

**OHIO CONFERENCE OF COMMUNITY DEVELOPMENT
LEGISLATIVE MATTERS**

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By: Anthony E. Core
Squire Patton Boggs (US) LLP
614-365-2796
tony.core@squirepb.com

OCCD Legislative Committee

The following is a summary of recent Ohio General Assembly activity relating to economic development matters through July 15, 2021.

LEGISLATION RECENTLY ENACTED

House Bill 2 (Passed May 5, 2021; signed by the Governor May 17, 2021; effective immediately. See also Senate Bill 8.) This Bill creates the Ohio Residential Broadband Expansion Grant Program, expands broadband access, including allowing access to electric cooperative easements and facilities to help facilitate such expansion.

House Bill 74 (Passed March 25, 2021; signed by the Governor March 31, 2021; effective immediately.) This Bill is the biennial transportation budget bill, making appropriations for programs related to transportation and public safety for the biennium beginning July 1, 2021.

House Bill 110 (Passed June 28, 2021; signed by the Governor June 30, 2021; effective July 1, 2021.) This Bill is the State's Operating Budget for fiscal years 2022-2023. Among many other provisions, the Bill:

- As compared to the current fiscal year 2021 GRF funding of \$34.1 billion (\$80.2 billion for all funds), the Bill provides for fiscal year 2022 GRF funding of \$34.8 billion (\$80.7 billion for all funds), and fiscal year 2023 funding of \$39.2 billion (\$81.1 billion for all funds);
- Significantly revises the way state financial assistance is allocated to schools and increases oversight with respect to how the money is spent, adopting much of the so-called "Fair School Funding Plan";
- Changes the name of the Ohio Development Services Agency back to the Ohio Department of Development;
- Expands eligibility for loans from the Rural Industrial Park Loan Program;
- Creates a Brownfield Remediation Program, with at least \$1 million available to each county for a year, and total funding of \$350 million;

- Creates a Building Demolition and Site Revitalization Program, with at least \$500,000 available to each county for a year, and total funding of \$150 million;
- Establishes and funds (at \$250,000 per year of the biennium) the Main Street Job Recovery Program to provide grants nonprofit organizations to create permanent business development and employment opportunities targeted to low- and moderate-income individuals or individuals of the reentry population
- Creates a study committee to make recommendations regarding the valuation and valuation process of federally subsidized residential rental property.

House Bill 128 (Passed March 25, 2021; signed by the Governor March 31, 2021; effective June 29, 2021. See also House Bills 10, 18 and 57, and Senate Bills 10, 44, 117 and 118.) This Bill makes changes regarding electric utility service law, repeals certain provisions of H.B. 6 of the 133rd General Assembly, and provides refunds to retail electric customers in the state.

House Bill 167 (Passed April 28, 2021; signed by the Governor May 11, 2021; effective immediately. See also Senate Bill 110.) This Bill appropriates \$465 million in FY 2021 to the Development Services Agency to fund an emergency rental assistance program in accordance with the federal “Consolidated Appropriations Act, 2021” and program guidelines for the use of the funds provided by the U.S. Department of the Treasury.

House Bill 168 (Passed June 25, 2021; signed by the Governor June 29, 2021; effective immediately. See also Senate Bill 109.) This Bill uses funds from the State Fiscal Recovery Fund to repay unemployment advances, provides funds to support improvements at pediatric behavioral health care facilities, and requires the Development Services Agency to establish the Water and Sewer Quality Program to provide grants to political subdivisions related to water and sewer quality projects.

Senate Bill 22 (Passed March 10, 2021; Governor’s veto overridden March 24, 2021; effective June 22, 2021. See also House Bills 90, 103, 127 and 202.) This Bill establishes legislative oversight of the Governor's executive orders and certain public health orders, including by establishing the Ohio Health Oversight and Advisory Committee.

Senate Bill 57 (Passed April 27, 2021; signed by the Governor April 27, 2021; effective July 26, 2021. See also House Bill 71.) This Bill exempts from property taxation qualifying housing for individuals diagnosed with mental illness or substance use disorder and specifies that tax increment financing service payment obligation agreements between a property owner and a local government are enforceable against subsequent property owners.

Senate Bill 108 (Passed May 5, 2021; signed by the Governor May 17, 2021; effective immediately. See also House Bill 169.) This Bill appropriates \$125 million for Fiscal Year 2021 to the Development Services Agency to provide grants to bars, restaurants, and lodging industry businesses that have been impacted by the COVID-19 pandemic.

