



OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research
and Drafting

Legislative Budget
Office

Substitute Bill Comparative Synopsis

Sub. H.B. 92

136th General Assembly

House Local Government

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This table summarizes how the latest substitute version of the bill differs from the immediately preceding version. It addresses only the topics on which the two versions differ substantively. It does not list topics on which the two bills are substantively the same.

H.B. 92 (As Introduced)	Sub. H.B. 92 (I_136_0330-2)
Municipal utility services covered	
Applies to city and village disposal, water, and sewer services and village gas and electric services. Excludes counties operating municipal services. (<i>R.C. 701.10, 701.20 to 701.40, 729.49, 735.29, and 743.04.</i>)	Applies to water, sewer, natural gas, electric, or other utility service supplied by a municipal corporation (<i>R.C. 743.51 to 743.55, 1923.02, and 5321.03</i>).
Disconnection of municipal utility service	
No provision.	Prohibits, if “ Disconnection prohibition applicability ” is met (see below), a municipal corporation from refusing or discontinuing municipal utility service to a landlord, present tenant, or prospective

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	tenant at a residential premises based on a former tenant's nonpayment for such services (<i>R.C. 743.52(B)</i>).
Disconnection prohibition applicability	
No provision.	<p>Applies the “Disconnection of municipal utility service” prohibition (see above) if one or both of the following are met:</p> <ul style="list-style-type: none"> ▪ The former tenant of a residential premises contracted for municipal utility service at the premises with the municipal corporation; ▪ The municipal corporation provided municipal utility service to a residential premises with the knowledge of the former tenant's name and the period that the former tenant was provided the service (<i>R.C. 743.52(A)</i>).
Municipal utility security deposit collection	
No provision.	Allows municipalities to adopt ordinances authorizing the municipality to withdraw and expend the security deposit of a tenant who fails to pay their municipal utility service charges (<i>R.C. 743.53</i>).
No prohibition against terminating municipal utility service for tenant nonpayment	
No provision.	Provides that nothing in the bill is to be construed to prohibit a municipal corporation from discontinuing municipal utility service to a tenant who is in arrears 30 days or more (<i>R.C. 743.55</i>).

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Waiver by contract prohibited	
No provision.	Prohibits a contract between a municipal corporation and a landlord from waiving any of the bill's provisions described above (<i>R.C. 743.54</i>).
Eviction proceedings	
No provision.	Permits eviction proceedings to be brought against a tenant who is financially responsible for paying for municipal utility service and fails to do so (<i>R.C. 1923.02(A)(16) and 5321.03(A)(6)</i>).
Actions at law	
Allows municipal corporations to bring actions at law to collect unpaid collection or disposal service, sewerage service, and village gas and electric services amounts from an owner, tenant, or other person who is liable (<i>R.C. 701.101, 729.491, and 735.29</i>).	No provision.
Municipal services liens	
Imposes various requirements before a lien for unpaid municipal utility services may be placed, including, for example, certain notice and additional certification requirements (<i>R.C. 319.65, 701.10, 701.102, 701.103, 729.49, 729.492, 729.493, 735.29, 735.291, 735.292, 743.04, 743.041, and 743.042</i>).	No provision.
Collection of lien amounts	
Imposes certain requirements regarding collected municipal lien amounts, including, for example, that 90% of municipal lien amounts collected must be paid to the municipality and the remaining 10% be	No provision.

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deposited in the county treasurer's Delinquent Tax and Assessment Collection Fund (<i>R.C. 321.261, 701.10, 729.49, 735.29, 743.03, and 743.06</i>).	
Municipal lien appeals	
Establishes a process to appeal municipal liens to municipal and county courts (<i>R.C. 701.35 to 701.39, 1901.187, and 1907.033</i>).	No provision.
Financial responsibility	
Provides that any person who contracts to receive municipal services is financially responsible for paying all rates, fees, charges, and costs associated with the delivery of that service (<i>R.C. 701.21</i>).	No provision.
Municipal authority powers	
<p>Provides for all of the following regarding a municipal authority:</p> <ul style="list-style-type: none"> ▪ Creates a rebuttable presumption when a municipal authority attempts to certify a lien or bring an action based on unpaid municipal services amounts that the amounts exceeding the termination amount cannot be certified as a lien or recovered by the action from the property owner; ▪ Allows a municipal authority to establish a tenant reinstatement fee for municipal services; ▪ Permits a municipal authority to track any unpaid rates or charges for municipal services owed by a person between residential properties if certain conditions are met; ▪ Allows a municipal authority to access and review the billing details and histories of any person who contracts to receive 	No provision.

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municipal services for the purpose of identifying and tracking unpaid rates or charges (<i>R.C. 701.22 to 701.25</i>).	
Improper billing complaint and appeals	
Establishes processes for improper billing complaints to a municipal service provider and improper billing appeals to municipal and county courts (<i>R.C. 701.26 to 701.33, 1901.187, and 1907.033</i>).	No provision.