

**Ohio Library Council
BOARD OF DIRECTORS**

ITEM NO.: **6.E.1**

MEETING DATE: **Jan. 17, 2025**

SUBJECT: **Government and Legal
Services Report**

SUBMITTED BY: **Jay Smith**

REPORT FOR INFORMATION

ODT Posts January 2025 PLF Distribution

The Ohio Department of Taxation (ODT) posted the January 2025 Public Library Fund (PLF) distribution of \$41,236,569 – which is \$6.3 million (or + 18.18%) above ODT's original estimate that was issued in July 2024; and \$80,097 (or – 0.19%) below ODT's updated estimate issued in December 2024.

Distributions in late December from the 2024 expanded sales tax holiday has caused some confusion in measuring state tax collections. According to the Office of Budget and Management (OBM), total General Revenue Fund (GRF) tax receipts were \$140.8 million (-5.4%) below estimate when the Sales Tax Holiday transfer was added to the Sales & Use category total. Excluding the impact of the Sales Tax Holiday transfer, GRF tax receipts exceeded the monthly estimate by \$319.7 million (16.7%).

In addition to their Monthly Financial Report, OBM posted their Annual Financial Report for FY2024. According to the report, GRF tax revenues decreased by \$971.2 million (-3.4%) in FY2024 as compared to FY2023.

“Overall, tax revenues to the GRF are solid through the first six months of fiscal year 2025, running 2.6 percent ahead of projections, mostly due to lower-than-anticipated income tax refunds. Combined Sales Tax revenues are right at estimate for the fiscal year-to-date, with a positive \$7.6 million variance compared to forecast. Ohio's budget is conservative and balanced, and OBM continues to analyze the data to inform our forecast for the upcoming biennium,” said OBM Director Kimberly Murnieks.

A more detailed explanation is included in OBM's *Monthly Financial Report and Annual Financial Report*:

<https://obm.ohio.gov/home/news-and-events/all-news/monthly+financial+report+-+january+2025>

<https://obm.ohio.gov/home/news-and-events/all-news/obm+releases+annual+financial+reports>

A look at the PLF distribution for the past three years and a link to an Excel spreadsheet listing each county's distribution total for January 2025 can be found on the [OLC website](#).

CY 2025 PLF Certification Update

ODT posted the December update to the Calendar Year 2025 (CY25) PLF Certification. As a reminder, the Public Library Fund (PLF) receives 1.7% of the state's General Revenue Fund (GRF) tax receipts. The official updated statewide PLF estimate of \$504,788,482 is \$10.2 million more than the initial estimate of \$494,554,967 that was provided in July 2024.

6.E.1: Government and Legal Services Report

According to ODT, the estimates reflect the current best projection of state tax revenues for CY25.

Even though the overall estimate is higher, this does not change our advocacy strategy for the next state budget!

[ODT CY25 PLF Certification– December Update by County \(PDF\)](#)
[ODT CY25 PLF Monthly Estimates by County – December Update \(Excel\)](#)

Please double-check your county estimated entitlement for the PLF and read it carefully. As required by state statute, in June 2025, ODT will issue a final updated entitlement estimate for CY25.

2024 Sales Tax Holiday Distribution

In addition to the PLF update, ODT posted the 2024 Sales Tax Holiday distribution for the PLF. OBM recently indicated that the adjustment/offset would be posted before the end of the year. The total distribution to the PLF is \$2,177,830.

[PLF 2024 Sales Tax Holiday –Distribution by County](#)

“Lame Duck” Session Recap

House Bill (HB) 257, legislation which allows certain public boards, including public library boards, to hold and attend meetings by video conference, passed during the lame duck session last month. The bill was then sent to the governor for signing on December 30. The governor now has ten days to sign the bill. Once that happens, the bill will become effective 90 days later. OLC is currently preparing information for libraries on what specific actions need to be taken by their boards to comply with the bill. Watch for more information from OLC in the coming weeks.

HB 257 requires public boards to adopt a policy regarding notifications of the meeting to the public, news media, and any parties required to be notified.

In addition, the policy needs to include that the public body must provide the public with access based on the method in which the meeting is being conducted. The public body needs to ensure that the public can observe and hear the discussion and deliberations of all members of the public body. All votes taken at a meeting that is held by video conference must be a roll call vote unless there is a motion for unanimous consent.

