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Senate Government Oversight Committee
Senate Bill 91 — Sponsor Testimony
April 19th, 2023

Chairwoman Roegner, Vice Chair Antani, Ranking Member Hicks-Hudson and members of the Senate Government Oversight Committee, thank you for the opportunity to present sponsor testimony on Senate Bill 91.

This bill was created with help from the Auditor of State Keith Faber, and aims to target waste, fraud, and abuse in the public sector. The Auditor of State's office recently announced their 100th fraud conviction since 2019 with more convictions on the way. In many cases, individuals committing fraud may have been caught sooner if mandatory reporters were in place and staff received training on how to spot and report fraud, waste and abuse.

Senate Bill 91 requires the Auditor of State to create training material detailing Ohio's fraud-reporting system, and mandates that the Department of Administrative Services administer this training to all new public employees and public officials within 30 days of employment and every four years for existing public employees and officials.

In addition, this legislation creates mandatory reporters in public offices. A mandatory reporter is someone who is required by law to report a crime to the proper authorities immediately upon finding out a crime was or may have been committed.

The mandatory reporters under this bill are elected officials, appointed officials, supervisors in a public office, any employee with a fiduciary duty to a public office, and any employee who is responsible for processing expenses of a public office that become aware of any violation of state or federal statutes, rules, regulations, or misuses of public funds. They must then immediately report it to the Auditor of State's office or local law enforcement.

Additionally, The Office of Internal Audit must also immediately forward to the Auditor of State any written report that it receives.

Under the bill, a mandatory reporter who recklessly fails to report suspected fraud, waste, and abuse to the Auditor of State's office could be found in violation of dereliction of duty, which is a second-degree misdemeanor and they could face up to 90 days in jail and a \$750 fine.

This bill also builds upon whistleblower protections under existing law by expanding the timeline to file an appeal with the State Personnel Board of Review from 30 days to 180 days for someone who believes that they have been subject to disciplinary or retaliatory action for filing a report on fraud, waste, and abuse of public funds.

This legislation is an opportunity for the legislature to take part in ensuring that public funds are used appropriately, and taxpayers' money is protected.

Thank you once again, Chairwoman Roegner and the members of the committee, for the opportunity to present this issue to you today. I will be glad to answer any questions at this time.