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Innovate the Code Summary

HB 524 (Rep. Hall) and SB 279 (Sen. Wilson)

\$44 Million Taxpayer Dollars and 58,000 Hours of Labor Saved Over 10 Years

Lead cost-saving provisions:

- Department of Taxation – replace certified mail with electronic delivery of tax assessments.
 - 600,000 pieces of certified mail per year
 - Tax will partner with the business gateway to connect with businesses electronically to deliver tax assessments (i.e. failure to pay, audit results)
 - **SAVES \$3.4 million every year.**
- EPA – provide public notice on EPA website instead of in newspapers and electronic correspondence instead of certified mail.
 - Any notice can be done electronically
 - Any certified mail may be done by electronic means
 - Someone applies to operate a solid waste treatment facility, which requires notice to a certain geographical area, EPA can notice that on their website
 - **SAVES \$750,000 every year.**

Other provisions to improve customer service and save taxpayer money:

- ODNR – allow electronic submission of oil and gas application, reports, test results, fees, etc.
 - Basically anything required to be submitted by the oil and gas community is done via paper.
 - DNR employees spend unnecessary hours scanning, processing, and reviewing all of these paper submissions, which then adds to the time the business community waits for approval, along with the amount of dollars the state spends on merely processing them.
 - **SAVES \$102,000 annually.**
- ODOT – allow advertisement of contract bids electronically.
 - Two full time employees spend half of their overall work hours verifying and paying invoices for these newspaper advertisements.

- Construction companies don't even look in the paper for them.
 - ODOT will be publishing the bids on their website, where contractors will look.
 - **SAVES \$86,000 annually.**
- Public Safety – Require electronic submission of court records and abstracts pertaining to traffic violations.
 - When someone is convicted of a traffic violation, that judge or clerk of court has to submit that conviction to BMV.
 - Before this was done by many locals via paper, now can do this electronically. (Secure electronic format)
 - Savings to the local clerk.
 - **SAVES \$73,000 annually.**
- Aging – Allows electronic meeting and votes of advisory council for the aging.
 - Council required to draw down federal aging grant dollars
 - Meet every two months.
 - **SAVES \$6000 annually** (reimbursed actual and necessary travel expenses to meetings)
- Medicaid – replace regular mail with general language (allowing electronic correspondence) for the Department's various determinations for Ohio Hospitals and notices to nursing facilities.
 - Determinations on the fiscal medicaid needs for hospitals, done annually, correspondence is sent via mail.
 - Nursing home fails to comply with medicaid standards, will send notice of deficiencies.
 - Change in medicaid rates
 - **SAVES \$5,000 annually.**
- Commerce – allow Liquor Control to send application cancellation notices by mail or electronic means.
 - Applicant files for a liquor permit, but before commerce grants, applicant must pay the permit fee.
 - Commerce provides notice that applicant must pay or the application will be cancelled.
 - This is done by mail.
 - **SAVES \$2,000.00 annually**
- Public Safety – Permit remote drivers' license suspension hearings.
 - When BMV issues an order to suspend someone's license due to traffic violations, that person can request a hearing on that order.
 - Used to be in person but amending to allow to be done electronically.
 - Can still be done in person if necessary.
 - Increased Customer Service- De minimis savings.

- ODNR – allow electronic submission of coal mine performance security notification instead of certified mail.
 - After coal mining and reclamation application has been approved, the applicant must file proof of a performance security with DNR
 - Security is payable to the state if applicant doesn't abide by the permit
 - Increased Customer Service- De minimis savings.
- OBM – allow agencies to send notice electronically to Controlling Board when seeking to transfer capital appropriation dollars.
 - Increased Customer Service- De minimis savings.

Additional Content Updates:

753.19 DRC

Allows DRC to send notice regarding escape of prisoner electronically rather than in writing.

1121.38 COM

Allows stenographic record to be maintained through electronic audio recordings with respect to certain administrative hearings for banks.

1509.06 ODNR

Removes reference to the chief of the Division of Oil and Gas transferring a facsimile copy of a drilling permit application (law currently allows for electronic copies or facsimile copies to be provided, as well as regular mail if neither delivery by fax or electronic copy is available).

1513.071 ODNR

Allows an electronic record to be made of an informal conference regarding a coal mining and reclamation permit decision instead of a stenographic record.

1513.16 ODNR

Allows an electronic record to be made of certain informal conferences addressing a coal mining operation's proposed performance security release to be made instead of a stenographic record.

