



Ohio Legislative Service Commission

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Fiscal Note & Local Impact Statement

Bill: [Sub. H.B. 35 of the 128th G.A.](#)

Date: February 22, 2010

Status: As Passed by the House

Sponsor: Rep. Dyer

Local Impact Statement Procedure Required: No — Minimal cost

Contents: Revises the law governing the operation of mosquito abatement districts

State Fiscal Highlights

- No direct fiscal effect on the state.

Local Fiscal Highlights

- The bill revises the law governing the creation, enlargement, reduction, or dissolution of mosquito abatement districts. By requiring that any such proposed action be submitted as a ballot question, there could be some minimal new costs for the petition process. Because in most cases these questions would be put on the ballot with other items, any new costs are likely to be minimal.
- The two mosquito abatement districts in operation currently are funded by property tax millage assessed to property owners residing within the area served by the mosquito abatement districts. The bill removes the authority of these districts to use property tax millage to fund their operations.

Detailed Fiscal Analysis

Overview

The bill establishes special procedures for establishing, enlarging, reducing, or dissolving a sanitary district organized wholly for the eradication of populations of biting arthropods. These are otherwise referred to as mosquito abatement districts. Under the bill, before a court establishes, enlarges, reduces, or dissolves such a sanitary district, a petition must be filed in the office of the clerk of the court, signed by the lesser of 500 registered voters or 10% of the electors who voted for the office of Governor within the political subdivision in the most recent gubernatorial election in each political subdivision in which any portion of the sanitary district is proposed to be located. If the petition is deemed valid, the court must submit the question of whether such a sanitary district should be created, enlarged, reduced, or dissolved to the electors residing within the territory in which the sanitary district is proposed to be located. The bill also eliminates the ability of mosquito abatement districts to fund their activities through property taxes and eliminates their powers of eminent domain.

The two mosquito abatement districts in operation currently are the Mosquito Abatement District of Barberton and Norton and the Toledo Area Sanitary District. These districts generally operate from May until September, but depending on weather conditions, this time can be extended later into the year. The districts attempt to abate mosquitoes by: (1) larvaciding known wet areas and roadside ditches, (2) spraying routinely every two weeks to eliminate biting adult mosquitoes, (3) surveilling for mosquito-borne disease and mosquito populations, (4) educating the public about mosquito-borne diseases and mosquito populations, and (5) eliminating mosquito breeding sources such as standing or stagnant water.

These mosquito abatement districts receive revenues through millage that is assessed on property owners that reside inside the area served by the district. With respect to the Barberton and Norton Mosquito Abatement District, the current charge for mosquito abatement is 0.36 mils, or \$12.60 per year for a home that the Auditor has appraised at \$100,000 ($(.36 \times \$35,000 \text{ of taxable value})/1,000 = \12.60). The bill removes the authority of mosquito abatement districts to assess property taxes. Because the two mosquito abatement districts above are funded primarily through property taxes, under the bill they would be forced to obtain some form of alternative funding such as a service charge, fee, or moneys from the county general fund.

Petition and election procedures concerning mosquito abatement districts

Under the bill, the court must certify a copy of the court order proposing to establish, enlarge, reduce, or eliminate a mosquito abatement district to the board of elections of each county in which any territory of the proposed sanitary district is located. The board of elections of each such county must make the necessary arrangements for the submission of the question to the electors of the proposed district

on the day specified in the order and occurring not less than 75 days after the order is certified to the board of elections. The election must be held, canvassed, and certified in the same manner as regular elections for the election of county officers. The bill also specifies public notice requirements concerning these proposed actions. All filing, advertising, and other related election costs would be paid for, proportionally, by the political subdivisions seeking to create the district. Presumably, this issue would be placed on the ballot for the next election, thereby making any such election costs minimal.

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