



OHIO NEWS MEDIA ASSOCIATION | 1335 DUBLIN ROAD, SUITE 216-B | COLUMBUS OH 43215  
MONICA NIEPORTE, EXECUTIVE DIRECTOR

October 22<sup>nd</sup>, 2019

Dear Chairman Merrin and Members of the House Ways and Means Committee—

Thank you for the opportunity to provide written comments regarding HB 273. I apologize for not being able to testify in person. Should HB 273 receive further hearings, myself, along with members from the Ohio News Media Association and Cox Media, will be present to testify and take questions.

As you know, HB 273 authorizes county auditors to make the second publication of a county delinquent tax property tax list online on their government website instead of publishing it in a newspaper of general circulation.

The bill places no requirements on publication on the government website, simply stating that the second publication “may be made either in a newspaper of general circulation in the county or on a web site maintained or approved by the county.” There is no requirement around how long a list must be published and no guarantee that delinquent taxpayers will see the list.

The purpose of public notice is to provide citizens with timely and important information from a trusted, third party source. These notices are critical to governmental functions and our members are experts at partnering with governmental entities and elected officials to carry out these functions. Newspapers remain the dominant source of information for millions of Ohioans, including many citizens in low-income and rural communities.

During proponent testimony, Warren County Auditor Matt Nolan offered some comments regarding his support for HB 273. There were several arguments made that I feel merit a response—

- The elimination of the second publication of the delinquent property tax list will not generate significant savings for counties. In many instances, the second publication is smaller than the first as individuals will come forward to pay their taxes upon seeing the notice.
- Ohio passed major public notice reform in 2011 that resulted in significant savings to local governments for multiple publications. This includes a requirement that the second publication not exceed 75% of the cost of the first. Additionally, local governments now have the option of purchasing a lower cost insert in lieu of a display ad.
- These notices are revenue generating. We know for a fact that taxpayers will come forward to settle outstanding tax liabilities following publication of the delinquent property tax list. Further, County Auditors have the ability to apply a fee to delinquent taxpayers to recoup the cost of publication, thereby eliminating any cost to the county.

- Newspapers cannot charge “whatever they want” for public notices of any kind. Newspapers of general circulation are required to charge local governments the “lowest classified advertising rate and lowest insert rate”. This means that local governments get the best deal when complying with public notice requirements.

The savings from the 2011 public notice reform (which impacts all governmental advertising, not just delinquent property tax lists) combined with the fact that the publication of delinquent property tax lists are revenue generators for the county treasury and costs can be covered outside of county funds renders HB 273 unnecessary.

What is even more notable is that these lists are already published online. Beginning in 2014, the Ohio News Media Association formed [www.publicnoticesohio.com](http://www.publicnoticesohio.com) to provide a statewide website for all public notices. Today, each Ohio newspaper will post an electronic version of any notice to their own website and to [www.publicnoticesohio.com](http://www.publicnoticesohio.com) at no additional cost. Local news websites continue to be the number one source of news and information for any community; annual traffic to our member sites far outpaces any government website.

I also want to provide some additional insight into the situation in Warren County. In 2017, following an interested parties meeting with the bill sponsors, the head of Cox Media’s Dayton office contacted Auditor Nolan to discuss some solutions to his concerns. Prior to that time, no one from the Auditor’s staff had expressed issues with publication of the delinquent property tax list. Cox Media offered to run the delinquent tax notice and list in two additional papers for free. This complimentary expanded publication is even more notable given that Warren County already receives a significant discount for public notices.

It is my understanding that the Auditor’s office will receive the same expanded publication at no additional cost this year. And, as is often the case, the size of the second publication will be smaller than the first due to taxpayers coming in to pay their bills. Even though Auditor Nolan does not take advantage of the ability to seek reimbursement for advertising from delinquent taxpayers, we still believe the revenue gained from publication of the list far and the value being afforded to Warren County exceeds the modest cost.

I understand the challenges placed on local government budgets and our industry has stepped up to help our local government customers. ONMA worked with elected officials to enact reforms in 2011 and 2014 that reduced the cost and increased the value to local governments. Even though the situation in Warren County is unique, my members are happy to work with their governmental customers to solve any problem that may arise.

For these reasons, I would urge the committee to hold off on any future action related to HB 273. The benefits of delinquent property tax list publications and public notices in general are clear. Thank you for your thoughtful consideration.

Sincerely,

Monica Nieporte  
President and Executive Director  
Ohio News Media Association