

ITEMS IN BUDGET IMPACTING TOWNSHIPS

ISSUE	DESCRIPTION	EFFECTIVE DATE
Government Rate for Newspaper Advertisements (Sec. 7.10)	- Requires newspapers in Ohio to establish a government rate for advertising and states that the government rate cannot exceed the lowest insert rate paid by other advertisers	<i>Sept. 29, 2011</i>
Public Notice Requirements (Sec. 7.11, 7.12, 7.16 125.182)	<ul style="list-style-type: none"> - Revises requirements for a newspaper to qualify as a "newspaper of general circulation" - Eliminates requirement publication be made in a newspaper published in a political subdivision and in two newspapers or in two newspapers of opposite politics - States that if a statute requires 2 or more notices, the 1st notice shall be published in its entirety in a newspaper and the 2nd notice must be an abbreviated notice and also be published in a newspaper, in addition to being published on the statewide website - Eliminates all subsequent notices after two - Allows for succinct summary of a resolution as opposed to complete resolution 	<i>Sept. 29, 2011</i>
Use of Funds for Abortions (Sec. 9.03, 9.04)	- Prohibits a township from using funds to pay the costs, premiums or other charges associated with a health care policy, contract or plan that provides coverage, benefits or services related to an abortion in non-life threatening cases (this mirrors local law with state law on this issue)	<i>Sept. 29, 2011</i>
Shared Services (Sec. 9.482)	<ul style="list-style-type: none"> - Broad provision permitting political subdivisions to collaborate - Requires political subdivisions that enter into an agreement for joint services under the bill to first obtain the written consent of a non-participating subdivision if the agreement is to be performed within that non-participating subdivision - Clarifies that the language does not limit the ability of subdivisions to create and operate JEDDs or JEDZs 	<i>Sept. 29, 2011</i>
Health Care Plans (Sec. 9.833, 9.90, 9.901)	<ul style="list-style-type: none"> - Requires state to create health care plans for local governments and schools - Requires local governments to participate in statewide plan OR consortium of two or more entities offering health care OR a self insurance health plan - Existing township law permitting townships to offer health care shall remain in place until state plan becomes effective - If state plan does not offer all that current law provides, township may continue to still offer those types - Consortium plans must contain best practices developed by DAS or School Employee Health care Board - DAS is required to hire a consultant to analyze costs related to employee health care benefits and address the benefits of establishing benchmarking in lieu of establishing new plans administered by DAS - Report must be submitted by July 1, 2012 	<i>June 30, 2011</i>

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ISSUE	DESCRIPTION	EFFECTIVE DATE
Public Records Training (Sec. 109.43)	- Requires the 3-hour public records training to include information on records retention and records commissions	<i>Sept. 29, 2011</i>
Cost of Audits (Sec. 117.13)	- Current law requires certain expenses of deputy auditors to be paid out of the state treasury such as vacation, sick time, traveling costs and hotel expenses - New language requires Auditor of State to establish by rule rates to be charged to local governments for recovering the costs of audits	<i>June 30, 2011</i>
Local Government Fiscal Distress (Sec. 118.023, 118.025, 118.04, 118.05, 118.06, 118.12, 118.31, 118.99)	- Creates designation of "fiscal caution" that applies to local governments - Requires AOS to develop guidelines for identifying practices and conditions of local governments that, if uncorrected, could result in a future declaration of fiscal watch or fiscal emergency - Allows Auditor to (a) determine whether or not reasonable actions have been taken to discontinue or correct the declaration, and (b) if necessary, declare the local government to be in fiscal watch - Requires AOS to seek a detailed financial plan for eliminating the conditions that prompted the declaration, including dates of the commencement, progress upon, and completion of those actions, as well as a five-year forecast reflecting the effects of the actions identified in the plan - Requires AOS to approve or reject any initial or subsequent financial plan from a political subdivision in fiscal watch - Makes changes in current law that apply to local governments in fiscal emergency: (1) clarifies AOS is to be reimbursed for any expenses incurred relating to a fiscal emergency, (2) revises the composition of, and reduces the number of members on, a financial planning and supervision commission established when a local government is declared to be in fiscal emergency, (3) requires AOS, rather than a financial planning and supervision commission as under current law, serve as the supervisor for villages or townships with a population of less than 1,000 that are in fiscal emergency, (4) requires political subdivision's financial plan include a five-year forecast and that the plan be updated annually, (5) if local government fails to submit a plan, or fails to substantially comply with it, and the commission gives its certification, requires that all state funding (other than benefit assistance to individuals) be escrowed until plan is submitted or compliance is achieved, (6) permits a commission to limit expenditures from any fund if deemed prudent, instead of general fund expenditures, (7) provides for the dissolution of local governments that are in fiscal emergency and meet specified conditions, (8) specifies that an officer of a local government in fiscal emergency who is convicted of certain violations of current law is ineligible to hold any public office in Ohio or be employed by a public entity in Ohio for seven years after the conviction	<i>Sept. 29, 2011</i>

