



The Ohio Recorders' Association

HB 33 Interested Party Testimony
Bryan Long, Ohio Recorders' Association
Senate Finance Committee
Chairman Matt Dolan
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Chairman Dolan, Vice Chairman Cirino, Ranking Member Sykes and members of the Senate Finance Committee thank you very much for the opportunity to provide interested party testimony on HB 33. My name is Bryan Long, and I am fortunate to serve as the Licking County Recorder and as the Chairman of the Ohio Recorders' Association (ORA) Legislative Committee. We are seeking an amendment to HB 33 that is similar to the language of SB 94 introduced by Senator Brenner and Senator Landis which is intended to modernize electronic records and conveyances in County Recorders' offices across the state by proposing changes to ORC Sections 317.13, 317.32, and 317.36 by June 30, 2025. The ORA has been working on this legislation for the past several years concerning issues relating to keeping our offices open to the public during the COVID-19 pandemic.

Ohio's County Recorders are always looking at cutting edge technology solutions to make our offices more efficient and better equipped to serve the public. The ORA has been promoting the benefits of electronic recording (eRecording) and back-scanning of old books and records for years. However, although many larger counties often have the resources to implement these advances, some mid-to-small counties struggle to find necessary resources for such projects. Since the pandemic, it has become all too clear that in order to ensure the ability to process real estate transactions and better serve the public, there is an urgent need to move forward with technology to ensure online accessibility of records and the ability to process conveyances through eRecording.

Over the past couple of years a number of counties have been able to utilize CARES Act funding to back-scan old record books in order to move toward this goal, but there is still more work to be done. This amendment is designed to continue this push forward by establishing a baseline standard in the Ohio Revised Code for all County Recorders to have images of recorded documents scanned, indexed, and available online with records dating back to January 1, 1980. Why 1980? Most title searches go back a minimum of 40 years in order to verify a clean title of ownership and to issue a title insurance policy.

An additional requirement is that all 88 counties would need to offer eRecording as a delivery option for documents to be recorded. When recording a deed or conveyance document the process will include County Auditors and many County Engineers as well. As such, to ensure eRecording will be available around the state, County Auditors and County Engineers would also need to implement systems to ensure documents can be recorded electronically with the County Recorders office.

This amendment allows a permissive up to \$5 document preservation surcharge based upon local needs to support the preservation and digitization of documents and ongoing costs incurred by a county recorder's office to make available to the public a web site with appropriate security features, electronic document hosting, online viewing, and print and download features that enable an individual to print or download a copy of a public record from the web site.

The amendment includes a GRF appropriation of \$6.5 million, and an additional \$1.5 million from the Torrens Assurance fund administered by the Treasurer of State. These resources are needed for implementation for counties that do not currently meet the requirements of the bill.

We urge you to support this amendment as it would not only keep Ohio's economy going in the case of another shutdown due to a public health crisis or other emergency, but it would provide a consistent standard across the state to provide greater efficiency and convenience for the public and business.

Chairman Dolan and members of the committee, thank you for allowing me to testify today. I'd be happy to answer any questions at this time.