



Ohio Township Association

Legislative Alert

June 12, 2020

Legislative Action This Week

SB 310 Rolled Into HB 481, Passes

In order to avoid a conference committee on House amendments, the Senate has rolled the original version of [SB 310](#), which provides a formula for distribution of federal CARES Act funding to local governments, into a separate piece of legislation ([HB 481](#)) along with several amendments.

House Bill 481 is now the vehicle for local governments to receive federal CARES Act funding. The House has just agreed to Senate amendments on HB 481 (Thursday, June 11th). The bill will be effective immediately upon the Governor's signature.

For more information on these changes, click [here](#).

Additionally, the House added several amendments originally included in SB 310 in SB 4. SB 4 is now pending a Senate concurrence vote. These amendments include:

- Temporarily removing the threshold for competitive bidding for PPE;
- Allowing townships and municipalities to divert up to 25% of unencumbered TIF funds to be used for police and fire services or road maintenance for up to two years from the effective date of the bill. This revenue is required to be replaced should a township or municipality receive funding for revenue replacement under an amended version of the CARES Act;
- Requiring a transportation improvement district to comply with prevailing wage law, unless the amount the district expends on a contract or project is below statutory thresholds.

Water/Sewer Service, Broadband Bills Pass House

There was not shortage of action in the House this week. The chamber passed two bills of which the OTA is a proponent.

[HB 163](#), which creates a process where municipalities may have local government funds withheld if they charge unjustifiably higher extraterritorial rates to townships and their residents, passed the House on Wednesday.

[HB 13](#), which sets up the Ohio Residential Broadband Expansion Grant Program through the Ohio Department of Commerce, made it through House Finance Committee and the House floor on Thursday.

Both bills now head to the Senate for consideration.

HB 444 Amended in Committee

The House State and Local Government Committee accepted a substitute bill for [HB 444](#), the township omnibus bill, in committee this week, which contained several changes. The changes include:

- Removing the requirement that townships and municipalities be contiguous when establishing a special improvement district and, instead, requires them to be within the same county or neighboring counties;
- Clarifying a provision regarding when a renewal levy can commence;
- Removing a provision that adjusts the membership of a metropolitan housing authority

- board in a charter county;
- Removing a provision that allowed for continuous joint police and fire levies; and
- Removing a provision that required a company to provide notice of excavation for the repair, replacement, or maintenance of poles in the township right of way.

The committee had previously accepted amendments removing a provision that allowed townships to regulate noise township-wide and clarifying the use of insurance in lieu of bonds. With these changes, HB 444 has no known opponents.

OTA Board Meets with Senator Brown

During the OTA's virtual Board meeting this week, the OTA Board heard from Senator Brown on updates from Washington, including CARES Act/COVID-19 funding, broadband, and rural infrastructure updates.

Statehouse Committee Updates

House Committee Hearings - State and Local Government Committee

[HB 444 TOWNSHIP LAWS](#) (BALDRIDGE, ABRAMS) - To make various changes to township law.

The committee received written proponent testimony from Bob Kusmer (Ballville Township) and accepted a substitute bill (described above). OTA position - support.

House Committee Hearings - Criminal Justice

[HB 539 TOWNSHIP POLICE](#) (GHANBARI, BLAIR) - To permit a township police officer who serves a population between 5,000 and 50,000 to enforce specified traffic offenses on certain interstate highways if authorized by that township's board of trustees.

The bill had a third and fourth hearing this week and received written proponent testimony from Chief Naples (Weathersfield Twp.). The committee passed the bill 9-0. The bill was scheduled for a House floor vote on Thursday, but after concerns were raised, the bill was re-referred back to committee. OTA position - support.

House Committee Hearings - Finance

[HB 13 BROADBAND EXPANSION](#) (CARFAGNA, O'BRIEN) - To establish the residential broadband expansion program and to make an appropriation.

The bill had a hearing on Wednesday and Thursday this week. The committee accepted an amendment and passed the bill on Thursday. The bill passed a House floor vote the same day. OTA position - support.

Bills Recently Introduced

[SB 321 MUNICIPAL TREASURERS-LIABILITY](#) (Wilson) - To make changes regarding the circumstances in which county treasurers, township fiscal officers and deputy fiscal officers, and municipal treasurers may be held liable for a loss of public funds.

Additional SB 310/HB 481 Information

Townships Must Register & Pass Resolution to Receive CARES Act Funds

In late March, Congress passed the Coronavirus Aid, Relief, and Economic Security (CARES) Act, which provided economic relief to states and local governments, assisting communities with the financial burdens caused by COVID-19. Ohio was allocated approximately \$1.2 billion to pass along to local governments with a population less than 500,000. HB 481 would distribute \$350 million to local governments for COVID-19 related expenses.

While the HB 481 disbursements for townships will flow from the state through county auditors, the Office of Budget and Management considers each local government to be a subrecipient of the state and will structure reporting and monitoring that way; therefore, OBM needs to collect contact information and has attempted to create a process that is streamlined and easy to use.

