



Chair Anielski, Vice Chair Hambley, Ranking Holmes, members of the State and Local Government Committee. We thank you for the opportunity to testify on behalf of House Bill 543 to grant county prosecutors the ability to provide legal representation and assistance to port authorities, airport authorities, and regional planning commissions.

Many of these entities, especially in rural parts of Ohio, can have trouble obtaining legal services due to budget challenges. House Bill 543 provides a lower cost alternative for these local government entities to pursue. Airports owned by a city or county already have access to a county prosecutor or city attorney, respectively. This legislation creates a level playing field and will allow these important local government entities to seek assistance from a county prosecutor in a responsible and accountable manner.

This bill is entirely permissive—the county prosecutor decides whether or not to provide legal services to an airport authority, port authority, or regional planning commission. Further, the prosecutor can negotiate fees from an authority or commission board. Finally, as an additional accountability measure, the county commissioners must approve the agreement between the prosecutor and the authority or commission.

For multi-county port authorities, airport authorities, and regional planning commissions, the leadership board would have the ability to seek services from any county prosecutor within



Representatives Rick Perales and Steve Hambley their geographic boundaries. This legislation follows the precedent set for other non-county, local government entities to seek assistance from a county prosecutor.

Prior to 2015, many airport and port authorities, as well as regional planning commissions, were obtaining legal support from county prosecutors. In 2015, the county prosecutor in Wayne County requested an opinion from Ohio Attorney General Mike DeWine regarding the ability of a prosecutor to provide legal services to an airport authority or similar entity.

In a subsequent opinion, AG DeWine found that even though many of these entities share geographic boundaries with a county and have leadership boards appointed by county commissioners, they are not county entities and therefore cannot obtain legal assistance from a prosecutor. The opinion said that prosecutors could only assist airport authorities, port authorities, and regional planning commissions if it were authorized in statute.

House Bill 543 seeks to provide this authorization. The bill has been vetted by various stakeholders to ensure that we follow existing precedent for granting local government entities the ability to obtain legal assistance from a county prosecutor. This bill was brought to our attention by the Ohio Aviation Association; many of their member airports are owned by port and airport authorities and are facing challenges in obtaining legal assistance for routine matters.



HOUSE OF REPRESENTATIVES

Representatives Rick Perales and Steve Hambley

Chair Anielski, Vice Chair Hambley, Ranking Member Holmes, members of the State and

Local Government Committee. We thank you again for the opportunity to testify on behalf of

House Bill 543. Thank you for your consideration, we'd be happy to answer any questions.