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Senator Sean J. O'Brien
Ohio Senate
3rd District

Sponsor Testimony: Senate Bill (SB) 181
Senate Ways & Means Committee
October 25th, 2017

Chairman Eklund, Vice Chair Terhar, Ranking Member Williams, and members of the Senate Ways & Means Committee, thank you for allowing me to present sponsor testimony today on SB 181. This legislation, if passed, would allow all Ohio municipal corporations that charge residents for garbage collection fees to certify unpaid amounts to the county auditor. The county auditor, in turn, would be required to enter those fees on the property tax list to be collected in the same manner as real property taxes.

According to current terms outlined in Ohio Revised Code (ORC) Section 701.10, only municipal corporations *located in charter counties* may certify unpaid garbage collection fees for collection through a property tax lien. This issue was brought to my attention by constituents of mine in Ashtabula which, as one of many Ohio municipalities not located in the two charter counties currently in existence in our state, has no mechanism by which to collect those unpaid fees under current law. The reasons behind this are unclear but, on behalf of municipalities located in Ohio's 86 other counties, it is an oversight that needs to be corrected.

Essentially, by not providing a uniform, state-level, mechanism for the collection of these fees across all municipalities, this section of ORC language is currently allowing the citizens of most municipalities in Ohio – in other words, those not located in either Cuyahoga or Summit County - to break local laws and forgo paying legally-levied fees. Why should only one subsection of municipal corporations be given the authority to collect unpaid garbage collection fees and not all of them? The answer is: there is no good reason.

Additionally, ORC 701.10 currently does not specify that the fees must be certified to the county auditor. Rather, this section of code broadly names the *county fiscal officer* as the entity responsible for that. This has created further confusion amongst constituents in my district, and is another issue fixed by this bill.

Chairman Eklund, Vice Chair Terhar, Ranking Member Williams, and members of the Senate Ways & Means Committee, thank you again for allowing me to present SB 181 to you today. This bill is a simple fix to a simple oversight in the ORC, and I urge your favorable consideration of it. I would be happy to answer any questions you may have at this time.