹

¹ R.C. 4901.02(A), (C), and (D), 4901.021(D) and (F), and 4901.022(A), (B), and (E).

OCC Commissioner nomination and appointment

The bill provides that, beginning with the earliest scheduled appointment of a Commissioner after the effective date of the bill, the Governor must appoint one commissioner as a representative of the public from a list of three nominees submitted to the Governor by OCC.

The bill further provides that not more than 85 days nor less than 60 days prior to the expiration of the term of an OCC-nominated Commissioner appointed by the Governor or not more than 30 days after the death, resignation, or termination of service by such an OCC-nominated Commissioner, OCC must provide the Governor with a list of three individuals who are, in OCC's judgement, qualified to be a Commissioner. The Governor must fill the vacancy within 30 days of receiving the OCC's nomination list. Further, the Governor cannot reject all three of the nominees provided by the Counsel.

In making nominations, OCC cannot nominate an individual if the appointment would result in more than three Commissioners belonging to or being affiliated with the same political party.²

HISTORY

Action	Date
Introduced	05-31-22

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² R.C. 4901.022(A), (C), (D), and (F).