



**STRONGER COUNTIES. STRONGER OHIO.**

209 East State Street, Columbus, Ohio 43215-4309

Phone: 614-221-5627 • Fax: 614-221-6986

Toll Free: 888-757-1904 • [www.ccao.org](http://www.ccao.org)

Cheryl Subler, Executive Director

## OHIO HOUSE WAYS AND MEANS COMMITTEE

### House Bill 344 – Opponent Testimony (Written only)

January 23, 2024

Jon Honeck  
Senior Policy Analyst

Good afternoon Chair Roemer, Vice Chair Lorenz, Ranking Member Troy, and members of the House Ways and Means Committee. Thank you for allowing me to express the views of the County Commissioners Association of Ohio on HB 344. CCAO is opposed to HB 344 because we believe it is important to preserve the flexibility of local governments to enact replacement levies with voter approval. We recognize that there are concerns about increases in residential property valuations across the state, but these concerns should be addressed in the Joint Committee on Property Tax Review and Reform, which is able to take a holistic approach to a very complex system.

The standard process for a county levy to appear on the ballot involves two steps: (1) a resolution of necessity from the commissioners to the auditor stating the need for additional levy and requesting official calculations of a required millage rate; and (2) a certified resolution from the board of county commissioners to the board of elections requesting that the question be placed on the ballot. During this process, there is a discussion between the commissioners and the county agency about the agency's service needs and budget situation before ballot access is granted. (The exceptions to this process are certain special districts for public health, libraries, parks, and multi-county mental health and addiction service districts which do not need commissioner approval. School districts, townships, and municipalities make their own decisions about when to go to the ballot for a levy).

Ballot access is a responsibility that commissioners take very seriously, and commissioners deny levy requests if they are not warranted. In some cases, agencies may be asked to lower their requested millage rates or use a renewal process if additional funds are not needed. After voters approve a levy, the County Budget Commission, comprised of the auditor, prosecutor, and treasurer, has the authority to roll back millage rates if funds are not needed to provide the required level of services.



The majority of county levies on the ballot in any given year are renewals. Replacement levies are used to bring the effective rate of a levy back to its original voted level. They are typically used when a levy is about to expire after its five or ten-year term. In this way, the county agency receives increased revenue as a result of valuation growth in order to keep up with inflation and increased service needs. Otherwise, the HB 920 “reduction factors” effectively cap the total amount of revenue yielded by a voted levy, except for any new construction or renovation. In recent years, counties have used replacement levies for the following purposes:

- Children’s services
- Developmental disabilities
- Public safety / law enforcement
- Senior services
- Mental health and addiction recovery
- 9-1-1 emergency services
- Emergency medical services
- County board of health

We are aware that concerns have been expressed about possible voter confusion with regard to replacement levies. It is important to note, however, that the General Assembly recently enacted reforms in House Bill 140 (134<sup>th</sup> G.A.) to increase transparency and improve voters’ understanding of ballot issues proposing a levy. Ballot language must state the levy’s rate for each \$100,000 of the auditor’s appraised value. For replacement levies specifically, if a taxing authority proposes to replace an existing levy, the proposed levy must be called a replacement levy and must be designated as such on the ballot (RC 5705.192). A replacement levy is limited to the purpose of the existing levy and must appear separately on the ballot from the renewal of any other existing levy.

County Commissioners are working with their county boards and agencies to understand the needs of their communities. A replacement is one important fiscal tool at the county’s disposal, which is not used often, but may be needed in some cases where service needs have grown significantly. It is the responsibility of the commissioners and the board members of the county agency to provide compelling reasons to the public to support the need for a replacement levy. This is a responsibility that commissioners take very seriously, and we believe that this form of levy should continue to be an option for counties and other political subdivisions in the future. Thank you for your consideration of this issue.