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## *Detailed Fiscal Analysis*

The bill permits the governing authority of a school to take legal action against properties contiguous to or within one thousand feet of the school if the property is abandoned and constitutes a nuisance detrimental to the school's mission. Governing authorities in this instance include the board of education of a school district, the governing board of a science, technology, engineering, and mathematics school, the governing authority of a community school, or the authority in charge of a nonpublic school.

Before taking action, the school governing authority must conduct research to identify the owner of the nuisance property and, in order to file a complaint, the governing authority must show that the building is a nuisance to the school. Schools conducting preliminary research could incur minimal administrative cost. The governing authority would also be responsible for all court costs and legal fees during the course of the court hearing. These costs and fees could vary considerably among different cases and districts. Schools have a choice in whether to take legal action against nuisance properties; therefore all potential costs are permissive. If the court's judgment is found against the nuisance property, the owner is liable to the governing authority for all court costs, attorney's fees, and expenses incurred in repair or demolition of the property.

In researching the bill's potential fiscal effects on courts of common pleas, LSC fiscal staff spoke with members of the County Commissioners' Association of Ohio, the Judicial Conference of Ohio, and members of local boards of education. The prevailing viewpoint was that, if, as a result of the bill, additional nuisance abatement actions are filed, it will be few in number and the costs generated to adjudicate these matters would be minimal annually. Presumably, a portion of any associated costs would be offset to some degree by any court cost and filing fees collected from parties to the action.

The reason most often cited for speculating that the bill likely will not create many, if any, new nuisance abatement cases focused on the fact that current law, not changed by the bill, prescribes a procedure for filing an action in court to take control of a nuisance building. Theoretically, then, local boards of education and other school-related governing authorities can presently file civil actions against the owners of nuisance properties; the bill provides an alternative procedure for taking the same action.

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