



*BEFORE THE SENATE JUDICIARY COMMITTEE
PROPONENT TESTIMONY ON HOUSE BILL 286*

Chairman Manning, Vice Chair McColley, Ranking Member Thomas, and members of the House Civil Justice Committee, thank you for the opportunity to provide proponent testimony on House Bill 286 (HB 286). My name is Kevin Shimp and I am the General Counsel and Director of Labor and Legal Affairs for the Ohio Chamber of Commerce.

The Ohio Chamber is the state's leading business advocate, and we represent over 8,000 companies that do business in Ohio. Our mission is to aggressively champion free enterprise, economic competitiveness and growth for the benefit of all Ohioans.

In our efforts to champion economic competitiveness, the Ohio Chamber supports HB 286 because it can reduce an employer's legal costs and the administrative burden associated with appealing a state agency decision. Whether it is a professional license, an agency order, or decision by an administrative law judge, Ohio businesses are often subject to regulation by one of Ohio's executive state agencies.

These agencies do play a vital role in keeping the Buckeye State economy moving forward and protecting the health and safety of Ohioans, however businesses in some instances may want to appeal an agency decision. Under current law, the exclusive jurisdiction to bring a civil action appealing an agency decision rests with the Franklin County Court of Common Pleas.

Granting a single county exclusive jurisdiction to hear appeals of agency decisions poses several challenges for Ohio businesses and judicial efficiency within the state. In terms of judicial economy, granting exclusive jurisdiction to a single county to handle most appeals of administrative actions slows the ultimate adjudication of claims since one court is responsible for hearing every action that is filed – regardless of where the business or individual resides. Likewise, Ohio's current law may increase the legal fees employers may owe since the employer is faced with a choice of paying a local attorney to drive to Franklin County or find an attorney based in Columbus who is likely charging a higher rate than an attorney in their hometown.

House Bill 286 addresses each of these concerns by giving the common pleas court in each of Ohio's 88 counties the necessary jurisdiction to hear appeals of an agency's order. This reform promotes judicial economy by lessening the case load of a single court in favor of a system that will give other courts an opportunity to hear administrative appeals. Moreover, it ameliorates the conundrum

employers currently face of either hiring a local attorney and paying for the individual to drive to Franklin County or paying for a Columbus attorney at an hourly that is higher than where they are located since the legislation enables an employer to choose to file the appeal closer to home.

HB 286 also represents a positive step forward in removing bureaucratic hassles that negatively impact small businesses. Under the legislation, access to judicial remedies will be less burdensome since business owners across Ohio will have the option to appeal administrative actions in their local court. Giving Ohio business owners this ability may enable more small businesses to appeal administrative orders that negatively impact their company and their livelihood.

In closing, the Ohio Chamber urges your favorable consideration of HB 286 because its enactment will minimize the administrative burdens associated with appealing actions taken by Ohio's executive agencies.

I welcome any questions from the committee and thank you for the opportunity to testify today.