

**Talking Points on CTAO’s Two Priority Bills**

There are two legislative issues the CTAO is prioritizing this General Assembly, and they are the same as last GA:

1. our general treasurer liability negligence standard legislation (SB 15 this GA, formerly SB 321), and
2. our OPCS liability legislation, which has not yet been reintroduced this GA but should be dropped soon.

It is always helpful for legislators to hear directly from their county treasurers about bills they are reviewing and also hearing from your legislative representation about. Below are some talking points you can use as you contact your legislators to educate them about these two priorities.

**Talking Points for SB 15 (general treasurer liability negligence standard)**

* SB 15 just had its second hearing in the Senate Local Government & Elections Committee on February 23rd.
* SB 15 (formerly SB 321) simply provides a general negligence standard for all local government and public fiscal officers, including county treasurers. This year, the bill has been expanded to include treasurers of a community college district, technical college district, state community college district, and fiscal officers of boards of library trustees. The language is similar to what was passed two General Assemblies ago for school treasurers and is noncontroversial.
* Under ORC 9.39, county treasurers are personally liable for any investments we manage. SB 15 clarifies that if I perform my duties responsibly and with “reasonable care,” I will not have that personal liability for any potentially adverse actions performed by a third party.
* The bill is supported by all the associations representing the fiscal officers included in the bill (Ohio Municipal League, Ohio Township Association, etc). There are no opponents to this bill.

**Talking Points for OPCS liability bill (soon to be introduced by Sen. Schuring and receive a bill number)**

* This bill helps remedy a problem county treasurers are having across the state with our investments in the Ohio Pooled Collateral System (OPCS) occasionally being undercollateralized without our advance notice or approval due to various factors.
* This bill helps to solve this problem and create certainty and protection for county treasurers in this scenario by doing two things:
  + Giving financial institutions 2 business days to remedy any undercollateralization that may occur for any reason
  + Clarifying that if a bank undercollateralizes a county’s investment in OPCS, county treasurers are ***not liable***for any funds lost as a result
* This is important because under ORC 9.39, county treasurers are personally liable for any investments they manage.
* The bill has the support of the County Treasurers Association of Ohio and the Ohio Bankers League and has no opponents. Its predecessor last GA, SB 277, passed unanimously out of the Senate.