



Ohio Legislative Service Commission

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Fiscal Note & Local Impact Statement

Bill: [Sub. H.B. 175 of the 128th G.A.](#)

Date: May 19, 2010

Status: As Reported by Senate Agriculture

Sponsor: Rep. Gerberry

Local Impact Statement Procedure Required: No — Offsetting revenues

Contents: Requires humane society agents to file proof of training with the county recorder and makes other changes

State Fiscal Highlights

- The bill requires that a person file proof of successful completion of training with the county recorder before being appointed as a humane society agent. Half of the fees collected by the county recorder are remitted to the state for deposit into the Low- and Moderate-Income Housing Trust Fund (Fund 6460). This fund could gain some additional revenue as a result of the filing requirement in the bill.

Local Fiscal Highlights

- The bill requires humane society agents to file proof of training with the county recorder. This provision could increase the amounts collected by a small amount.
- 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. Half of these amounts are retained by the county to cover processing and record storage costs and half is remitted to the state.
- County recorders are currently permitted to request up to \$4 of a filing fee to be used for equipment acquisition. The bill permits county recorders to request up to \$7 of a filing fee to be used for this purpose.
- The bill permits counties to make appropriations for county agricultural societies from their permanent improvements funds. Currently, appropriations for this purpose can only be made from a county's general fund. Overall, this could increase the amounts that county agricultural societies receive from the county by a small amount.

Detailed Fiscal Analysis

Overview

S.B. 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 was no mechanism in place to ensure that the requisite training had been completed. The bill requires that persons appointed as humane society agents file proof of successful completion of training with the county recorder and specifies other requirements that apply to humane society agents. The fiscal effects of these provisions are described below.

Filing fees collected by county recorders

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. Half of the fee collected must be remitted to the Low- and Moderate-Income Housing Trust Fund (Fund 6460). Presumably, the certification of completed training would not exceed two pages. Therefore, both Fund 6460 and county recorders would likely receive \$14 for each humane society agent certification filing made as a result of the bill.

The bill also permits county recorders to request that a larger portion of their collected fees be used for micrographic and other equipment. Under current law, a county recorder is permitted to request that \$4 of the amount collected for filings be used to purchase new equipment. Under the bill, the county recorder is able to request an amount up to \$7 for this purpose. While there is no net fiscal effect associated with this provision, this authority may allow county recorders to acquire new equipment sooner than they can now.

Investigating complaints

The bill allows anyone who suspects that a humane society agent has not successfully completed the required training, or that an agent's proof of successful training completion contains false or misleading information, to file a complaint with the mayor or probate judge who approved the appointment. The bill then requires that the mayor or probate judge investigate these complaints. Presumably, such cases would be rare, and if they were to occur, there would be sufficient evidence in existence that would make the review of such complaints rather straightforward. For these reasons, any costs that mayors or probate judges might incur in investigating complaints related to the training status of humane society agents would be small.

County agricultural societies

Under current law, a county agricultural society may only receive financial assistance from a county in the form of an appropriation from the county's general fund. The bill permits a county to provide an agricultural society with appropriations from the county's permanent improvement fund as well. Although this would allow for these amounts to increase somewhat, in general county agricultural societies receive only a small portion of their overall budget from counties. Most of the operating revenues for county agricultural societies consist of admissions fees, rental charges, competition entry fees, and so forth.

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