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PROPONENT TESTIMONY FOR HOUSE BILL 497

To: Ohio Senate Local Government Committee
Fr: Chip McConville, Knox County Prosecuting Attorney
Dt: November 18, 2024

Chairman O'Brien, Ranking Member DeMora, and Members of the Committee:

Thank you for the opportunity to submit testimony in support of House Bill 497.

From a county prosecutor's point of view, there are three provisions of this legislation that are really good ideas, and I would urge you to adopt them:

1. Changes to the disposal of county property statute (R.C. 307.12).

Inflation affects more than just retail prices, it also affects residual value of property. Accordingly, it makes a lot of sense to increase the threshold for public sale of surplus property to \$5,000.

In addition, the legislation as drafted streamlines the ability of commissioners to donate surplus property to nonprofit organizations. A few years ago, our commissioners were considering using this provision to donate surplus property to a local nonprofit, but they did not do so because of the extensive requirements.

2. Indexing the Competitive Bidding Amount. (R.C. 307.88)

This proposal will make it so the amount that triggers competitive bidding no longer will have to take up the legislature's time, and it will automatically be updated by the Department of Commerce. This is a common-sense change.

3. Prohibited Language in County Contracts. (R.C. 307.901)

County prosecutors generally review all county contracts. The provisions that R.C. 307.901 would make unlawful in county contracts are the ones that take up considerable time in the civil divisions of prosecutor's offices around the State of

Ohio. All of the proposed exclusions would guard counties against unknown and unquantified liabilities.

Usually, entities that contract with public entities are aware of the inability of counties to enter into indemnification agreements, but companies who deal more with private industry do not understand this. As a result, civil prosecutors go back and forth with vendors over language that never should have been in the contract at all. Generally, this involves a conversation with a salesperson who says they have to run it by their counsel, and it unnecessarily complicates the contracting process.

While I am not taking a position on the other provisions of the bill, I ask that you take action to pass H.B. 497 before the end of this legislative session.

Respectfully submitted,



Charles T. McConville
Prosecuting Attorney