



STRONGER COUNTIES. STRONGER OHIO.

209 East State Street, Columbus, Ohio 43215-4309

Phone: 614-221-5627 • Fax: 614-221-6986

Toll Free: 888-757-1904 • www.ccao.org

Cheryl Subler, Executive Director

Ohio Senate Government Oversight and Reform Committee Proponent Testimony – House Bill 96 David Painter, Clermont County Commissioner and CCAO President

Chairwoman Manchester, Vice Chair Brenner, Ranking Member Weinstein, and members of the Senate Government Oversight and Reform Committee, thank you for the opportunity to provide testimony on the state operating budget, House Bill 96. My name is David Painter, I serve as Clermont County Commissioner and am the President of the County Commissioners Association of Ohio.

CCAO has five priorities for this operating budget: bolstering the child welfare system, pursuing reforms and robust funding of the indigent defense system, continuing the state-county partnership on county jail projects, strengthening the Next Generation 9-1-1 system, and improving access to child care.

Overall, the House passed version of HB 96 advanced several of our legislative platform positions and provided additional support in many of our budget priority areas. We are thankful for the support from the House of Representatives and look forward to working with the Senate to further strengthen the state-county partnership.

Indigent Defense

Indigent defense has been a longstanding concern for counties. As stewards of the county general fund, commissioners are required to expend taxpayer money for a constitutionally mandated service, with limited options to control the costs of the system. One of the main cost drivers for indigent defense in counties is the lack of attorneys, especially in the rural areas of the state. We are pleased to see the current version of HB 96 contains language and funding for a new pilot program that we believe will provide high quality service and hopefully lead to system efficiencies. The Northwest Regional Hub in HB 96, would allow the Ohio Public Defender (OPD) to directly administer the indigent defense system for Allen, Hardin, and Putnam counties. OPD will operate an office with public defender attorneys and work with county judges to coordinate appointed counsel across three counties.

CCAO is excited about this pilot program and believes it will provide a model for future counties to follow if they choose. The House included funding for a performance audit by the Auditor of State of the indigent defense system. This audit will examine the system at both the state and county level and its findings will be valuable to future lawmakers. We urge the Senate to maintain this language and funding.



At the current level of funding in the budget, OPD estimates that counties will receive reimbursement at a rate of mid-80% to low-90%. CCAO is asking that the Senate provide additional funding of \$21 million in SFY 2026 and \$28 million in SFY 2027. The additional funding would bring the projected reimbursement rate to the 90% range. We would ask members of the Senate to add SC-0832-1 to their amendment lists. This amendment is supported by the Indigent Defense Working Group, comprised of OPD, CCAO, the State Bar Association, and others. SC-0832-1 contains the additional funding for county reimbursement and other proposals supported by our coalition partners.

Next Generation 9-1-1

Last budget, Ohio began the process of upgrading our outdated 9-1-1 system to a Next Generation 9-1-1 system (NG 9-1-1). The NG 9-1-1 system makes numerous improvements to the state's 9-1-1 system and implements lifesaving technology that benefit the citizens of Ohio. As of today, eight counties are currently piloting the system and three more counties are expected to come online in the coming weeks.

In the last budget, the General Assembly took the necessary, but difficult step to increase the universal access fee from \$0.25 per month to \$0.40 per month. The fee changes were expected to generate \$100 million per year and provide additional financial support to counties to support their system upgrades and operation. However, the fee is currently bringing in around \$50 million a year. The revenue shortfall threatens the statewide implementation of Next Gen 9-1-1 and forces counties to increasingly rely on property tax levies and other sources of local funding to operate the NG 9-1-1 system.

We are pleased to see the House recognize the need for additional funding and we are thankful that they increased the fee to \$0.60 per month. However, to ensure that all counties are able to come online in the required five years and can maintain their system without having to implement local taxes, we believe the fee needs to be increased further. CCAO asks that you support SC-0207, sponsored by Senator Brian Chavez, to increase the fee to \$1.25 per month. It is important to note that bureaucrats do not use this funding. It's used by public safety dispatchers so that our state's first responders can save lives.

Jail Construction and Renovation Grants

We appreciated Governor DeWine's support for county jails in his executive budget and were disappointed to see that funding removed in the House's version of the budget. The state-county partnership in this area is vital and many county jails are in need of repairs or a new facility altogether. State support in this area is vital as inflation costs make it difficult for counties to finish a project without state support. However, we were pleased to see the House reappropriate funding for jail construction from the previous budget. The funding will support multiple jail projects across the state and we appreciate the continued support of those existing projects. We ask the Senate to restore the executive funding for county jail projects, retain the reappropriation language in the House, and modify the funding formula for the reappropriated funds from the previous budget.

