

Testimony on HB113 in Local Government Committee – 3/5/2025

Good morning and thank you Chairwoman King, Vicechair Kishman, and Ranking Member Sims, for hearing my testimony today. I am here today to speak to you about House Bill 113 which calls for reforms that are needed in Ohio's annexation law.

All across our districts throughout Ohio we have all been hearing about the need to address the issue of increasing property taxes. That is certainly true in my district, in Miami County, but not nearly as loudly as it may be in yours. That is because there is another issue weighing very heavily on people's minds in my district and in some others as you just heard Representative Bird describe about Clermont County.

In addition to what Representative Bird has explained, I want to add another important piece. The current annexation law allows for overly aggressive annexation practices to take place in an unfair, unbalanced way through what is known as Type II Expedited Annexation. There are several methods of annexation, but it is this one that is in need of reform – Type II Expedited Annexation.

Representative Bird and I have been having conversations with the Ohio County Commissioners Association and the Ohio Township Association to gain a clearer picture of what has been taking place across the state and over the years.

It is helpful to hear a bit of the history to see how we have arrived where we are today. The debate on these issues has been ongoing for more than two decades. In the 1990's the need for annexation law reform was recognized as the law had not been updated since the 1970's. Ohio at that time was growing and had changed through those decades. Building projects to expand housing were not allowed to progress because they were held up for years in the courts by townships and counties who wanted no annexation and housing developments whatsoever in their communities.

The Ohio Township Association and the Ohio Municipal League came together to work toward comprehensive reforms at the urging of the Ohio Senate in 1998. The concerns of these two associations were valid and needed to be heard. It was obvious to see at that time that disallowing all annexation was not an option but also obvious to see then was the for some restraint to curb overly aggressive annexation. An agreement was reached, and Governor Taft signed it into law effective October 2001.

Now here we are again, another 20+ years later. Again, Ohio is growing and changing. The needs are not the same today as they were in 1998 or 1970. Reforms are again needed. Good annexation law is important for Ohio. We must address our need for more housing so that we will be able to continue attracting businesses to bring their jobs to Ohio. We need housing to attract the young families who will move to Ohio to become the employees for those new businesses. But we also need to protect our communities against overly aggressive annexation which is what we have been seeing in Bethel Township, Miami County, as well as in other places. What we need is better balance so that we can increase housing without overburdening the communities where housing is developed.

Type II Expedited Annexation is the method in greatest need of reform. It has become the avenue commonly used for overly aggressive annexation. In Type II Expedited Annexation, if all the landowners approve of the annexation and if the municipality meets the criteria of filing the petition

timely, the county commissioners are required to approve the petition without input or objection. If the service agreement is not kept by the municipality there is no method of recourse for the township.

The biggest problem caused in Bethel Township is the overcrowding of the schools. Huge tracts of land were annexed with the plan to build high density housing. The township trustees and commissioners could foresee what would eventually take place but because they had no seat at the table, they were not allowed to voice the need to address the coming demands place on the schools. Bethel not long ago built new school facilities but they were not designed for the explosion of students the annexation would bring. And now there are more annexation projects in the works which will only make these problems worse.

What this bill seeks to do it to give the commissioners a seat at the table so they can be part of the process and represent the interests of the county. In our situation it is a municipality in the neighboring county seeking the annexation. Meanwhile the commissioners of Miami County have no real input in the process.

This bill seeks to give commissioners a seat at the table and bring balance. The bill seeks among other things to:

- Require agreement to provide all services generally available within the municipality's current borders.
- Give the township recourse if services are not provided by the reasonably set target date.
- Lower the maximum area for annexation from 500 to 200 acres.
- Increase the minimum requirement of contiguous shared border from 5% of the perimeter to be annexed to 20%.

We think these reforms will allow for good annexation and housing development to continue yet without overburdening the community.

Thank you Chairwoman King, Vice Chair Kishman, and Ranking Member Sims for hearing my testimony today.