



Legislative Issues Update



Ohio REALTORS®
Annual Convention
September 2017



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HB 49

Biennial Budget (REALTOR® Related Provisions)

- Sales Tax Expansion Professional Services – DEFEATED
- Municipal Net Profits Tax Centralized Filing – Opt in PASSED
 - Business decision opt into gateway or remain w/ local taxing jurisdiction
- Recorder Fee Increase – DEFEATED
 - Fee revenue split between Recorders and Ohio Housing Trust

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HB 49

Biennial Budget (REALTOR® Related Provisions)

- Good Funds - PASSED
 - Aggregate amount increased to \$10K
 - Any electric means
- E-Notary – PASSED
 - Language included
 - No timeline for implementation
- Land men Exemption - DEFEATED

HB 49

Biennial Budget (REALTOR® Related Provisions)

- CAUV Modifications – PASSED
 - Adds cropping patterns & production costs to formula to prevent future spikes
- Property Tax Resolution Requirements Expanded – PASSED
 - Whether tax is new, renewal or replacement
 - Term of tax
 - Subdivisions territory where tax will be voted on and levied
 - Date of election
 - First year tax will apply
 - Each county where the subdivision has territory

HB 49

Biennial Budget (REALTOR® Related Provisions)

- Lead Paint – Preemption – DEFEATED
- Lead Paint Study Committee – DEFEATED
- State Voluntary Lead Safe Registry - PASSED
- EIS Tax – VETOED
 - Further clarification and expansion of exemption
- Property Tax Appeals to Supreme Court – PASSED

HB 52

Deed Solicitation

- Solicitation of deeds for purchase
- Requires disclosure – not required to purchase
- Require actual fee charged by recorder disclosed
- Require registration with county before solicitation

STATUS – Last hearing 9/19/17

PROGNOSIS – Passage in Fall of 2017

HB 67

Cognovit Clauses

- Prohibits a creditor from obtaining a confession of judgment from a debtor, unless the confession of judgment is entered in connection with the settlement of litigation involving an outstanding payment or for monetary default under the terms of instruments of indebtedness.
- Provides the right to a hearing to determine if payment and default has occurred
- Eliminates all other forms of confession of judgment.

STATUS – No change since Spring; Remains in House Committee

PROGNOSIS – No action in 2017

HB 75

Military Service Licenses

- Establishes a process to grant a professional license to a person who holds a valid license in another state and who is on active duty as a member of the armed forces of the United States, or is the spouse of such a person.
- Establishes a temporary professional license for persons on active duty and their spouses, called a "license by endorsement," that entitles a person, who is licensed in another state under less stringent requirements, to practice in Ohio within the scope of professional activities permitted under the person's license from the other state.

STATUS – No change since Spring; Remains in House Committee

PROGNOSIS – Unclear model legislation introduced in other states. Will it pass?

HB 112

Lease Termination

- Tenant may terminate or fail to renew any lease the tenant has with a landlord if the tenant is seeking inpatient treatment for substance abuse.
- Notice to the landlord shall state the date of termination or failure to renew and provide the landlord with evidence of the need for that treatment.
- The evidence shall be written documentation from a medical professional or substance abuse professional.

STATUS – No change since Spring; No hearings

PROGNOSIS – No further action

HB 118

Dismissal of Property Tax Appeal

- Current statutory law does not require a complaint form to correctly identify the property owner.
- Under continuing law, a person who owns property in a county, or the owner's attorney or statutorily authorized non-attorney agent, may file a complaint challenging the taxable value of any parcel located in the county – their own or others.
- Court decisions have held that the failure to identify the owner does not deprive a board of jurisdiction to consider the complaint and thus does not authorize the board to dismiss the complaint on that ground.

STATUS – Holding in Senate

PROGNOSIS – May become Christmas Tree for other changes or an ornament on SB 123

HB 160

Civil Rights, Prohibit Discrimination

- Enact the Ohio Fairness Act to prohibit discrimination on the basis of sexual orientation or gender identity or expression.
- To add mediation to the list of informal methods by which the Ohio Civil Rights Commission may use to induce compliance with Ohio's Civil Rights Law before instituting a formal hearing.