1565.12 ODNR

Modifies a requirement that mine operators notify the Chief of the Division of Mineral Resources Management by telegraph or telephone to instead permit telephone or electronic verification.

1571.05 ODNR

Allows reservoir operator and mine operators to provide notice by certified mail or electronic format instead of registered mail.

1571.08 ODNR

Allows gas storage well inspector to send notice regarding filing of application to use alternative method or materials by certified mail or electronic format instead of registered mail.

1571.10 ODNR

Allows Chief of Division of Oil and Gas to provide adjudication or determination to affected persons by certified mail or electronic format instead of by registered mail.

1571.14 ODNR

Updates a reference to delivery method of notice (from registered mail to certified mail or electronic format) provided under 1571.10 in accordance with a separate change and modifies a requirement to deliver a written finding by certified mail or electronic format instead of by registered mail.

1571.15 ODNR

Replaces registered mail with certified mail or electronic format regarding appeal notifications involving oil and gas wells.

1571.16 ODNR

Allows the Chief of Oil and Gas to send a copy of a complaint regarding an oil and gas hearing by electronic mail or certified mail instead of by registered mail.

1707.02 COM

Enables Division of Securities to notify an entity regarding a hearing to address the revocation of approval for a securities exchange by electronic mail instead of certified mail.

1707.04 COM

Allows Division of Securities to provide notice of hearings regarding a plan to reorganize, recapitalize or refinance a corporation by electronic mail instead of regular mail.

1707.042 COM

Removes requirement that the Secretary of State provide notification regarding the opposition of a control bid by telegraph. Also removes requirement that the Secretary of State forward a copy of the process to oppose a control bid by certified mail.

1707.091 COM

Removes two references to telegram as a means to notify a securities issuer and to confirm an order entry.

1707.11 COM

No longer requires service of process or pleadings on the Secretary of State to be made in duplicate. Also allows the Secretary of State to forward service of process to the principal place of business of the person on whose behalf the consent is submitted in a manner other than certified mail.

1707.43 COM

Removes requirement that a buyer of securities deemed to be an unlawful sale tender the securities or contract to the seller in person or in open court to receive a refund of the amount paid and taxable court costs.

1733.16 COM

Deletes unnecessary reference to telegram and cablegram as methods of delivery notice regarding corporation board of directors meetings.

2941.401 DRC

Allows DRC to provide notice regarding final disposition request by prisoner to the prosecutor, court, or agency by electronic mail instead of certified mail if agreed to by parties.

3111.23 ODJFS

Removes reference to paternity acknowledgements being filed in person.

3301.05 EDU

Allows president of state board of education to sign the record of proceedings for the state school board and attest the accuracy of the record electronically instead of physically

3302.04 EDU

Removes a provision that does not apply to any school district after June 30, 2008 that allows ODE to conduct an evaluation of the school district in person.

3310.52 EDU

Allows alternative public provider or registered private providers that enroll a qualified special education child to submit the methods of instruction used by the provider to provide services and qualifications of the teachers who will be instructing the child electronically instead of in writing.

3313.41 EDU

Allows a nonprofit organization seeking to obtain ownership of donated property from a school board to submit written notice to the school board electronically instead of in writing. Removes a requirement that the school board publish two notices of its intent to donate the unneeded property to the nonprofit organization and instead allows the board to publish notice on its website and to post the notice in the board's office.

3313.818 EDU

Allows ODE to submit a report on the implementation and effectiveness of school breakfast programs to the general assembly and to the governor electronically, instead of as a physical document.

3314.21 EDU

Allows internet or computer-based community schools to conduct visits with students electronically.

3319.081 EDU

Allows school boards of education, when terminating contracts or taking disciplinary action on certain employees, to notify the individual using regular mail with certificate of mailing (proof of mailing) or another form of mail with proof of delivery, or electronically (with proof of delivery).

3319.11 EDU

Allows school boards to provide various notices (such as that the board does not intend to reemploy the teacher) to teachers by regular mail with a certificate of mailing, another form of

delivery with proof of delivery, regular mail with a certificate of mailing, or another form of delivery with proof of delivery (such as electronic delivery), instead of only by certified mail. Allows teachers to provide notice to the school board using the same methods of delivery.

3319.16 EDU

Removes a requirement that a record of a hearing proceeding provided to a teacher by a board of education be produced by stenograph, and instead allows such a record to be provided generally (such as by audiovisual recording).

