



WRITTEN TESTIMONY TO THE HOUSE CIVIL JUSTICE COMMITTEE

PROPONENT TESTIMONY

HB 370

November 5, 2019

Chair Hambley, Vice Chair Patton, Ranking Member Brown, and members of the House Civil Justice Committee, thank you for the opportunity to write in support of HB 370.

HB 370 would authorize the Attorney General of Ohio to defend a political subdivision, so long as the subdivision consents, in any action against that political subdivision for keeping a historical monument or symbol on public property due to the claims of the litigating party that it is a violation of the First Amendment of the United States Constitution.

This bill is a permissive means of granting Ohio cities and villages the opportunity to protect and defend themselves against litigation when they may be otherwise financially unable to do so. A municipality threatened with legal action by organizations demanding the removal of historic symbols or monuments on First Amendment grounds can request defense from the Attorney General's office or an appointment and authorization of special counsel for a defense.

Ohio's cities and villages work hard to maintain the delivery of quality services to their local community despite historic cuts to the Local Government Fund (LGF) and other critical revenue streams over the past decade. These cuts and interference in funding can prevent our hometowns from being financially able to defend themselves against this type of litigation.

We thank Reps. Hillyer and Baldrige for recognizing the need for this bill. Thank you for your consideration, and we urge for your favorable passage of this bill.

Sincerely,

Kent Scarrett  
Executive Director  
Ohio Municipal League