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<p>Local Government Innovation Program (Sec. 189.01-189.10, 261.20.93, 379.10, 757.10)</p>	<ul style="list-style-type: none"> - Establishes the Local Government Innovation Program to be administered by the Dept. of Development with oversight of the Local Government Innovation Council - Program will make loans / grants to political subdivisions for innovation projects - Council will consist of 15 members to determine criteria for evaluating proposals and to make loan/grant awards (will include one person recommended by OTA) - Loans may be granted for purchase of equipment, facilities or systems or for implementation costs - 20% of money may be appropriated as grants for process improvements or implementation of innovation projects - All political subdivisions in state are eligible for grants/loans - Applications must be submitted to local public works integrating committees and then forwarded to Dept. of Development - Council to begin evaluating projects no later than March 1, 2012 and begin awarding July 1, 2012 - 30% of awards must be granted to political subdivisions (not counties) with population less than 50,000 or counties with population of less than 130,000 - 30% of awards to political subdivisions (not counties) with population over 50,000 or counties with population greater than 130,000 - Report must be filed with Governor, House and Senate by January 1, 2013 - Council ceases to exist as of December 31, 2015 - appropriates \$45 million in FY 2013 for grant/loan awards 	<p><i>June 30, 2011</i></p>
<p>Furlough Days & Modified Work Weeks (Sec. 124.393 & 124.394)</p>	<ul style="list-style-type: none"> - Permits a township to require furlough days for SFY 2012 and 2013 for exempt permanent full-time or permanent part-time employees not subject to collective bargaining agreements - Permits a township to establish a modified work week in SFY 2012-2013 which could provide a reduction from the usual hours worked during a week - After June 30, 2013 programs can continue only if township is in fiscal emergency 	<p><i>Sept. 29, 2011</i></p>
<p>Statewide Public Notice Website (Sec. 125.182)</p>	<ul style="list-style-type: none"> - Requires State's office of information technology to establish, operate and maintain the state public notice website - Specifically prohibits charging local governments a fee for posting notices 	<p><i>Sept. 29, 2011</i></p>
<p>LGF Formula Modification (Sec. 131.51)</p>	<ul style="list-style-type: none"> - Alters the formula for the Local Government Fund starting July 2013 - Current formula of 3.68% will be reduced and the new percentage will be calculated as a percent of the FY 2013 distribution divided by total state revenues at that time 	<p><i>June 1, 2013</i></p>
<p>Financing TID Projects (Sec. 133.09, 5540.01, 755.20)</p>	<ul style="list-style-type: none"> - Permits a transportation improvement district and any one or more governmental agencies, until December 31, 2011, to enter into an agreement providing for the joint financing, construction, acquisition or improvement of any project 	<p><i>Sept. 29, 2011</i></p>

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Destruction of Public Records (Sec. 149.351)	<ul style="list-style-type: none"> - Limits to \$10,000 the amount that may be recovered in forfeiture for a violation of the prohibition against the destruction or damage of records of a public office - Permits up to \$10,000 in attorney fees - Action must be commenced within five years of alleged destruction of records 	<i>Sept. 29, 2011</i>
Records Commissions (Sec. 149.381 & 149.42)	<ul style="list-style-type: none"> - Clarifies and consolidates records retention procedures and schedules for townships and revises the procedure used by the Ohio Historical Society for selecting valuable records 	<i>Sept. 29, 2011</i>
Use of Design Build (Chapter 153, Sec. 9.3, 4113.61)	<ul style="list-style-type: none"> - Increases from \$50,000 to \$200,000 all competitive bidding thresholds relative to this section (Ch. 153) - Increases from \$25,000 to \$50,000 the professional design fee cost threshold - Grants townships the option of hiring design-build firm for improvement contracts - Defines "design-build services" as an integrated system in which a single vendor is responsible for design, demolition, construction, alteration, repair or reconstruction of public improvements such as buildings and roads - Firms must be selected based upon qualifications in a process detailed in statute - Townships have to retain a criteria architect or engineer to assist in evaluating design-build proposals - Creates and defines construction managers at risk (CMAR) and establishes process public authorities must follow when using a CMAR - Each CMAR and design-build firm must establish criteria for prequalification of prospective bidders on projects that are approved by public authority - At least three prospective bidders must prequalified to bid on a subcontract - DAS must adopt rules setting forth standards to be followed by CMARs and design-build firm 	<i>Sept. 29, 2011</i>
Regional Councils of Government (Sec. 167.081)	<ul style="list-style-type: none"> - Permits a regional council to enter into unit price contracts related to buildings and structures on behalf of members 	<i>Sept. 29, 2011</i>
Limited Home Rule Police Services (Sec. 504.16)	<ul style="list-style-type: none"> - Permits a limited home rule township to use constables for police protection 	<i>Sept. 29, 2011</i>
Contracting with an ESC (Sec. 505.101)	<ul style="list-style-type: none"> - Permits a township to enter into a contract with an educational service center (ESC) for the purchase of services 	<i>Sept. 29, 2011</i>
Documentation of Trustee Pay (Sec. 505.24)	<ul style="list-style-type: none"> - Permits township to pass a resolution at the beginning of the year setting forth percentages of funds to be used for trustee salaries AND requires trustees to certify or attest the percentage of time spent working on matters to be paid from the township general fund and from other township funds in such proportions as the kinds of services performed 	<i>Sept. 29, 2011</i>

