

PNRC Analysis
Ohio House Bill 33

Municipal Ordinances and Resolution

Page 596 - Changes Title 7 (“Municipal Corporations”), Sec. 731.21 (“Publication of ordinances and resolutions”). Allows municipalities to publish notice of “municipal ordinance or resolution and all statements, orders, proclamations, notices, and reports required by law or ordinance” on the ONMA statewide website, or on the municipalities’ “web site and social media account” in lieu of a newspaper.

Statewide Public Notice Website Fee Prohibition

Page 268 - Changes Title 1 (“State Government”), Sec. 125.182 (“State public notice website”). Extends prohibition against newspapers charging a fee for publishing a notice on the ONMA statewide public notice website, to include situations in which “the notice or advertisement is not otherwise published in a newspaper or journal”.

Bid Notices

Page 451 - Changes Title 3 (“Counties”), Sec. 307.87 (“Notice of competitive bidding”). Raises threshold above which counties are required to publish newspaper notice soliciting bids for certain non-emergency expenditures, from \$50,000 to \$75,000.

Page 452 - Changes Title 3 (“Counties”), Sec. 308.13 (“Competitive bidding”). Raises threshold above which regional airport authorities are required to publish newspaper notice soliciting bids for purchases, leases and construction contracts, from \$50,000 to \$75,000.

Page 507 - Changes Title 5 (“Townships”), Sec. 505.37 (“Fire protection services”). Raises threshold above which townships are required to publish newspaper notice soliciting bids for non-compensation related fire-fighting expenditures, from \$50,000 to \$75,000.

Page 512 - Changes Title 5 (“Townships”), Sec. 505.376 (“Bids on fire and ambulance district contracts.”). Raises threshold above which townships are

required to publish newspaper notice soliciting bids for non-compensation related expenditures, from \$50,000 to \$75,000.

Page 517 - Changes Title 5 (“Townships”), Sec. 511.12 (“Plans, specifications and contracts”). Raises threshold above which townships are required to publish newspaper notice soliciting bids “for the construction and erection of a memorial building, monument, statue, or memorial”, from \$50,000 to \$75,000.

Page 518 - Changes Title 5 (“Townships”), Sec. 515.01 (“Lighting unincorporated districts”). Raises threshold above which townships are required to publish two weekly notices in a newspaper or post notices in three conspicuous public places in the township to solicit bids for the purchase of lighting equipment, from \$50,000 to \$75,000.

Page 595 - Changes Title 7 (“Municipal Corporations”), Sec. 731.141 (“Village administrator to make contracts and purchases”). Raises threshold above which village administrators are required to publish newspaper notice for non-compensation related expenditures, from \$50,000 to \$75,000.

Page 599 - Changes Title 7 (“Municipal Corporations”), Sec. 735.05 (“Contracts, material and labor”). Raises threshold above which departments of public service are required to publish newspaper notice soliciting bids for non-compensation related expenditures, from \$50,000 to \$75,000.

Page 1311 - Changes Changes Title 33 (“Education-Libraries”), Sec. 3375.41 (“Contracts over \$50,000 to require bidding procedure”). Raises the threshold above which boards of library trustees are required to publish newspaper notice soliciting bids “to construct, demolish, alter, repair, or reconstruct a library or make any improvements or repairs”, from \$50,000 to \$75,000.

Page 2765 - Changes Title 61 (“Water Supply-Sanitation-Ditches”), Sec. 6119.10 (“Competitive bidding for certain contracts”). Raises the threshold above which regional water and sewer districts are required to publish newspaper notice soliciting bids for expenditures for supplies, materials or labor, from \$50,000 to \$75,000.

Page 3784 - Changes Title 55 (“Roads-Highways-Bridges”), Sec. 5525.01 (“Advertisement for bids - awarding of contracts, etc.”). Makes transportation department’s bid-notice requirement optional rather than mandatory, i.e., changed “shall” to may”.

Page 5567 - Changes Title 1 (“State Government”) Sec. 113.40 (“Authorizing acceptance of payments by financial transaction device to pay for state expenses”). Moves RFP required to be published by the state treasurer’s office in connection with bids sought from financial institutions or issuers or processors of financial transaction devices, from newspapers to a “state agency website”.

Ohio EPA

Page 3683 - Changes Title 37 (“Health-Safety-Morals”), Sec. 3704.03 (“Director of environmental protection - powers and duties”). Allows Ohio EPA to provide a hearing notice relating to certain variance applications on the agency’s website as an alternative to a newspaper in the county where the variance is sought.

Page 3689 - Changes Title 37 (“Health-Safety-Morals”), Sec. 3734.02 (“Rules for inspection and licensing of solid waste facilities”). Allows Ohio EPA to publish hearing notices relating to applications for variances from its solid waste facilities regulations, on the agency’s website in lieu of a newspaper in the county where the variance is sought.

Page 3704 - Changes Title 37 (“Health-Safety-Morals”), Sec. 3734.021 (“Standards for generators and transporters of infectious wastes and owners and operators of treatment facilities”). Allows Ohio EPA to publish a hearing notice relating to applications for variances from its infectious waste rules, on the agency’s website as an alternative to a newspaper in the county where the hearing will be held.

Page 3706 - Changes Title 37 (“Health-Safety-Morals”), Sec. 3745.019 (“Public notices; delivery of documents and notices”). Allows Ohio EPA to publish notice on its website in lieu of a newspaper “notwithstanding any provision of the Revised Code or Administrative Code”.

