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HB 237 Proponent Testimony
Jessica Lopez, Ohio Recorders' Association
House Finance Committee
Chairman Scott Oelslager
March 15, 2022

Chairman Oelslager, Vice Chairman Plummer, Ranking Member Sweeney and members of the House Finance Committee thank you very much for the opportunity to provide proponent testimony on HB 237. My name is Jessica Lopez, and I am fortunate to serve as the Miami County Recorder and currently serve at the Ohio Recorders' Association (ORA) as a member of the Legislative Committee. HB 237 is intended to modernize electronic records and conveyances in County Recorders' offices across the state by proposing changes to ORC Sections 317.13, 317.32, and 317.36. The ORA has been working with the sponsor of HB 237, Rep. Hillyer, for the past two years concerning issues relating to keeping our offices open to the public during the COVID-19 pandemic.

Ohio's County Recorder's are always looking at cutting edge technology solutions to make our offices more efficient and better equipped to serve the public. The ORA has been promoting the benefits of electronic recording (eRecording) and back-scanning of old books and records for years. However, although many larger counties often have the resources to implement these advances, some mid-to-small counties struggle to find necessary resources for such projects. Since the COVID-19 pandemic, it has become all too apparent that in order to ensure the ability to process real estate transactions and better serve the public, there is an urgent need to move forward with technology to ensure online accessibility of records and the ability to process conveyances through eRecording.

Recently a number of counties have been able to utilize CARES Act funding to back-scan old record books in order to move toward this goal, but there is still more work to be done. HB 237 is designed to continue this push forward by establishing a baseline standard in the Ohio Revised Code for all County Recorders to have images of recorded documents scanned, indexed, and available online with records dating back to January 1, 1980. Why 1980? Most title searches go back a minimum of 40 years in order to verify a clean title of ownership and to issue a title insurance policy.

An additional requirement is that all 88 counties would need to offer eRecording as a delivery option for documents to be recorded. When recording a deed or conveyance document the process will include County Auditors and many County Engineers as well. As such, to ensure eRecording will be available around the state, County Auditors and County Engineers would also need to implement systems to ensure documents can be recorded electronically with the County Recorders office.

We have been working on a few items with bill sponsor Rep. Hillyer which may be before you as a substitute bill at the next hearing. The changes the Recorders are proposing are as follows:

- In Sec. 317.13 changing the timeline to implement the bill's requirements from January 1, 2024 to January 1, 2025;
- In Section 3 of the bill decrease the appropriation from \$10 million to \$8 million; and

- Removing duplicative changes in Sec. 317.32 (B), 317.32 (C), and 317.32 (I) related to electronic records, indexing references and land banks respectively as these items were recently addressed separately by the General Assembly when it passed HB 93 earlier this year.

HB 237 would not only keep Ohio's economy going in the case of another shutdown due to a public health crisis or other emergency, but it would provide a consistent standard across the state to provide greater efficiency and convenience to the public and business.

Chairman Oelslager and members of the committee, thank you for allowing me to testify as a proponent on HB 237. I'd be happy to answer any questions at this time.