Additionally, the House included language that would require the Ohio Department of Medicaid to submit an 1115 waiver that would provide mental health, behavioral health, and substance use disorder services to Medicaid-eligible inmates who are within 90 days of release. The waiver will provide a 30-day supply of medication for inmates leaving county jails. The waiver will alleviate the financial pressure faced by counties for inmate medical costs, while providing treatment and provider linkage in the community once an inmate is released. We would ask that the Senate retain this language from the House.

Other Local Government Provisions

The House added several notable policy changes related to county officials. The first was a compensation adjustment for county elected officials. The bill provides an annual 5% increase to county elected official compensation through 2029 and, in subsequent years, provides an increase equal to the lesser of 3% or inflation, as measured by the Consumer Price Index. We urge you to retain these provisions as you consider House Bill 96.

The 5% increase through 2029 will help elected official salaries to recover from years of high inflation. Adequate compensation is an important tool to ensure that quality candidates seek county offices and that quality officeholders continue to seek reelection. Additionally, we support the provision creating an ongoing annual adjustment of the lesser of 3% or CPI.

The second notable change to county officials included in HB 96 by the House is the shift of the county coroner from an elected position to an appointed position by the Board of County Commissioners. In coroner elections last November, ten of Ohio's 86 statutory counties did not have a candidate run for the office. These ten counties have since filled the position by either contracting with a nearby county or appointing a coroner, with no noted lapses in services or accountability of the office. Ohio's two charter counties, Cuyahoga County and Summit County, abolished the elected office of coroner through their charters and the services are provided by an appointed medical examiner.

One of the main duties of a county coroner is to oversee the conducting of autopsies. However, the costs and availability of performing autopsies has largely been regionalized across the state. According to the federal Bureau of Labor Statistics, in Ohio, forensic pathologists, the medical professionals who perform autopsies, have an average annual compensation of \$314,130. The Montgomery County Coroner performs autopsies on a contractual basis for 42 other counties, while the Lucas County Coroner and the Cuyahoga County Medical Examiner perform autopsies for 19 and 15 other counties, respectively.

CCAO supports this language and believes this is a positive change that will modernize county government, increase the pool of candidates, and create economies of scale by further regionalizing services provided by the county coroner.

Child Welfare System

We are facing a statewide crisis in our child welfare system, with a lack of appropriate and affordable placement options to meet the needs of the children we serve. This crisis has

resulted in skyrocketing costs for room and board for youth in custody – an increase of 68% over the last five years. In the same time frame, the number of youth in paid placements dropped by 9%. Placement costs have increased across all settings and have outpaced inflation – foster homes by 29%, group homes by 64%, and residential treatment facilities by 54%. These numbers show the magnitude of this crisis statewide.

For many years, the responsibility for funding the lion's share of placement costs and the operation of the PCSA has fallen to the counties. Counties pay nearly three-quarters of all placement costs with federal reimbursement covering the remaining amount. Counties fund PCSAs and placement through a mix of county general fund dollars and voted property tax levies.

CCAO supports the continuation of the state-county partnership regarding placement costs proposed in the budget. The additional \$55 million in the State Child Protection Allocation over the biennium will help counties respond to the steep increases we are facing. Additionally, DCY is proposing policy changes to provide transparency in provider rates, which is a positive step in providing more stability in our budgeting. We support this multipronged approach to addressing these escalating costs.

Youth with high acuity needs are entering agency custody more often, and it is difficult to find appropriate placement options. HB 96 includes funding for regional child wellness campuses, which would provide short-term crisis stabilization services for youth with complex needs and provide the agency with additional information and time to secure the best placement option. CCAO strongly supports this investment to better serve our children.

The House Passed version of HB 96 includes a provision that would allow a board of county commissioners to abolish their Family and Children First Council (FCFC). CCAO is opposed to this policy change. FCFCs serve multi-system youth and their families and provide a vital system of care in our counties. The councils serve many families, even if they are not Medicaid eligible. CCAO asks for your support of amendment SC-0315 to remove this provision.

