



Legislative Update

Bills to Watch

After a short break, due to the March 6th primary, the Ohio General Assembly returned to business last week in what should be a very active couple of months. Among a number of other pieces of legislation, committees will be debating the mid-biennium review bill, the capital bill, the budget corrections bill along with a capital reappropriations bill. With all 99 House seats and half of the Senate's 33 seats up for election in November, the legislature hopes to conclude their work by the end of May, so members can then hit the campaign trail. With all of this activity, below is an update on a few of the bills OACAA is following:

HB 275 Right To Cure

As described in the November issue of the *OACAA Briefing*, HB 275 proposes a "right to a cure" for the 40-year old Consumer Sales Practices Act. What this means is after a consumer files a lawsuit against a company claiming unfair or fraudulent business practices, the company would have 30 days to provide a remedy (right to cure) that can include cash, goods or services and up to \$2,500 in attorney fees. If the wronged consumer does not accept the offer and proceeds to court and is awarded less than the remedy offered by the company, they will not receive reimbursement for attorney fees. Currently, the law allows the wronged-consumer to receive up to triple the damages. While proponents claim this bill would expedite settlement claims, it puts all of the risk on the consumer and takes away the existing incentive of potential triple damages from businesses.

This bill passed the Senate on March 21 with two amendments. One amendment clarifies that a jury or judge award must be more than the businesses cure offer and the second amendment provides documentation of the attorney fees, which remain capped at the original amount of \$2,500. The bill now goes to the House for concurrence with the Senate amendments. This should occur soon and then the bill will be sent to the Governor for his signature. **OACAA opposes HB 275.**

SB 69 Drug Testing

This bill would establish a drug testing requirement for adults who apply for need-based programs that provide cash, medical, housing, food or energy assistance.

This bill is currently being heard in the Senate Health, Human Services and Aging Committee, but the first and last hearing was November 30, 2011. At that time, Sen. Schaffer spoke of a substitute bill he is working on with interested parties. That bill would still establish a drug testing program, but it would be a pilot program for applicants of cash assistance through Ohio Works First at the Department of Jobs and Family Services. It would be implemented in three volunteer counties chosen by the director of the JFS. The applicant would be responsible for the cost of the drug test, and if the result is negative, they would be reimbursed. In the event a parent is found to be using drugs, another person would be responsible for managing the public money granted for a child's care.

As said, this bill has not been heard since November and there is no information on the status or when it might be heard again. **OACAA opposes SB 69.**

SB 251 Debt Settlement

This bill would license and regulate debt settlement services. It would require debt settlement firms to register with and be licensed by the Ohio Department of Commerce and they would have to maintain a surety bond of \$10,000-\$50,000 as determined by the DOC. The bill would prohibit debt settlement companies from negotiating secured debt, such as mortgages and auto loans. It would also specify how fees are calculated under FTC guidelines and specify that no fee can be charged until at least one debt has been settled and the consumer consents to the fee-for-service contract. This bill has received three hearings before the Senate Financial Institutions Committee, the last being on January 25, 2012.

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HCR 33 Workforce Investment Act

This resolution urges Congress to take action on the federal Workforce Investment Act to allow states greater flexibility to address current economic realities. The federal Workforce Investment Act was enacted in 1998, a time of economic prosperity, and was intended to be reauthorized every five years. It has not been reauthorized since 1998 and now we are experiencing difficult economic times that require states to have more flexibility to address local issues. The current act results in a duplication of efforts and Ohio needs a unified system to create, collect, and report strategic performance metrics of workforce development efforts. We also need more flexibility in establishing criteria for eligibility of workforce development programs. In addition, Ohio needs the flexibility to increase and strengthen partnerships between employers and workforce development programs to make programs more responsive to employer demand and the current job market.

HCR 33 had five hearings before the House Economic and Small Business Development Committee, including one on March 22 where **OACAA Executive Director Phil Cole testified on behalf of the resolution**. It has now passed the committee and a vote before the full House is pending.

HB 487 Mid-Biennium Review

On March 14, 2012, Gov. Kasich released his Mid-Biennium Review to introduce a number of proposed policy changes. While no specific bills have actually been created yet, the policy changes focus on four main areas and are now being heard by various House committees. Following are the policy categories with links to their summaries:

- Education and Workforce
- Management Efficiency and Health Care
- Local Government
- Energy Policy

We will continue to monitor the progress of these and other bills and keep you updated, while promoting the interests of OACAA members and their clients.