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**Ohio Senate Local Government and Elections**  
House Bill 405 – Proponent Testimony

Kyle Petty – Managing Director of Policy

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Chair Gavarone, Vice Chair O'Brien, Ranking Member Maharath and members of the Senate Local Government and Elections Committee, thank you for the opportunity to testify today in support of a potential amendment to House Bill 405.

CCAO has previously testified in support of House Bill 405 and we continue to be a proponent of the bill. However, I am here today to respectfully ask that the committee adopt an amendment that modifies R.C. 305.02. R.C. Section 305.02 outlines the process for filling vacancies for county elected officials.

Once a county elected office becomes vacant, the responsibility of filling that vacancy falls to the county central committee of the political party that nominated the last occupant of the office as a candidate. The central committee has forty-five days to meet and select an individual to fill the vacant office until the next election. If the officeholder was a Republican or Democrat, the board of commissioners has the ability to appoint a temporary officeholder to perform the duties of the vacated office until the central committee fills the vacancy on a long-term basis.

If the previous officeholder was an independent, the responsibility for filling the office falls to the board of commissioners. However, if the vacancy is on the board of commissioners, the prosecutor and the remaining commissioners would fill the vacancy. The board does not have the express authority to appoint a temporary officeholder to assume the duties of the office while they conduct their due diligence to interview candidates to ultimately fill the vacant office.

This issue was brought to our attention as a result of a recent situation that occurred in Meigs County. The sheriff, who was an independent, recently resigned. The commissioners were unable to appoint a temporary sheriff to fill the office while they interviewed candidates to fill the vacancy. The proposed amendment will simply extend the current temporary appointment powers of the board of commissioners to independent county officeholders.

Thank you for your time and consideration of this language. I am happy to answer any questions at this time.

