



Ohio Legislative Service Commission

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Fiscal Note & Local Impact Statement

Bill: Sub. H.B. 175 of the 128th G.A. **Date:** October 16, 2009

Status: As Reported by House Local Government and Public Administration **Sponsor:** Rep. Gerberry

Local Impact Statement Procedure Required: No — Offsetting Revenues

Contents: Requires a person to file proof of successful completion of training with the county recorder before being appointed as a humane society agent

State Fiscal Highlights

STATE FUND

FY 2010 – FUTURE YEARS

Housing Trust Fund (Fund 6460)

Revenues	Negligible gain from county recorder filing fees
Expenditures	- 0 -

- County recorders are permitted to charge a fee of \$28 for the first two pages of filings they record, and \$8 for each additional page. Of this fee, \$14 is remitted to the Housing Trust Fund for the first two pages, and \$4 for each subsequent page.

Local Fiscal Highlights

LOCAL GOVERNMENT

FY 2010 – FUTURE YEARS

County Recorders, Mayor, and Probate Courts

Revenues	Gain in county recorder filing fee revenues for county recorders
Expenditures	Potential minimal increase in costs for retaining humane officer filings
	Potential minimal increase to investigate training credentials of humane society agents

Note: For most local governments, the fiscal year is the calendar year. The school district fiscal year is July 1 through June 30.

- The bill creates a new filing requirement for humane society agents. These individuals would be required to file proof of successful training with the county recorder. Because county recorders would store this information in the same way as other nonplat filings, the bill is unlikely to add significant new recordkeeping costs.
- County recorders are permitted to charge a fee of \$28 for the first two pages of filings they record, and \$8 for each additional page. Of this fee, \$14 is retained by the county recorder for the first two pages, and \$4 for each subsequent page. Presumably, the certification of completed training would not exceed two pages. Therefore, the county recorder would likely receive \$14 for each humane society agent certification filing made as a result of the bill.

- Mayors and probate judges are unlikely to incur significant new costs for investigating situations where a humane society agent is alleged not to have completed training or has falsified information concerning training.
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Detailed Fiscal Analysis

Overview

Senate Bill 221 of the 124th General Assembly required all humane society agents to successfully complete a 20-hour training course on issues relating to the investigation and prosecution of cruelty to and neglect of animals. The training must comply with rules recommended by the Peace Officer Training Commission. However, there has been no mechanism in place to ensure that the requisite training has been completed. The bill would require that a person who has been appointed as a humane society agent before the bill's effective date file proof of successful completion of training, including the required signatures, with the county recorder not later than six months after the bill's effective date.

If a person who is serving as a humane society agent on the bill's effective date has not filed the required proof of completion of training with the county recorder, the person would be suspended as a humane society agent until the proof is on file with the county recorder. The bill also allows an individual who suspects that a humane society agent has either (1) not successfully completed the required training, or (2) provided false or misleading information concerning their training to file a complaint with the mayor or probate judge who approved the appointment. If, after the mayor or probate judge has made the required investigation and has found either of the above to have occurred, the bill requires that the approval of the appointment be rescinded and that the applicable humane society revoke the appointment.

Fiscal impact

County recorder, mayor, and probate judge costs

As a result of these provisions, county recorders, mayors, or probate judges are unlikely to incur significant new costs. Because county recorders would be permitted to store the proof of successful training completion in the same way as all other nonplat-related filings, the cost for maintaining these types of records would be minimal. Any costs that mayors or probate judges might incur in investigating complaints related to the training status of humane society agents would also be small. Presumably, such cases would be rare, and if they were to occur, there would be sufficient evidence in existence that would make any investigative costs for these entities nothing beyond minimal.

Filing fee revenues

County recorders are permitted to charge a fee of \$28 for the first two pages of filings they record, and \$8 for each additional page. Of this fee, \$14 is remitted to the Housing Trust Fund and \$14 is retained by the county recorder for the first two pages, and \$4 is retained by each for each subsequent page. Presumably, the certification of completed training would not exceed two pages. Therefore, both the Housing Trust Fund and county recorders would likely receive \$14 for each humane society agent certification filing made as a result of the bill.

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