



Ohio Prosecuting Attorneys Association

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Senate Bill 88
Interested Party Testimony
April 29, 2025

Chair Roegner, Vice-Chair Gavarone, Ranking Member Blackshear and members of the Senate General Government Committee, thank you for the opportunity to submit written interested party testimony on Senate Bill 88. Our Association has no objections to the underlying goals of this legislation – to protect certain Ohio land from purchase by foreign adversaries. We are concerned however with shifting the responsibility for the enforcement of this from the Ohio Attorney General to county prosecutors and creating an unfunded mandate. We respectfully request that enforcement authority remain with the Ohio Attorney General.

Many of these cases are likely to be complex real estate transactions involving multi-national corporations, limited liability companies, real estate trusts, and the like, the true ownership of which could be difficult and time consuming to determine. These entities are also likely to have significant resources to combat any legal action. According to the LSC Fiscal Note and Local Impact Statement, “The bill would add to duties of county auditors, and potentially also of sheriffs and prosecutors, in connection with protected property, adding to county costs by indeterminate amounts.” We believe these amounts could be significant and will require significant time and resources to both investigate and litigate.

Many county prosecutor offices in Ohio are small offices with only a handful of lawyers and support staff who already have full workloads prosecuting criminal cases and representing county and township officials. Prosecutors in Ohio and indeed across the country are also in the midst of a recruitment and retention crisis. While prosecutors enjoy their work and are driven by a commitment to serve their communities, many are leaving or considering leaving the profession due to overwhelming workloads and being understaffed.¹ Many offices in Ohio simply are not equipped, either financially or in terms of staff, to take on responsibility for litigating the types of complex cases this legislation could lead to – at least not without additional resources. Without additional resources these cases will take time away from the core responsibilities of county prosecutors – prosecuting current criminal matters and providing good legal counsel to county and township government.

We appreciate the goals of this legislation and the sponsor’s desire to protect Ohio land from our foreign adversaries. This is a laudable goal. We respectfully request, however, that enforcement of these actions remain with the Ohio Attorney General so that prosecutors can continue to dedicate their limited time and resources to prosecuting criminal cases and providing good legal counsel to their counties and townships. Alternatively, we request that you provide dedicated funding directly to county prosecutors offices to ensure that they have adequate resources to handle these cases.

Thank you for your consideration of these comments.

¹ <https://ndaajustice.medium.com/nda-unveils-eye-opening-national-prosecutor-retention-survey-findings-1aa4307e728c>