

Representative Jay Edwards
Chair, House Finance Committee
Ohio House of Representatives
77 South High Street, 13th Floor
Columbus, Ohio 43215

Delivered via email: nicholas.boggess@ohiohouse.gov



June 10, 2024

The Honorable Chair Edwards,

The OBL is the foremost trade association for the Ohio banking industry – and is Ohio’s only organization focused on meeting the needs of *all banks and thrifts* in the Buckeye State. The non-profit association is comprised of more than 170 FDIC-insured financial institutions including commercial banks, savings banks, and savings and loan associations ranging in size from just over \$14 million in assets to more than \$3.5 trillion and employing over 60,000 Ohioans.

On behalf of our members, I write to you in support of Senate Bill 94. This legislation would modernize Ohio’s recording process and bring it into the 21st century. Throughout the past few years, a light was shone on areas where the state could improve with access to technology. This is one area that is still yet to be addressed. Ohio banks continue to strive to meet the needs of their customers throughout the Buckeye State. By providing access to secure mobile banking, digital account access, and safe and secure online transactions, Ohio’s banks have been able to meet customers where they are, no matter where that may be. However, if the public entities banks work with on a daily basis are not also moving forward, it can create stagnation and can increase friction for customers to complete transactions. This in turn can lead to a digital divide between counties where updates have been made and those that have not.

The OBL would also like to take this opportunity to address and recommend passage of two other issues in SB 94. The first piece would update Ohio’s public vehicle towing code, contained in ORC 4513.61, to correspond with the private vehicle towing code, ORC 4513.601, to require notice to a lienholder which would provide them with an opportunity to claim the vehicle before disposal. This change has been discussed with the Buckeye State Sheriffs Association and the Ohio Association of Chiefs of Police and no issues were raised with the changes.

The second proposal would fix an oversight in the Ohio banking code leftover from the recodification and modernization process a few years ago. The intent of recodification of the banking code was to enable state banks to utilize the corporate code in ORC 1701 for corporate matters. ORC 1701.70 allows boards of Ohio corporations to amend their articles without additional shareholder approval in certain instances. In ORC 1113.13 of the banking

code, only bank boards are allowed to amend articles in specified circumstances, subject to approval from the Ohio Division of Financial Institutions. That section should have included a cross-reference to 1701.70 to capture other instances when other Ohio corporation boards can amend but currently does not. The amendment would simply add a reference to address this issue. This change has been discussed with the Ohio Division of Financial Institutions and no issues were raised with the update.

For these reasons, we urge your support of SB 94. Please feel free to contact me if you have any questions regarding our position at dboyd@ohiobankersleague.com or (614) 340-7608.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Boyd". The signature is stylized and cursive.

Don Boyd
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