Child Care

Counties are committed to fostering self-sufficient, healthy families through programs provided by our job and family services (JFS) agencies, including administering the state's publicly funded child care system. As such, counties are uniquely positioned to recognize both the current challenges many families have accessing child care and the positive impact that child care can have on a family's journey toward economic prosperity.

CCAO supports SC-0459 and SC-0460. SC-0459 will appropriate an additional \$25 million in SFY 2027 for the Child Care Choice Voucher Program and SC-0460 will increase the eligibility of publicly funded child care to 160% of the federal poverty level in House Bill 96, and the continuation of the Child Care Choice Voucher Program for families up to 200% of the federal poverty level. Removing this barrier will provide better outcomes for working

families, businesses, and the overall economy. Additionally, CCAO supports efforts to build child care capacity to address the unique needs of infants, toddlers and children.

Chairwoman Manchester, Vice Chair Brenner, Ranking Member Weinstein, and members of the Senate Government Oversight and Reform Committee, the budget sent to you by the House is a strong local government budget. You have the opportunity to make it an even stronger local government budget with some targeted investments and policy changes.

My fellow county commissioners, executives, and council members are eager to work with you to build upon the strong foundation Governor DeWine, his administration, and the House have provided you.

Thank you for your time today. I am happy to answer any questions that you may have.

Attached:

SC-0832-1
SC-0207
SC-0315

Am. Sub. H. B. No. 96
As Passed by the House
PUBCD2

_____ moved to amend as follows:

In the table on line 135668, in row E, delete "\$195,469,360 1
\$200,680,940" and insert "\$216,719,360 \$228,930,940" 2
In the table on line 135668, in rows F and W, add \$21,250,000 to 3
fiscal year 2026 and \$28,250,000 in fiscal year 2027 4
In line 135687, delete everything after the period 5
Delete lines 135688 through 135692 6
7

The motion was _____ agreed to.

SYNOPSIS

Public Defender Commission

Sections 371.10 and 371.20

Increases GRF ALI 019501, County Reimbursement, by 11
\$21,250,000 in FY 2026 and \$28,250,000 in FY 2027. 12

Legislative Service Commission



Removes language that caps the reimbursement rates to	13
court appointed counsel.	14

Am. Sub. H. B. No. 96
As Passed by the House
DASCD29

_____ moved to amend as follows:

In line 11883, delete "sixty" and insert "one dollar and twenty-
five" 1 2

In line 11905, delete "sixty" and insert "one dollar and twenty-
five" 3 4

The motion was _____ agreed to.

SYNOPSIS 5

Next Generation 9-1-1 access fee 6

R.C. 128.41 7

Increases the monthly Next Generation 9-1-1 access fee 8
from \$0.40 to \$1.25. 9

Am. Sub. H. B. No. 96
As Passed by the House
LOCCD5

_____ moved to amend as follows:

In line 5435, reinsert "(B) (3)" and delete " <u>(B) (5)</u> "	1
In line 5437, reinsert "Each" and delete the balance of the line	2
In line 5438, delete " <u>section, each</u> "	3
In line 5518, after "(2)" delete the balance of the line	4
Delete lines 5519 through 5540	5
In line 5541, delete " <u>(4)</u> "	6
In line 5564, reinsert "(3)" and delete " <u>(5)</u> "	7
In line 5578, reinsert "(4) (a)" and delete " <u>(6) (a)</u> "; reinsert "(B) (4) (b)" and delete " <u>(B)</u> "	8 9
In line 5579, delete " <u>(6) (b)</u> "	10
In line 5598, reinsert "(5) (a)" and delete " <u>(7) (a)</u> "	11
In line 5689, reinsert "(6)" and delete " <u>(8)</u> "	12
In line 5700, reinsert "(7)" and delete " <u>(9)</u> "	13

The motion was _____ agreed to.

SYNOPSIS

	14
County family and children first council opt-out	15
R.C. 121.37	16
Removes House-added provisions that would have permitted a	17
board of county commissioners to decline to establish or	18
maintain a county family and children first council for the	19
county if it determined all the following conditions existed in	20
the county:	21
-- Alternative programs and services exist to meet the	22
needs of those served by a county council;	23
-- A county council is not or would not be sustainably	24
funded;	25
-- The director of the county department of job and family	26
services, executive director of the public children services	27
agency, and county board of developmental disabilities each	28
recommend a county council not be established or maintained.	29
Removes a House-added provision that would have permitted	30
a board of county commissioners that decided not to establish or	31
maintain a county council to reconsider that decision at any	32
time but required it to be reconsidered within five years.	33