Public boards are prohibited from holding virtual meetings for the purpose of voting on a major non-routine expenditure, significant hiring decision, or tax issue. These exceptions need to be defined in board policy regarding virtual meetings.

Additionally, if at least 2 members of a public body with less than 20 members notifies the board chair 48 hours prior to a meeting, that an item in the agenda must be acted upon at a meeting conducted fully in person, the public body may only act on that item when the meeting is conducted fully in person.

SB 290 – Dolly Parton Imagination Library License Plate –SB 290 was amended into HB 315 which became a “Christmas tree” bill (see below).

6.E.1: Government and Legal Services Report

HB 315 – Omnibus bill for Townships – This bill became subject to a conference committee where many other bills and amendments were added and or deleted. Some of the issues included in this bill are updates to notary laws, and the inclusion of Dolly Parton’s Imagination Library Advisory Board and license plate program.

Changes to Notary Law include the following:

- Requires a notary to take the oath of office in person.
- Eliminates the requirement that the Secretary of State hold an administrative hearing disciplining a notary for violating the Notary Law.
- Allows the SOS to revoke a notary public’s commission for any act or omission that demonstrates a lack of honesty, integrity, competence, or reliability.
- Prohibits a notary public whose commission has been revoked from reappointment.
- Authorizes online notaries to charge a \$10 technology fee per online notarization session for the use of an online identity verification process and increases the maximum fee for online notarization from \$25 to \$30.
- Requires notaries seeking a duplicate commission or amending an existing commission to file an electronic form as opposed to a paper form.
- Imposes new requirements for verifying the identity of persons making an acknowledgement or a jurat.

HB 364 – Seed Sharing – This legislation exempts certain noncommercial seed sharing activities from the laws governing seed labeling, permitting, inspection, advertising, and sales reporting. The bill includes language defining seed libraries, which is a nonprofit, governmental, or cooperative organization or association for the purposes of facilitating the donation, exchange, preservation, and dissemination of seeds among the library’s members or the general public.

136th Ohio General Assembly

The 136th Ohio General Assembly has officially begun. Both chambers of the legislature convened an opening session on Jan. 6 where members were sworn in and votes for leadership were taken. Unlike two years ago, there were no surprises. Both Matt Huffman (R-Lima) in the House and Rob McColley (R-Napoleon) in the Senate were elected unanimously to lead their respective chambers.

The Senate also chose Sen. Bill Reineke (R-Tiffin), as president pro tem; Sen. Theresa Gavarone (R-Bowling Green), as majority floor leader; and Sen. George Lang (R-West Chester), as majority whip. Senate Democrats will be led by Sen. Nickie Antonio (D-Lakewood) as minority leader; Sen. Hearcel Craig (D-Columbus), assistant minority leader; Sen. Kent Smith (D-Euclid), minority whip; and Sen. Beth Liston (D-Dublin) as assistant minority whip.

Republicans in the Senate will have a 24-9 supermajority heading in the next session.

Additional leadership positions in the House include Reps. Gayle Manning (R-Lorain) as speaker pro tem; Phil Plummer (R-Dayton) as assistant speaker pro tem; Marilyn John (R-Shelby) as majority floor leader; Adam Bird (Cincinnati) as assistant majority floor leader; and Riordan McClain (R-Upper Sandusky), Steve Demetriou (R-Chagrin Falls), Nick Santucci (R-Warren) and Josh Williams (R-Oregon) as majority whips.

House Democrats will be led by House Minority Leader Allison Russo (D-Upper Arlington), Rep. Dontavius Jarrells (D-Columbus) assistant minority leader, Rep. Dani Isaacsohn (D-Cincinnati) as minority whip and Rep. Michele Grim (D-Toledo) as assistant minority whip.

Republicans in the House will have a 65-34 supermajority heading into the next session.

Social Security Fairness Act

President Biden recently signed the Social Security Fairness Act which repeals a pair of provisions that limit benefits for recipients who pay into and receive benefits from other public pension systems. The new law rescinds the Windfall Elimination Provision and the Government Pension Offset. Currently, the Social Security Administration is evaluating how the newly signed law will be implemented. OLC is also following this and will provide additional information to libraries.