Senate Bill 109 (Passed May 5, 2021; signed by the Governor May 17, 2021; effective immediately. See also House Bill 168.) This Bill appropriates for FY 2021 a total of \$556.9

million for grants to businesses and child care providers impacted by COVID-19, for food assistance and other assistance programs, and for local fairs and Ohio Veterans Homes, and reappropriates for FY 2022 amounts remaining in the Coronavirus Relief Fund at the end of FY 2021.

LEGISLATION PASSED BY THE HOUSE

House Bill 66 (Introduced February 4, 2021; passed by House March 3, 2021; referred to Senate Ways and Means Committee on March 10, 2021.) This Bill would require the reporting of information on and legislative review of property tax exemptions, in addition to tax expenditures, as in current law.

House Bill 68 (Introduced February 4, 2021; passed by House May 19, 2021; referred to Senate Ways and Means Committee on May 26, 2021.) This Bill would require owners of private construction projects, aside from those involving one-, two- or three-family dwellings, to timely pay a contractor.

House Bill 123 (Introduced February 16, 2021; passed by House May 26, 2021; referred to Senate Ways and Means Committee on June 2, 2021.) This Bill would modify the law governing community reinvestment areas and the terms under which property may be exempted in such areas.

House Bill 140 (Introduced February 18, 2021; passed by House April 22, 2021; referred to Senate Ways and Means Committee on April 28, 2021.) This Bill would enact the “Ballot Uniformity and Transparency Act” to modify the form of election notices and ballot language for property tax levies, requiring property tax election notices and ballot language to convey a property tax levy’s rate in dollars for each \$100,000 of the county auditor’s appraised value (i.e., true value), instead of in dollars for each \$100 of taxable value.

House Bill 157 (Introduced February 25, 2021; passed by House May 26, 2021; referred to Senate Ways and Means Committee on June 2, 2021. See also Senate Bill 97.) This Bill would repeal a temporary municipal income taxation rule for employees who are working from home due to COVID-19.

House Bill 169 (Introduced March 2, 2021; passed by House April 15, 2021; referred to Senate Finance Committee on April 21, 2021. See also Senate Bill 108.) This Bill would provide grants to bars and restaurants and the lodging industry.

House Bill 215 (Introduced March 16, 2021; passed by House May 6, 2021; referred to Senate Small Business and Economic Opportunity Committee on May 12, 2021. See also Senate Bill 134.) This Bill would enact the “Business Fairness Act”, to allow businesses required to limit or cease operations by orders, rules, or regulations issued due to the widespread presence of disease or a bioterrorism event to remain open so long as they observe the same safety requirements imposed on businesses that were not required to limit or cease operations, and prohibit orders, rules, or regulations issued due to the widespread presence of disease or a

bioterrorism event from requiring businesses or business locations to close due to circumstances not uniquely present at those particular businesses or business locations for more than 14 days.

House Bill 247 (Introduced April 6, 2021; passed by House May 19, 2021; referred to Senate Small Business and Economic Opportunity Committee on May 26, 2021.) This Bill would remove the authority for certification of plumbing inspectors from the Division of Industrial Compliance, leave Board of Building Standards certification of plumbing inspectors in place, and prohibit the Division from conducting plumbing inspections only when a health district has notified the Division in writing of its intent to inspect plumbing within its jurisdiction and it either employs or retains under contract a certified plumbing inspector.

LEGISLATION INTRODUCED IN THE HOUSE

House Bill 10 (Introduced February 4, 2021; first hearing in House Public Utilities Committee on February 17, 2021. See also House Bills 18, 57 and 128, and Senate Bills 10, 44, 117 and 118.) This Bill would make changes regarding electric utility service law, allow the implementation of energy waste reduction programs, and repeal certain provisions of H.B. 6 of the 133rd General Assembly.

House Bill 18 (Introduced February 4, 2021; first hearing in House Public Utilities Committee on February 17, 2021. See also House Bills 10, 57 and 128, and Senate Bills 10, 44, 117 and 118.) This Bill would repeal the changes made by H.B. 6 of the 133rd General Assembly to the laws governing electric service, renewable energy, and energy efficiency and the changes made to other related laws.

House Bill 20 (Introduced February 4, 2021; second hearing in House Civil Justice Committee on March 23, 2021.) This Bill would prohibit foreclosure activity and the eviction of residential and commercial tenants during the state of emergency declared regarding COVID-19, and refer such proceedings caused by the state of emergency to mediation.