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ISSUE	DESCRIPTION	EFFECTIVE DATE
Joint Police Districts (Sec. 505.24)	- Permits two or more townships or one or more townships and one or more municipal corporations to form a joint police district	<i>Sept. 29, 2011</i>
Allocation of Fiscal Officer Pay (Sec. 507.09)	- Permit pay of a township fiscal officer to come from funds other than the general fund depending upon the work performed	<i>Sept. 29, 2011</i>
Competitive Bidding Thresholds (Sec. 511.01, 511.12, 515.01, 515.07, 521.05 & 5549.21)	- Increases to \$50,000 all township competitive bidding thresholds	<i>Sept. 29, 2011</i>
Cemetery Rules (Sec. 517.06)	- Specifically permits townships to make and enforce all needful rules and regulations for burial, interment, reinterment, or disinterment	<i>Sept. 29, 2011</i>
Township Mergers (Sec. 523.01, 523.02, 523.03, 523.04, 523.05, 523.06 & 523.09)	- Creates two different procedures by which two or more townships could merge together should they wish to do so - Both procedures require a vote of the residents - Sets forth requirements that must be included in merger agreement and if agreement is not reached within a specified time period, sets forth conditions until an agreement can be reached	<i>Sept. 29, 2011</i>
Expedited Merger Between Townships and Municipalities (Sec. 709.44, 709.451 & 709.452)	- Eliminates the multiple votes and permits the legislative bodies to merge in one of two ways - Establishes criteria that must be addressed in the merger - Permits merged entity to choose municipal or township form of government	<i>Sept. 29, 2011</i>
Allocation of Township Election Expenses (Sec. 3501.17)	- Provides that, when expenses are incurred related to a township tax levy ballot issue, the township board of trustees may request that those expenses be withheld from the particular township fund to which the tax is to be credited	<i>Sept. 29, 2011</i>
Regulating Food Operations (Sec. 3717.53, 3717.54)	- Prohibits political subdivisions from banning, prohibiting, or otherwise restricting a food service operation, where food service operations are permitted to operate, based on the existence or nonexistence of food-based health disparities	<i>Sept. 29, 2011</i>
Solid Waste Fees (Sec. 3734.57, 3734.577)	- Keeps the increased tipping fee collected by state for solid waste through June 30, 2014 - Current law increased fee only through June 30, 2012 - Prohibits a public sector hauler from being exempt from hauling fees that would be paid by a private hauling company	<i>June 30, 2011</i>
Wellness Programs (Sec. 3901.56)	- Allows health and life insurers, including public employee benefit plans, to offer wellness or health improvement programs that include rewards and incentives to encourage or reward participation	<i>Sept. 29, 2011</i>