3319.291 EDU

Allows the Department of Education to send notice to a person who does not submit fingerprints or background check information electronically or by physical mail, instead of only by physical mail. Allows the Department of Education to notify the individual if the individual does not submit fingerprints or background check information to the Department regarding the deactivation of the individual's teaching license or rejection of the application electronically or by regular mail, instead of only by regular mail.

3319.311 EDU

Allows the state board of education or superintendent to issue subpoenas by certified mail, regular mail with a certificate of mailing, or other form of delivery with proof of delivery, including electronic delivery with electronic proof of delivery, instead of only by personal delivery or certified mail.

3321.13 EDU

Allows hearings regarding habitual absence or withdrawal of a child from school to be conducted virtually, instead of requiring the parent, custodian or guardian to appear in person.

3321.21 EDU

Allows certain truancy notices issued under 3321.19 or 3321.20 to be provided electronically with proof of delivery, or by another method with proof of delivery, or by regular mail with certificate of mailing, instead of simply by registered mail.

3704.03 EPA

Allows EPA director to provide notice to an applicant regarding an emissions variance application or variance renewal by any mail that provides delivery confirmation (rather than certified mail). Allows director to provide public notice of meeting by publishing on website

rather than publishing in a newspaper of record. Allows record of testimony at meeting to be maintained electronically instead of stenographically.

3734.02 EPA

Allows EPA director to provide notice regarding a solid waste facility variance or variance renewal hearing by website publication instead of publishing in a newspaper. Allows records of testimony at hearing to be maintained electronically instead of stenographically.

3734.021 EPA

Newspaper notice requirement, Stenographic record requirement Allows EPA director to provide public notice regarding infectious waste variance hearing by website publication instead of newspaper publication. Allows records of testimony at hearing to be maintained electronically instead of stenographically.

3734.575 EPA

Removes a requirement that solid waste management districts submit a report to the EPA director by computer disk and instead allows the Director of the EPA to determine how the report should be provided.

3746.09 EPA

Allows EPA to maintain an electronic record of testimony provided at a variance hearing for a voluntary action program instead of a stenographic record.

3752.11 EPA

Removes definitional references to telegram and telefax and permits notice by any method capable of documenting intended recipient's receipt in addition to mailing requirements.

3772.031 CCC

Allows Commission to notify a person of decision to include individual on exclusion list by a commercial carrier with delivery confirmation instead of by certified mail.

3772.04 CCC

Allows Commission to notify regarding an emergency order using a commercial carrier with delivery confirmation instead of by certified mail. Also permits a copy of the order to be provided electronically to the attorney of record instead of by physical mail.

3772.11 CCC

Requires a person applying for a casino management or operator license to certify (instead of committing under oath) that the application is true.

3772.12 CCC

Requires a person applying for a gaming-related vendor license to certify (instead of committing under oath) that the application is true.

3772.13 CCC

Permits Commission to notify casino operator or manager that it has determined to revoke a key employee license by electronic means with evidence of delivery, as well as by other means.

3772.131 CCC

Requires a person applying for a casino gaming employee license to certify (instead of committing under oath) that the application is true.

3781.08 COM

Removes reference to the Department of Commerce providing stenographers to the Board of Building Standards.

3781.11 COM

Removes a definitional reference to a telegraph workshop or factory.

3781.25 COM

Removes a definitional reference to a telegraphic underground utility facility.

3781.29 COM

Removes a definitional reference to a telegraphic underground utility facility. Removes a requirement that an excavator provide a fax address (if available) to a protection service before beginning an emergency excavation.

3781.342 COM

Removes a requirement that the Underground Technical Committee send notice by facsimile, as one of several notification alternatives.

3904.08 INS

Allows individuals requesting access to recorded information about the individual from an insurance company to obtain a copy in a manner agreed to by the individual and the institution, except if the language is coded--in which case the information must be provided to the individual in plain language in writing. No longer references that review of information must be done in person or by mail (allowing for additional delivery methods).

4121.19 BWC

BWC investigation testimony no longer must be taken down by a stenographer

4123.512 BWC

Depositions for appeals of Industrial Commission decisions no longer require a stenographer

4123.52 BWC

Specifically enables BWC to maintain records electronically with the same legal value of physical records.

4125.03 BWC

Allows Professional Employer Organizations to provide a list of required information to client by email instead of in writing.

4141.09 ODJFS

Removes a reference to facsimile signature on unemployment compensation fund disbursements

4141.47 ODJFS

Removes a reference to facsimile signature on unemployment compensation fund disbursements.

