



**SENATE SMALL BUSINESS & ECONOMIC OPPORTUNITY
S.B. 41 - PROPONENT TESTIMONY**

February 22, 2023

Chair Lang, Vice Chair Wilkin, Ranking Member Sykes and Senators on the Small Business and Economic Opportunity Committee:

The Associated General Contractors (AGC) of Ohio would like to express support for Senate Bill 41, legislation that would create an expedited building appeals process.

AGC of Ohio is a construction association that represents large and small, union and open shop (non-union), commercial building and industrial contractors from across the state. Our members build vertical structures in both the public and private arenas. They work with building departments from the very start of the project during the plan approval process; throughout the building inspection process; and until the final occupancy permits are received by the owner.

AGC appreciates Senator Roegner's efforts to help the building industry with this legislation. Under current law, a typical building appeal can last 30-60 days. The lengthy timeframe negatively impacts a project. Oftentimes a portion of work needs to be put on hold, and that delay hurts the entire project timeline, the construction team (contractors, subcontractors, tradespeople), as well as the project's owner, who wants to occupy the building as soon as possible to begin operations. Delays are very burdensome and expensive for everyone involved.

While considering the needs of those directly engaged on the project, we must also consider the bill's impact on the local and state building appeals boards – their ability to do their job and provide an appropriate level of customer service to the industry. To provide some background... most appeals boards hear more than just building appeals; they also hear appeals related to local housing, property maintenance, fire codes, etc. Additionally, they do not operate full-time, and board members often have other positions and job responsibilities. Plus, many appeals require research and information gathering by the board members.

During the last General Assembly, Senator Roegner worked with the industry and municipalities on an amendment designed to avoid overwhelming appeals boards and prevent potential abuses of the process. This included expanding the time frame for an expedited hearing to five days after an expedited appeal is requested (excluding holidays and weekends). The bill also ensures that potential remedies within the local building department (outside of litigation) are exhausted before an expedited appeal can be requested. These two items should avoid overwhelming appeals boards and ensure they can continue to provide an appropriate level of service to the industry.

AGC of Ohio appreciates the committee's consideration and urges you to support S.B. 41.