House Bill 43 (Introduced February 4, 2021; first hearing in House Government Oversight Committee on February 11, 2021.) This Bill would authorize public bodies to meet via teleconference and video conference, essentially making permanent the current temporary authorization under H.B. 197 and H.B. 404 of the 133rd General Assembly.

House Bill 57 (Introduced February 4, 2021; first hearing in House Public Utilities Committee on February 17, 2021. See also House Bills 10, 18 and 128, and Senate Bills 10, 44, 117 and 118.) This Bill would repeal the changes made by H.B. 6 of the 133rd General Assembly to the laws governing electric service, renewable energy, and energy efficiency and the changes made to other related laws.

House Bill 63 (Introduced February 4, 2021; second hearing in House Civil Justice Committee on March 2, 2021.) This Bill would amend the law regarding eminent domain.

House Bill 69 (Introduced February 9, 2021; referred to House Commerce and Labor Committee on February 10, 2021. See also Senate Bill 51.) This Bill would increase the state minimum wage.

House Bill 71 (Introduced February 9, 2021; second hearing in House Ways and Means Committee on February 23, 2021. See also Senate Bill 57.) This Bill would exempt from property taxation qualifying housing for individuals diagnosed with mental illness or substance use disorder.

House Bill 88 (Introduced February 9, 2021; second hearing in House Commerce and Labor Committee on May 5, 2021. See also Senate Bill 64.) This Bill would require commercial roofing contractors to have a license.

House Bill 90 (Introduced February 9, 2021; third hearing in House State and Local Government Committee on February 24, 2021. See also House Bills 103, 127 and 202, and Senate Bill 22.) This Bill would establish legislative oversight of the Governor's executive orders, certain public health orders, and emergency rules, including by establishing the Ohio Health Oversight and Advisory Committee.

House Bill 91 (Introduced February 9, 2021; second hearing in House Infrastructure and Rural Development Committee on April 28, 2021.) This Bill would authorize certain public entities to enter into public-private initiatives with a private party through a public-private agreement regarding the planning, acquisition, financing, development, design, construction, reconstruction, replacement, improvement, maintenance, management, repair, leasing, or operation of public facilities.

House Bill 103 (Introduced February 10, 2021; second hearing in House State and Local Government Committee on March 24, 2021. See also House Bills 90, 127 and 202, and Senate Bill 22.) This Bill would restrict the adoption and duration of emergency state administrative rules.

House Bill 127 (Introduced February 16, 2021; reported out of House State and Local Government Committee on April 21, 2021. See also House Bills 90, 103 and 202, and Senate Bill 22.) This Bill would establish relief for businesses that have violated COVID-19 orders by vacating and expunging the violations and by refunding fines to those businesses.

House Bill 143 (Introduced February 23, 2021; referred to House Finance Committee on February 24, 2021. See also Senate Bill 84.) This Bill would expand the list of entities eligible to apply for Clean Ohio Revitalization Fund grants to include a county land reutilization corporation, direct deferred payments received by the state from JobsOhio from the gross profit on the sale of spirituous liquors to the Clean Ohio Revitalization Fund and appropriate any such profits credited to the fund for FY 2022 and 2023, and authorizes those deferred payments to be pledged for Clean Ohio bonds.

House Bill 146 (Introduced February 23, 2021; second hearing in House Commerce and Labor Government Committee on June 23, 2021.) This Bill would allow political subdivisions,

special districts, and state institutions of higher education to elect to apply the Prevailing Wage Law to public improvement projects.

House Bill 155 (Introduced February 25, 2021; fourth hearing in House Economic Development and Workforce Committee on June 16, 2021.) This Bill would create the Land Reutilization Nuisance Abatement Program to fund the abatement of nuisance structures on blighted property and make an appropriation of \$50 million for both FY 2022 and 2023 to fund the program, which would be administered by the Director of Development Services.

House Bill 182 (Introduced March 4, 2021; second hearing in House Civil Justice Committee on April 27, 2021.) This Bill would prohibit discrimination in rental housing based on lawful source of income.

House Bill 186 (Introduced March 9, 2021; second hearing in House Ways and Means Committee on June 15, 2021.) This Bill would enact the “First-time Home Buyer Savings Act”, authorizing income tax deductions for contributions to and earnings on savings accounts designated for the purchase of a home.

