



SENATE BILL 21 – AGENCY ORDER APPEALS

PROPONENT TESTIMONY

OHIO HOUSE CIVIL JUSTICE COMMITTEE

MAY 9, 2023

Chair Hillyer, Vice-Chair Mathews, Ranking Member Galonski, and members of the Ohio House Civil Justice Committee, my name is Chris Ferruso. I am here on behalf of the 20,000 governing members of the National Federation of Independent Business in Ohio (NFIB) to lend our support for Senate Bill 21. My testimony is solely focused on one component of the bill: the ability of an individual or business to appeal an order of a state agency to the county in which they live or their business is located. We do not have an official position on any other portion of the bill.

By way of background, a typical NFIB member in Ohio employs 20 or fewer and does less than \$2 million in annual receipts. Our members come from all industry types and each of the 88 counties. Our members range in size from sole proprietors to large operations employing hundreds.

Senate Bill 21 will change the Administrative Procedure Act to allow individuals and business to contest state agency orders in their county of residence versus just in Franklin County. We believe this change will be a time and resource saving measure.

Small businesses have limited resources. It can be particularly onerous for a business owner appealing an agency determination to make the trek to Franklin County. Time away from the business means lost productivity. Our members are struggling to find employees, their time is a precious commodity. So many are taking on additional responsibilities that makes traveling to Columbus a real challenge. The current process may discourage one from appealing a decision.

While it may be attractive to state agencies to continue the status quo, we believe it should be incumbent on state government to make the process of doing business easier. The change to venue contemplated in Senate Bill 21 does just that. Senate Bill 21 may also lead to more expeditious resolution of appeals as it lifts the burden of one court having to hear appeals on behalf of 87 other counties. Further it allows businesses and individuals to have appeals heard in their home county(s) versus the home county of the state agencies.

We believe Senate Bill 21 creates a more cost and time efficient process for small businesses appealing state agency determinations. We urge adoption of this important policy.

Thank you Mr. Chairman and members of the committee. I am happy to try and address any questions.