Delinquent-Tax Notices

Page 468 - Changes Title 3 (“Counties”), Sec. 323.25 (“Enforcing tax lien”). In delinquent-tax cases, reduces the number of weekly newspaper notices required for “service by publication” from three to one, if another notice is published beginning one week after the newspaper notice, on the county website or court website for a year after judgement is rendered.

PP 2514, 2515 - Changes Changes Title 57 (“Taxation”), Sec. 5721.14 (“Foreclosure and forfeiture proceedings against vacant lands”). In delinquent vacant land tax cases, provides the option to reduce the number of weekly newspaper notices for foreclosure proceedings and for service of process in rem, from three to one. A single newspaper notice is sufficient if another notice is published on the county or court website, beginning one week after publication of the newspaper notice and continuing for at least one year after judgement is rendered.

Page 2518 - Changes Changes Title 57 (“Taxation”), Sec. 5721.18 (“Foreclosure proceedings on lien of state”). In delinquent-tax cases, provides the option to reduce the number of weekly newspaper notices required when “service by publication” is necessary, from three to one. A single newspaper notice is sufficient if another notice is published on the county or court website, beginning one week after publication of the newspaper notice and continuing for at least one year after judgement is rendered.

Page 2520 - Changes Title 57 (“Taxation”), Sec. 5721.18 (“Foreclosure proceedings on lien of state”). In delinquent-tax cases, provides the option to reduce the number of weekly newspaper notices required for foreclosure proceedings from three to one. A single newspaper notice is sufficient if another notice is published on the county or court website, beginning one week after publication of the newspaper notice and continuing for at least one year after judgement is rendered.

Abbreviated Municipal Notices

Page 532 - Changes Title 7 (“Municipal Corporations”), Sec. 715.691 (“Alternative procedures and requirements for creating joint economic development zone”). Allows boards of joint economic development zones to publish notice of resolutions to levy an income tax in two weekly newspaper notices, or as provided in section 7.16, which allows the second notice to be abbreviated. Also stipulates that if there are no newspapers in their county, boards can provide notice by posting it for at least 15 days in at least five “of the most public places in the district”. (Section previously required newspaper notice to be published according to the process outlined in Sec. 731.21 for municipal ordinances and resolutions.)

Page 542 - Changes Title 7 (“Municipal Corporations”), Sec. 715.70 (“Contract creating joint economic development district”). Allows boards of joint economic development districts to publish notice of resolutions to levy an income tax in two

weekly newspaper notices, or as provided in section 7.16, which allows the second notice to be abbreviated. Also stipulates that if there are no newspapers in their county, boards can provide notice by posting it for at least 15 days in at least five “of the most public places in the district”. (Section previously required newspaper notice to be published according to the process outlined in Sec. 731.21 for municipal ordinances and resolutions.)

Page 601 - Changes Title 7 (“Municipal Corporations”), Sec. 755.13 (“Supervision and maintenance of recreation facilities”). Requires boards of county commissioners to publish new rules they adopt for “parks, playfields, and reservations of land under its jurisdiction and on adjacent highways, rivers, riverbanks, and lakes” in two weekly newspaper notices or as provided in Sec. 7.16, which allows the second notice to be abbreviated. Also stipulates that if there are no newspapers in their county, boards can provide notice by posting it for at least 15 days in at least five “of the most public places in the district”. (Section previously required newspaper notice to be published according to the process outlined in Sec. 731.21 for municipal ordinances and resolutions.)

Page 648 - Changes Title 15 (“Conservation of Natural Resources”), Sec. 1545.09 (“Bylaws and rules”). Requires board of park commissioners to publish summaries of new bylaws and rules it adopts in two weekly newspaper notices, or as provided in Sec. 7.16, which allows the second notice to be abbreviated. (Section previously required newspaper notice to be published according to the process outlined in Sec. 731.21 for municipal ordinances and resolutions.)

Townships

PP 504, 505, 506 - Adds Sec. 504.121 through Sec. 504.126 to Title 5 (“Townships”). Sections apply “only to resolutions adopted pursuant to a township's limited home rule powers”. Sec. 504.121 requires townships to publish notice of “each resolution, of all notices to bidders for the construction of public improvements and notices of the sale of bonds, and of all statements, orders, proclamations, notices, and reports required by law or resolution” to be published in a newspaper in the township. Also requires newspaper to file affidavit of publication with the “fiscal officer of the township”. Sec. 504.122 sets forth the publication times for various types of notices. Sec. 504.123 allows townships to forego the newspaper notice described above when resolutions that are codified or revised are “published in book form, and certified as correct by the fiscal officer of the township and the township administrator”. Sec. 504.125 stipulates that if there

are no newspapers in their county, townships can provide notice by posting it for at least 15 days in at least five “of the most public places in the district”.

Misc.

Page 98 - Changes Title 1 (“State Government”), Sec. 119.05 (“Serving adjudication documents”). Reduces the number of weekly newspaper notices required to be published by state agencies when the “service by publication” alternative is necessary, from three to one.

Page 3652 - Changes Title 33 (“Education-Libraries”), Sec. 3313.41. Requires boards of education to provide notice of their intent to donate school-district property by posting the notice in “the board’s office” (and on its website if it has one) instead of advertising it twice in a local newspaper.

Page 5583 - Changes Title 1 (“State Government”), Sec. 135.05 (“Estimate of inactive deposits”). Eliminates newspaper notice (“published once a week for two consecutive weeks in two newspapers of general circulation in each of the three most populous counties”) required to be published by the state board of deposit, of resolutions made by political subdivisions estimating the aggregate amount of inactive deposits subject to their control. (Section still requires political subdivisions to publish such newspaper notice in the county in which they are located.)