STATUS – No change since Spring; No hearing

PROGNOSIS – May receive House Hearing; Will not pass in this Assembly

HB 211

Home Inspector Licensing

- To require the licensure of home inspectors
- To create the Ohio Home Inspector Board to regulate the licensure and performance of home inspectors

STATUS – No change since Spring; Ohio REALTORS® provided proponent testimony

PROGNOSIS – Will depend on REALTOR® support; IP meetings continue strong momentum

HB 213

Real Estate Appraisers

- Change the definition of “appraisal” for purposes of the Real Estate Appraiser Licensing Law
- Make changes to certain procedures and the exceptions to licensure under that law
- Regulate appraisal management companies (AMC)

STATUS – Last hearing 9/19/17

PROGNOSIS – Will pass in Fall 2017

SB 36

Agricultural Land (CAUV)

- Require that the computation of the capitalization rate for the purposes of determining CAUV of agricultural land be computed using a method that excludes appreciation and equity buildup
- Stipulate that CAUV land used for a conservation practice or enrolled in a federal land retirement or conservation program for at least three years must be valued at the lowest of the values assigned on the basis of soil type

STATUS – No change since Spring

PROGNOSIS – No further action; Language in Budget (HB 49)

SB 100

Discrimination Laws

- Prohibit discrimination on the basis of sexual orientation or gender identity or expression
- Add mediation to the list of informal methods by which the Ohio Civil Rights Commission must attempt to induce compliance w/ Ohio's Civil Rights Law before instituting a formal hearing
- Eliminate certain religious exemptions from the Ohio Civil Rights Law

STATUS – No change since Spring; No hearing

PROGNOSIS – May receive Senate Hearing; Will not pass this Assembly

2017 Elections

- Primarily a local year
 - City Council, Mayors, etc.
- Be sure to use your entitlement for these candidates
- Consider PAF support
- Use Issues Mobilization for ballot initiatives/levies

Two Statewide Issues

Issue 1

- Marsy's Law
 - Crime victim bill of rights
 - Adopted in 7 other states

Issue 2

- Prescription drug cost
 - State shall pay no more than the VA rate
 - Allows for recovery of attorney fees to enforce

2018

May Primary

Republican Ticket

- Governor – Taylor, DeWine, Husted, Renacci
- Secretary of State – LaRose, Pelandia
- Treasurer – Sprague, Mingo
- Auditor – Faber
- Attorney General - Yost

2018 May Primary

Democrat Ticket

- Governor – Schiavoni, Sutton, Pillich, Whaley
 - *Jerry & Corday
- Secretary of State – Clyde
- Treasurer – Robinson
- Auditor – Space
- Attorney General - Deitelbach

General Assembly

All 99 House Seats

- 20 are OPEN – 12 Rs
- Showdown for Speaker's race decided here
 - Larry Householder
 - Ryan Smith
 - Rob McColley
 - Bill Seitz
 - Jim Butler

General Assembly

20 OPEN Seats

- These seats will decide
- Look for Householder to run his own candidates in all 20 open seats
- Ryan will be “Caucus” candidates
- McColley is the compromise

General Assembly

- Senate – 17 Seats
- 10 are OPEN
 - 4 are D seats
- 4 expensive races
 - Columbus, Toledo, Cleveland, Youngstown all open

Feds – Mid-Term for Trump

- All Ohio US House seats
 - All incumbents
 - Warren Davidson – First re-elect
- US Senate Rematch
 - Sen. Sherrod Brown
 - Josh Mandel
 - Mike Gibbons
 - Tiberi – out
 - J-D Vance – out

State Political Coordinator

- New Program – Modeled after FPC at NAR
- Seeking applicants for all 33 Senators by end of 2017
- Joint training with FPCs to occur early 2018
- See Scott/Carrie/Your EO for info & Play book



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