



APRIL 27, 2022 REPORT #7

TWO IMPORTANT OHBA BACKED BILLS SIGNED BY GOVERNOR

[HB 175 Water Pollution \(Hillyer, B.\)](#)

To deregulate certain ephemeral water features under various water pollution control laws. [Text/Analysis](#)

In an effort which began with the changes to the WOTUS rule under the Biden Administration, OHBA has played a crucial role in the passage of HB 175. Once in effect, the law will exempt any ephemeral stream – those present only in times of precipitation – that is not subject to U.S. Army Corps of Engineers oversight from the state's Water Pollution Control Laws.

The changes would also establish requirements for impacts to those features that are subject to Army Corps regulation, including mitigation requirements and best management practices. The director of the Environmental Protection Agency is prohibited from imposing any requirements on those features beyond those specified.

HB 175 brings badly needed relief from the over regulation of ephemeral streams. Clearly, the enactment of HB 175 is a major cost saver for all land developments.

The analysis of HB 175, as enacted, can be reviewed at the following link:

<https://www.legislature.ohio.gov/download?key=18775&format=pdf>

Please feel free to contact OHBA with any questions.

HB 126 Property Values (Merrin, D.)

To modify the law governing property tax complaints.

Am. 4503.06, 5715.19, and 5717.01

HB 126, introduced by Rep. Derek Merrin (R-Monclova), will rein in predatory property valuation challenges and protect commercial and residential property owners.

HB 126 cleared both chambers earlier this month after a conference committee resolved significant differences between House- and Senate-passed versions of the bill.

The compromise version of the legislation will:

- Restrict tax challenges by local entities and individuals to property they don't own that is sold within the tax year of the complaint and goes for 10% and \$500,000 more than the county auditor's assessed value, and indexes that cap to inflation beginning in 2023.
- Require subdivisions to first adopt a resolution authorizing the complaint and mandate property owners be notified at least seven days prior to the vote.
- Prohibit local boards from appealing board of revision decisions.
- Remove a requirement that districts pass a resolution before filing a counter-complaint with a BOR.
- Ax a requirement that school districts receive notice of a complaint if the complaint alleges a change in full market value of at least \$50,000 and modify the timeline in which school districts can file a complaint to 30 days after the initial complaint is filed.
- Require a BOR to dismiss a complaint filed by a subdivision within one year after the complaint was filed if the board hasn't yet rendered a decision.
- Retain the Senate-passed bill's prohibition on private pay agreements but specify that the prohibition applies only to agreements entered on or after the bill's effective date.
- Clarify that a local subdivision cannot adopt a resolution that authorizes the filing of complaints in future tax years.

The enacted legislation can be reviewed at the following link:

https://search-prod.lis.state.oh.us/solarapi/v1/general_assembly_134/bills/hb126/EN/07/hb126_07_EN?format=pdf

LEGISLATIVE REDISTRICTING CONTINUES

While the legislature is on break for a few weeks, the Ohio Supreme Court again invalidated the most recent maps, and the federal court ruled more time to be given to the Redistricting Commission. The federal court indicated the Commission had until May 28th, at which time, the federal court would institute the 3rd set of maps for an August

primary. So far, no further meetings have been held, but everyone's attention remains on the ultimate conclusion pending. The primary for the statewide offices and congressional seats is set for May 3rd.

Please feel free to contact OHBA with any questions or concerns.

SUMMER BOARD OF TRUSTEES MEETING

Now is the time to sign-up for OHBA's Summer Board of Trustees Meeting – June 21st. The meeting will take place in Dublin at the brick house blue. We have a nationally known economist Dr. Ted Jones as a guest speaker. Detailed information has been emailed.