- OBM is now accepting registrations from townships for CARES Act funding so that funds can be quickly disbursed after HB 481 is enacted. The registration portal can be found at <https://grants.ohio.gov/fundingopportunities.aspx>.
- Note that each jurisdiction will need a DUNS number to complete the registration. Directions for obtaining a DUNS number, along with how to register it in the federal SAM, are located at <https://grants.ohio.gov/helpfulresources.aspx#helpful-resources-DUNS-SAM-registration>.
- In the field labeled "project description," OBM has advised that this information can be a generic, such as "costs due to the public health crisis."

Additionally, HB 481 requires each township to adopt a resolution affirming that funds received may be expended only to cover costs consistent with the requirements of section 5001 of the "Coronavirus Aid, Relief, and Economic Security Act," as described in 42 U.S.C. 601(d), and any applicable regulations. The resolution shall be filed with the county auditor and sent to OBM.

- The OTA has worked with OBM on a sample resolution that a township may pass. You may access it [here](#).

Finally, OBM has developed a 42-minute training to provide an overview of grants management for those who are new to managing federal grant funds or for those who would like a refresher.

- That training can be found at <https://grants.ohio.gov/helpfulresources.aspx#helpful-resources-citizen-grant-training>. If you would like to maintain a record of your training, you can register through the Ohio Learn system; if you do not need to maintain a record, you can view the training online through YouTube by clicking the direct link.

Please contact the Ohio Grants Partnership team at OBM at grants@obm.ohio.gov with questions.

County Fair Guidance Update

You may view the updated guidance (issued June 9th) [here](#).

NATaT to Salute "Hometown Heroes"

The National Association of Towns and Townships is joining other prominent organizations in supporting a new, national program to honor extraordinary public service volunteers throughout the country. The program is called the Small Town America Civic Volunteer Award (STACVA).

STACVA is intended to spotlight a growing crisis facing thousands of smaller townships, cities, and rural counties: the decline in the availability of citizens to serve in critical public safety and service roles, including volunteer firefighters, emergency medical personnel, and on local government boards and commissions. The program, which launched on June 1st, is open to localities of 5,000 people or less. Nominations must be submitted no later than August 15th using an online application form (www.civic-volunteer.com).

Localities represented by the top three winning honorees will receive cash grants of \$10,000, \$7,500, and \$5,000. Local governments represented by the top 100 STACVA nominees will receive custom CivicPlus websites (and one year of website hosting) at no charge. The program has an estimated total value of over one million dollars in donated services and cash awards. For more information, click [here](#).

Federal Update

Congressional Action

The Senate was in session this week, while the House was in recess. However, the House held "Committee Work Days" each day this week, with most hearings being conducted virtually. Numerous committee hearings and virtual forums/briefings/roundtables



related to COVID-19 were scheduled for this week in both chambers.

The Senate voted on the Great American Outdoors Act ([S. 3422](#)), which makes available, without separate appropriations, more than \$2.5 billion annually for spending on land acquisition and deferred maintenance for park land, and would convert money in the \$900 million-per-year Land and Water Conservation Fund (LWCF) into mandatory funding.

On Monday, House and Senate Democratic leaders introduced the Justice in Policing Act of 2020, "the first-ever bold, comprehensive approach to hold police accountable, change the culture of law enforcement and build trust between law enforcement and our communities." Among other provisions, the legislation would: establish a national standard for the operation of police departments, mandate data collection on police encounters, reprogram existing funds to invest in transformative community-based policing programs, and streamline federal law to prosecute excessive force and establish independent prosecutors for police investigations. Senate Minority Leader Chuck Schumer (D-NY) on Monday urged Senate Majority Leader Mitch McConnell (R-KY) to schedule a vote on the Justice in Policing Act before the Senate leaves Washington for a two-week recess on July 3rd, in addition to consideration of the fifth coronavirus relief package passed by the House in mid-May, the HEROES Act.

NATaT has created a [Coronavirus Guidance webpage](#) to store NATaT letters, memos and briefs on the outbreak, as well as critical information and guidance released by Congress and the Administration.

2020 Census



All Your Information for the Upcoming 2020 Census

2020 Census Field Operations have resumed in Ohio as of June 3rd. Operations field staff will be hand delivering census packets as part of the Update Leave operation. These are the forms delivered to areas where they do not receive mail at their home address (P.O. Box Delivery). The operation does not require person to person contact. Census field staff will have mask and gloves and will leave the questionnaire packet at the door or on the porch in a plastic bag. They will not knock on doors.

Currently, the planned completion date for data collection for the 2020 Census is July 31, 2020, but that date can and will be adjusted if necessary as the situation dictates in order to achieve a complete and accurate count.

It has never been easier to respond on your own, whether online, over the phone or by mail - all without having to meet a census taker.

Learn more about these updates and ways to be counted [here](#).

[US Census Website](#)

[Ohio Census Website](#)

Ohio Township Association

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