



COUNTY ADVISORY BULLETIN

CAB

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BULLETIN 1999-13

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**HOUSE BILL 220 OF THE 123RD GENERAL ASSEMBLY ALLOWS
COMMISSIONERS TO EXTEND DEPOSIT DEADLINE FOR MONIES THAT DO NOT
EXCEED \$1,000; PERMISSIVE POLICY MAY APPLY TO OFFICES OF ALL COUNTY
ELECTED OFFICIALS**

Effective Date: November 2, 1999.

Revised Code Sections Affected: 9.38, 133.06, 135.21, 3313.31, 3313.37, 3313.375, and 3313.46 (amended) / 3313.291 (enacted).

Lead Sponsor: Householder (R-Glenford).

House Co-Sponsors: Williamowski (R-Lima), Bender (D-Elyria), Mottley (R-West Carrollton), Cates (R-West Chester), Corbin (R-Dayton), Mead (R-Upper Arlington), Williams (R-Akron), Hollister (R-Marietta), Krebs (R-Camden), Terwilleger (R-Goshen), Evans (R-Newark), Padgett (R-Coshocton), Amstutz (R-Wooster), Jolivette (R-Hamilton), Jacobson (R-Dayton), Distel (D-Conneaut), Schuler (R-Cincinnati), Verich (D-Warren), Patton (D-Youngstown), Buchy (R-Greenville), O'Brien (R-Cincinnati), Haines (R-Xenia), Winkler (R-Cincinnati), Hartnett (D-Mansfield), Austria (R-Beavercreek), Peterson (R-Delaware), Brading (R-Wapakoneka), Buehrer (R-Delta).

Senate Co-Sponsors: Gardner (R-Madison), Kearns (R-Springfield), Mumper (R-Marion), Prentiss (D-Cleveland), Drake (R-Solon), Spada (R-Parma Heights), Herington (D-Kent).

OVERVIEW

Most of the provisions of House Bill 220 (HB 220) concern school district boards, treasurers, debt limitations, and lease-purchase agreements. However, one provision was added to HB 220 during the legislative process that affects all public offices, including boards of county commissioners. This provision allows boards of county commissioners and other public officers to extend the deposit deadline for monies received in the amount of \$1,000 or less.

Please note that the change made by HB 220 with regard to the time period for depository designation does not apply to counties. That change extended the depository designation

period to five years from two years for all subdivisions other than counties. Counties continue to be governed by ORC 135.33, which mandates a two-year designation period.

1. DEPOSIT OPTIONS FOR COUNTIES AND OTHER POLITICAL SUBDIVISIONS – ORC 9.38

Before the enactment of HB 220, county commissioners, county elected officials, and other local government officials were required to deposit monies in their control once every consecutive 24-hour period, either with the treasurer of the appropriate public office or with a depository institution.

With the enactment of HB 220, boards of county commissioners now have **the option** of extending that deadline for the deposit of monies in an amount of **\$1,000 or less**, if the monies can be safeguarded by the officials until the time they are deposited. The deadline can be no more than three business days following the day of receipt.

HB 220 authorizes a board of county commissioners, as a “legislative authority,” to adopt a policy allowing an extended depository deadline for all public offices under the board’s direct supervision, and for the offices of prosecuting attorney, sheriff, coroner, county engineer, county recorder, county auditor, county treasurer, or the clerk of the court of common pleas. If it adopts a policy allowing this longer deposit deadline, a board of county commissioners must include in the policy provisions and procedures to safeguard the monies during the extended period until deposit.

Please note that the extended deposit deadline, as adopted by policy, can apply only to monies in an amount of **\$1,000 or less than can be safeguarded by the office until the are deposited**. If the amount of money to be deposited exceeds \$1,000, or if it is of any amount and cannot be safeguarded, it must be deposited on the next business day after receipt.

If you have questions about HB 220, please contact Doug Putnam of CCAO at 614-221-5627 or dputnam@ccao.org. A model resolution that can be used to extend the deposit deadline is attached to this CAB.

RESOLVED, that the _____ County Board of Commissioners, in adopting this resolution, also is adopting the attached policy that includes procedures to be used by the affected offices to ensure that the monies are safeguarded until the time they are deposited; and be it further

RESOLVED, that this policy shall take effect on _____, which is at least 30 days after the adoption of this resolution, and shall apply to the deposit of monies received on or after that date, and be it finally

RESOLVED, that a certified copy of his resolution and the attached policy shall be sent immediately to all of the offices under the direct supervision of the _____ County Board of Commissioners and to the following offices: _____ (add offices of other county elected officials to which the resolution applies)_____.

Upon roll call on the adoption of the resolution, the vote was as follows:

Adopted: