



# The Ohio Recorders' Association

## SB 94 Proponent Testimony

**Bryan Long, Ohio Recorders' Association**  
**Senate Financial Institutions and Technology Committee**  
**Chairman Steve Wilson**  
**May 23, 2023**

Chairman Wilson, Vice Chairman Hackett, Ranking Member Smith and members of the Senate Financial Institutions and Technology Committee thank you very much for the opportunity to provide proponent testimony on SB 94. My name is Bryan Long, and I am fortunate to serve as the Licking County Recorder and as the Chairman of the Ohio Recorders' Association (ORA) Legislative Committee. SB 94 is intended to modernize electronic records and conveyances in County Recorders' offices across the state by proposing changes to ORC Sections 317.13, 317.32, and 317.36 by June 30, 2025. The ORA has been working on this legislation for the past several years concerning issues relating to keeping our offices open to the public during the COVID-19 pandemic.

Ohio's County Recorders are always looking at cutting edge technology solutions to make our offices more efficient and better equipped to serve the public. The ORA has been promoting the benefits of electronic recording (eRecording) and back-scanning of old books and records for years. However, although many larger counties often have the resources to implement these advances, some mid-to-small counties struggle to find necessary resources for such projects. Since the pandemic, it has become all too clear that in order to ensure the ability to process real estate transactions and better serve the public, there is an urgent need to move forward with technology to ensure online accessibility of records and the ability to process conveyances through eRecording.

Over the past couple years, a number of counties have been able to utilize CARES Act funding to back-scan old record books in order to move toward this goal, but there is still more work to be done. SB 94 is designed to continue this push forward by establishing a baseline standard in the Ohio Revised Code for all County Recorders to have images of recorded documents scanned, indexed, and available online with records dating back to January 1, 1980. Why 1980? Most title searches go back a minimum of 40 years in order to verify a clean title of ownership and to issue a title insurance policy.

An additional requirement is that all 88 counties would need to offer eRecording as a delivery option for documents to be recorded. When recording a deed or conveyance document the process will include County Auditors and many County Engineers as well. As such, to ensure eRecording will be available around the state, County Auditors and County Engineers would also need to implement systems to ensure documents can be recorded electronically with the County Recorders office.

SB 94 includes a \$5 document preservation surcharge to support the preservation and digitization of documents and ongoing costs incurred by a county recorder's office to make available to the public a web site with appropriate security features, electronic document hosting, online viewing, and print and download features that enable an individual to print or download a copy of a public record from the web site.

We have been working on a few items with bill sponsors Sen. Brenner and Sen. Landis which may be before you as a substitute bill. The changes being proposed are as follows:

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- In Section 5 of the bill decrease the GRF appropriation from \$8 million to \$6.5 million, while including an additional \$1.5 million from the Torrens Assurance fund administered by the Treasurer of State. These resources are needed for implementation for counties that do not currently meet requirements of the bill; and
- Removes language related to the Treasurer of State and the Uniform Depository Act which are being addressed in separate legislation.

SB 94 would not only keep Ohio's economy going in the case of another shutdown due to a public health crisis or other emergency, but it would provide a consistent standard across the state to provide greater efficiency and convenience for the public and business.

Chairman Wilson and members of the committee, thank you for allowing me to testify today as a proponent of SB 94. I'd be happy to answer any questions at this time.