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ISSUE	DESCRIPTION	EFFECTIVE DATE
Prevailing Wage Thresholds (Chapter 4115)	<ul style="list-style-type: none"> - Increases new construction threshold to \$125,000 effective this year, \$200,000 one year later, and \$250,000 one year after - Increases threshold for reconstruction and improvements to \$38,000 this year, \$60,000 one year later and \$75,000 one year after that - Keeps threshold for new road construction at \$78,258 and road reconstruction / improvements at \$23,447 and indexed biennially - Thresholds would not have to apply to projects that are completed solely with labor donated by the individuals performing the labor, by a labor organization and its members, or by a contractor or subcontractor that donates all labor and materials for the portion of the public improvement project 	<i>Sept. 29, 2011</i>
Police & Fire Levy Money (Sec. 5705.19)	<ul style="list-style-type: none"> - Expands allowable use of police and fire levy monies to include EMS, communications and administration in fire use and part-time employees, administration, communications and employer pension contributions in police use 	<i>Sept. 29, 2011</i>
Enterprise Zone Extension (Sec. 5709.63, 5709.632)	<ul style="list-style-type: none"> - Extends through October 15, 2012, ability of municipality or county to create zone 	<i>Sept. 29, 2011</i>
Tax Increment Financing Districts (Sec. 5709.73)	<ul style="list-style-type: none"> - Extends certain notice and veto rights to a joint vocational school district that would forgo revenue as result of creation of TIF by county, township or municipality 	<i>Sept. 29, 2011</i>
Energy Project Taxation (Sec. 5727.75)	<ul style="list-style-type: none"> - Extends by two years the deadline by which owner of qualified energy project must meet certain requirements for the energy facility in order to qualify for tax exemption 	<i>Sept. 29, 2011</i>
Public Utility Reimbursement (Sec. 5727.84 & 5727.86) TPP Reimbursement (Sec. 5751.20 & 5751.22)	<ul style="list-style-type: none"> - Changes reimbursement from what was lost to reliance on reimbursements - Reliance is measured in terms of the percentage of total revenue resources available to the local government for current operating expenses, which also includes an estimated amount for 2010 - For a township, "total resources" is defined as local property taxes, LGF distributions, TPP tax reimbursements, and utility tax reimbursements - Reimbursement will be phased out whereby no more than 2% of total revenue resources are removed for CY 2011, CY 2012 and CY 2013 - If a township receives 2% or less of its resources from utility or TPP reimbursement, amount is eliminated as of July 1, 2011 - If township has greater than 2% reliance on utility or TPP reimbursement, reduction in reimbursement first year (CY 2011) is amount equal to 2% and then 2% the second year (CY 2012) - If township is still getting money as of CY 2013, there will be another 2% reduction - Township will receive what they received in CY 2013 until 2030 	<i>June 30, 2011</i>

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ISSUE	DESCRIPTION	EFFECTIVE DATE
Repeal of Estate Tax (Sec. 5731.02, 5731.19 & 5731.21)	- Repeals the estate tax as of January 1, 2013	<i>Sept. 29, 2011</i>
Water & Sewer Districts (Sec. 6119.061)	- Expands contracting authority of regional water and sewer districts - Declares that when portion of a 6119 district is incorporated as, or annexed to, a municipality, the area remains under the jurisdiction of the district for purposes of the acquisition, construction, or operation of a project until the project's completion or abandonment	<i>Sept. 29, 2011</i>
Fire Department Grants (Sec. 243.10)	- Permits small government fire department grant money to be given to private fire departments for training grants only - Appropriates up to \$1,647,140 in each FY to be used to make annual grants to volunteer fire departments, departments that serve one or more small governments, joint fire districts comprised of small governments, twps/muni responsible for fire departments and private fire companies - Permits a group of townships and or municipalities intending to contract together for service to apply jointly for grants	<i>June 30, 2011</i>
Disaster Fund (Sec. 247.10)	- Provides potential assistance to local governments hit by a natural disaster or emergency	<i>June 30, 2011</i>
Education Shared Services Study (Sec. 267.50.90)	- Requires the Director of 21st Century Education to develop a plan for integration and consolidation for certain school programs by July 1, 2012 - Requires Director to make recommendations for consolidation and shared service models for schools - Director shall, by October 15, 2011, conduct a shared services study, including local governments, to gather baseline data and shall report an implementation plan to Governor and General Assembly by January 1, 2012	<i>June 30, 2011</i>
Homestead/Property Tax Rollbacks (Sec. 403.10)	- Makes an appropriation for the rollbacks distributed to local governments and schools	<i>June 30, 2011</i>
Adjustments to LGF Distributions (Sec. 757.10)	- Reduces LGF by 25% for August - December 2011 payments compared with August - December 2010 payments - Reduces LGF for January -June 2012 by 25% compared with 2011 numbers - Reduces LGF by 50% for July 2012 - June 2013 as compared to what the county received in 2011 - County undivided funds that received less than \$750,000 in FY 2011 will receive that exact amount in FY 2012 and FY 2013 - County undivided funds that received more than \$750,000 in FY 2011 must receive at least \$750,000 in FY 2012 and FY 2013 regardless of reductions set forth in bill - Increases by \$50 million the LGF in FY 2012	<i>June 30, 2011</i>

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ISSUE	DESCRIPTION	EFFECTIVE DATE
Appeal of Levy Classification (Sec. 757.20)	- Permits a political subdivision to appeal, in writing, to the Tax Commissioner any levies classified for calculations to utility and TPP reimbursements - All appeals must be completed prior to June 30, 2013	<i>June 30, 2011</i>