House Bill 202 (Introduced March 10, 2021; first hearing in House Government Oversight Committee on April 22, 2021. See also House Bills 90 103 and 127, and Senate Bill 22.) This Bill would void the order of the Interim Director of Health requiring the use of facial coverings throughout the state and prohibit the Governor or other administrative department heads from requiring the use of facial coverings without approval by the General Assembly.

House Bill 245 (Introduced March 31, 2021; referred to House State and Local Government Committee on April 14, 2021. See also Senate Bill 180.) This Bill would expand eligibility for county sewer discounted rates or charges.

House Bill 264 (Introduced April 20, 2021; referred to House Ways and Means Committee on April 22, 2021.) This Bill would modify the municipal income tax withholding rule for employees working at a temporary worksite.

House Bill 275 (Introduced April 27, 2021; first hearing in House Commerce and Labor Committee on May 12, 2021.) This Bill would expand political subdivision joint purchasing authority to expressly include purchases for construction services.

House Bill 357 (Introduced June 21, 2021; referred to House Ways and Means Committee on June 24, 2021.) This Bill would index the homestead exemption amounts to inflation.

House Bill 372 (Introduced July 7, 2021; not yet referred to House Committee. See also Senate Bill 372.) This Bill would make changes to the law relating to building inspections.

House Bill 377 (Introduced July 15, 2021; not yet referred to House Committee.) This Bill would reappropriate unexpended amounts for Coronavirus local government recovery in future fiscal years.

LEGISLATION PASSED BY THE SENATE

Senate Bill 1 (Introduced January 14, 2021; passed by Senate May 12, 2021; second hearing in House Primary and Secondary Education Committee on June 15, 2021.) This Bill would require teaching of financial literacy in high school.

Senate Bill 8 (Introduced January 21, 2021; passed by Senate February 10, 2021; referred to House Finance Committee on February 17, 2021. See also House Bill 2.) This Bill would expand broadband access, including allowing access to electric cooperative easements and facilities to help facilitate such expansion.

Senate Bill 9 (Introduced January 21, 2021; passed by Senate March 10, 2021; first hearing in House Government Oversight Committee on May 20, 2021.) This Bill would require certain agencies to reduce the number of regulatory restrictions in their administrative rules.

Senate Bill 10 (Introduced January 21, 2021; passed by Senate February 17, 2021; first hearing in House Public Utilities Committee on February 23, 2021. See also House Bills 10, 18, 57 and 128, and Senate Bills 44, 117 and 118.) This Bill would address or repeal some of the provisions of H.B. 6 from the 133rd General Assembly, by terminating any approved decoupling mechanism, modifying the significantly excessive earnings determination for an electric security plan, and providing refunds to retail electric customers in the state.

Senate Bill 44 (Introduced February 2, 2021; passed by Senate March 3, 2021; referred to House Public Utilities Committee on March 9, 2021. See also House Bills 10, 18, 57 and 128, and Senate Bills 10, 117 and 118.) This Bill would repeal the nuclear resource credit payment provisions, and amend, and rename as solar resource, the renewable resource credit payment provisions of H.B. 6 of the 133rd General Assembly.

Senate Bill 56 (Introduced February 9, 2021; passed by Senate May 19, 2021; first hearing in House Civil Justice Committee on June 22, 2021.) This Bill would regulate the use of indemnity provisions in professional design contracts related to public improvements.

Senate Bill 83 (Introduced February 23, 2021; passed by Senate May 19, 2021; second hearing in House Agriculture and Conservation Committee on June 23, 2021.) This Bill would require the Ohio Environmental Protection Agency to conduct a study to determine where brownfield sites are located in this state.

Senate Bill 110 (Introduced March 2, 2021; passed by Senate March 17, 2021; referred to House Finance Committee on March 24, 2021. See also House Bill 167.) This Bill would appropriate \$465 million in FY 2021 to the Development Services Agency to fund an emergency rental assistance program in accordance with the federal “Consolidated Appropriations Act, 2021” and program guidelines for the use of the funds provided by the U.S. Department of the Treasury, and make an appropriation of \$100 million in FY 2021 to the Department of Public Safety for COVID relief.

Senate Bill 134 (Introduced March 16, 2021; passed by Senate May 12, 2021; first hearing in House Economic and Workforce Development Committee on June 9, 2021. See also House Bill 215.) This Bill would enact the “Business Fairness Act” to allow businesses required to limit or cease operations by orders, rules, or regulations issued due to the widespread presence of disease or a bioterrorism event to remain open so long as they observe the same safety requirements imposed on businesses that were not required to limit or cease operations and prohibit orders, rules, or regulations issued due to the widespread presence of disease or a bioterrorism event from requiring businesses or business locations to close due to circumstances not uniquely present at those particular businesses or business locations for more than 14 days.

