



Representative Hearcel F. Craig
26th House District

Civil Justice Committee
House Bill 412 Sponsor Testimony
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Authorize redacting discriminatory covenants from land records

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Chairman Butler, Vice Chairman Scherer, Ranking Member Boggs, and members of the Civil Justice Committee: thank you for the opportunity to provide sponsor testimony on House Bill 412, legislation authorizing county recorders to redact discriminatory covenants from online property documents.

Recently, Franklin County Recorder Danny O'Connor discovered that thousands of property documents express discriminatory and restrictive covenants barring African Americans, Jewish people and other minorities from owning a home in some neighborhoods. Although this kind of discrimination was deemed unlawful by a Supreme Court nearly seventy years ago, the language in these documents undermines our country's core values of freedom and equality, as well as disparages our society's progress in ensuring a quality life for everyone—regardless of race, culture or religion.

County recorders presently do not have the authority to edit documents once they are recorded, no matter what the content of these documents might be. This legislation would grant county recorders authority to redact discriminatory covenants from online versions of property documents, and it would allow property owners, attorneys, title companies and real estate professionals conducting business in Ohio to notify their recorder's office of any discriminatory, harmful language. Many other states – including California and Colorado – have adopted similar models in order to address this issue.

Now, to be clear and assuage potential concerns about this legislation, I want to convey that House Bill 412 is not a mandate; rather, it permits redaction of the discriminatory language once it is brought to a recorder's attention. Furthermore, the redaction will only be effectuated on the county recorder's website. The official permanent record will not be altered, preserving any potential historical importance.

As members of this legislature, we have an obligation and a responsibility to protect our country's fundamental values. Thousands of property documents are in direct conflict with our values, and House Bill 412 seeks to correct this problem. Passing this bill is a small step we can

take to advance thoughtful dialogue within our communities, while showing residents and businesses that we are not stuck in shadows of our past.

Once again, thank you for the opportunity to offer testimony on House Bill 412. I welcome any questions you may have.

Hearcel F. Craig
House District 26



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