4167.10 BWC

No longer specifies that the consultation that takes place prior to the BWC issuing a stop order when an inspection or investigation of a place of employment presents a substantial probability of death of serious physical harm be in person or by telephone

4301.17 COM

Removes a requirement that the Division of Liquor Control notify the chief peace officer of a political subdivision by certified mail or personal service when a liquor contract is proposed or changed, and instead generally requires notification to be provided.

4301.30 COM

Allows Division of Liquor to notify police or municipal corporation regarding requirement to cooperate with Division to enforce ORC chapters 4301 or 4303.

4507.081 DPS

Removes a requirement that a restricted motor vehicle licensee submit a statement to the registrar by certified mail. Removes references to a physical renewal validation sticker. Removes a requirement that the statement be made in duplicate. Removes requirement that licensee maintain physical duplicate copy for record purposes.

4508.021 DPS

Removes three definitional references to video cassettes, CD-ROMs, and videodiscs and replaces with updated electronic format definition.

4509.101 DPS

Removes reference to an individual personally deliver a license or certificate of registration to the registrar to provide more flexibility in the manner of delivery.

4510.41 DPS

Removes a requirement that the license plates for certain, law-enforcement-seized vehicles be removed by a law enforcement officer. Removes a requirement that the law enforcement agency that employs the officer physically maintain the license plates. DPS reports that this change mirrors previous amendments to 4511.195.

4735.13 COM

Permits Division of Real Estate to provide real estate sales-person license by electronic mail. Enables broker to keep a copy of a salesperson's license instead of the physical license itself. Enables the broker to notify the superintendent by electronic mail if the salesperson's relationship with the broker is terminated instead of by mailing the physical license to the Division. Removes reference to Division providing a request for the return of a license from a broker by certified mail and allows for electronic mail request to be made instead by the Division.

4735.14 COM

Allows Division of Real Estate to send a licensure renewal notice by electronic mail to each real estate broker and salesperson instead of physical mail.

5107.161 ODJFS

Removes a face-to-face reference to a preliminary county conference between county JFS and a sanctioned county assistance group. The discussion no longer must be in person.

5120.14 DRC

Allows DRC to send notice regarding escape of prisoner electronically rather than in writing.

5123.195 DODD

Rescinds entire statute as DODD has determined that it is no longer relevant. Outdated statute references a report being provided to legislative leadership after the end of 2003, 2004, and 2005.

5164.193 MCD

Allows Department of Medicaid to respond to a determination reconsideration request with respect to incentive payments for adoption and use of electronic health record technology electronically instead of by certified mail.

5165.86 MCD

Allows Department of Medicaid to deliver written notice to nursing facilities by any means reasonably calculated to provide prompt actual notice instead of certified mail or hand delivery, at its discretion.

5166.303 MCD

Allows home care attendant face-to-face visits to be performed electronically or by telephone if permitted by rule.

5168.08 MCD

Removes a requirement that the Department of Medicaid mail a preliminary determination regarding an assessment for the health care/Medicaid support and recoveries fund by certified mail annually. Instead permits the Department to generally issue the assessment to each hospital. Additionally allows the Department to issue hearing notices to consider applications for reconsideration submitted by the hospitals rather than deliver them by certified mail.

5168.22 MCD

Removes a requirement that the Department of Medicaid mail a preliminary determination regarding an assessment for hospital assessment fund by certified mail annually. Instead permits the Department to generally issue the assessment to each hospital.

5168.23 MCD

Removes reference to physical mail as delivery method for the additional annual assessment levied on hospitals. Allows Department to issue notices generally, rather than deliver via mail.

5709.83 TAX

Current law requires the legislative authority of a political subdivision or housing officer to notify the board of education of a proposed property tax exemption when that property is located within the school district the board oversees. If the board of education requests, the legislative authority or housing officer is required to meet in person with a board representative to discuss the proposed exemption. This amendment removes the requirement that the requested meeting be conducted in person.

5736.041 TAX

Removes the language requiring a list of active petroleum activity tax licensees to be open to public inspection and instead requires the tax commissioner to post the list to the Department of Taxation's website.

5751.40 TAX

Removes the language requiring qualifying distribution center certificates to be open to public inspection and instead requires the tax commissioner to publish the certificates to the Department of Taxation's website for a period of at least four years after issuance. The four-year period ensures that the certificates will be available through the statutory period of limitation on assessments and refunds.