LEGISLATION INTRODUCED IN THE SENATE

Senate Bill 51 (Introduced February 9, 2021; first hearing in Senate Workforce and Higher Education Committee on March 10, 2021. See also House Bill 69.) This Bill would increase the state minimum wage and to allow municipalities, townships, and counties to establish higher minimum wage requirements.

Senate Bill 64 (Introduced February 17, 2021; second hearing in Senate Government Oversight and Reform Committee on June 9, 2021. See also House Bill 88.) This Bill would regulate and require the registration of roofing contractors.

Senate Bill 84 (Introduced February 23, 2021; second hearing in Senate Agriculture and Natural Resources Committee on March 23, 2021. See also House Bill 143.) This Bill would expand the list of entities eligible to apply for Clean Ohio Revitalization Fund grants to include a county land reutilization corporation, direct deferred payments received by the state from JobsOhio from the gross profit on the sale of spirituous liquors to the Clean Ohio Revitalization Fund, and authorize those deferred payments to be pledged for Clean Ohio bonds.

Senate Bill 93 (Introduced February 24, 2021; referred to Senate Ways and Means Committee on March 3, 2021.) This Bill would require voter approval of any increase in the rate of a county sales tax.

Senate Bill 97 (Introduced February 24, 2021; referred to Senate Ways and Means Committee on March 3, 2021. See also House Bill 157.) This Bill would repeal a temporary municipal income taxation rule for employees who are working from home due to COVID-19.

Senate Bill 112 (Introduced March 2, 2021; second hearing in Senate Local Government and Elections Committee on March 31, 2021.) This Bill would make changes to the law relating to tax foreclosures and county land reutilization corporations.

Senate Bill 117 (Introduced March 9, 2021; third hearing in Senate Energy and Public Utilities Committee on June 15, 2021. See also House Bills 10, 18, 57 and 128, and Senate Bills 10, 44 and 118.) This Bill would repeal the legacy generation resource provisions of H.B. 6 of the 133rd General Assembly and provide customers refunds.

Senate Bill 118 (Introduced March 9, 2021; first hearing in Senate Energy and Public Utilities Committee on March 31, 2021. See also House Bills 10, 18, 57 and 128, and Senate Bills 10, 44 and 117.) This Bill would repeal the renewable resource credit payment provisions enacted under H.B. 6 of the 133rd General Assembly.

Senate Bill 142 (Introduced March 23 2021; second hearing in Senate Small Business and Economic Opportunity Committee on May 12, 2021.) This Bill would require licensing for residential only construction contractors and make changes to the law regulating specialty construction contractors.

Senate Bill 158 (Introduced April 13, 2021; referred to Senate Judiciary Committee on April 21, 2021.) This Bill would provide procedures for expungement of eviction case court files.

Senate Bill 159 (Introduced April 13, 2021; referred to Senate Ways and Means Committee on April 21, 2021. See also Senate Bill 192.) This Bill would reduce property taxes on qualifying owner-occupied homes to the extent that property taxes increase by more than 5% from the previous year.

Senate Bill 172 (Introduced May 4, 2021; referred to Senate Ways and Means Committee on May 5, 2021.) This Bill would require municipal corporations with more than \$100 million in annual income tax collections to provide a tax credit to nonresident taxpayers.

Senate Bill 180 (Introduced May 12, 2021; first hearing in Senate Energy and Public Utilities Committee on June 8, 2021. See also House Bill 245.) This Bill would expand eligibility for county sewer discounted rates or charges.

Senate Bill 192 (Introduced June 1, 2021; referred to Senate Way and Means Committee on June 2, 2021. See also Senate Bill 159.) This Bill would reduce property taxes on owner-occupied homes to the extent the taxes increase by more than 10% per year.

Senate Bill 193 (Introduced June 1, 2021; referred to Senate Energy and Public Utilities Committee on June 2, 2021.) This Bill would prohibit political subdivisions from placing a lien on property for unpaid water charges.

Senate Bill 196 (Introduced June 2, 2021; referred to Senate Small Business and Economic Opportunity Committee on June 16, 2021. See also House Bill 196.) This Bill would make changes to the law relating to building inspections.