



LEGISLATORS PUSH FOR RETURN OF TAX OVERPAYMENTS

Representatives Mike Duffey (R-Worthington) and Al Landis (R-Dover) this week asked members of the House Ways and Means Committee to favorably consider legislation that would require the state tax commissioner to notify Ohio businesses of tax or fee overpayments and provide automatic refunds by crediting future tax liability.

The sponsors said the legislation—House Bill 402—was introduced in response to a recent investigation by the Ohio Inspector General (OIG) of the theft of tax dollars by Kathleen Hyre, a former Ohio Department of Taxation (ODT) employee. The investigation revealed that Hyre had concealed her thefts by moving overpayments from one taxpayer to another—tax agents were able to move funds within the tax system without supervisor approval or knowledge by the taxpayer. The ODT found instances where a refund had been requested but the payment was listed as “pending” in the system and therefore never paid.

The report further found that institution practices at the ODT demonstrated it was the policy of the agency not to notify taxpayers regarding overpayments on their accounts. The bill sponsors said their legislation has the department’s support and the backing of Governor Kasich.

“Once passed, Ohio will have the most taxpayer-friendly refund law in the Midwest, certainly among our surrounding states, and possibly in the nation,” said Representative Duffey. He indicated that most of the surrounding states require taxpayers to file for a refund and lauded the inclusion of the automatic repayment provision in House Bill 402.

The committee will meet twice next week to consider the legislation, and potentially vote on the measure at the Feb. 5 hearing. The Senate will also consider the measure next week with a hearing scheduled in the Senate Finance Committee on Senate Bill 263, companion legislation introduced by Senators Bob Peterson (R-Sabina) and Bill Beagle (R-Tipp City).

PUCO NOMINATING COUNCIL SENDS RECOMMENDATIONS TO GOV. KASICH

The Public Utilities Commission of Ohio (PUCO) Nominating Council on Jan. 30 submitted the names of four finalists to be considered by Governor Kasich for the position of commissioner of PUCO. The appointment garnered significant interest following Chairman Todd A. Snitchler’s announcement earlier this month that he would not seek reappointment to the five-year term commencing on April 11, 2014.

The PUCO Nominating Council, a broad-based 12-member panel charged with screening candidates for commission appointments, recommended the following candidates this week:

- Patrick Donlon, rates division administrator with PUCO
- Thomas W. Johnson, former Ohio legislator and budget director
- Stacey E. Polk, president of Cleveland-based LCR Enterprises
- Tom Waniewski, member of the Ohio Public Works Commission

The governor has 30 days to select a nominee or request a new list of names from the nominating council. The appointment is subject to confirmation by the Ohio Senate.

LEGISLATION TO WATCH

Hospital admissions: Sponsored by Representative Anne Gonzales (R-Westerville), House Bill 139 permits certain advanced practice registered nurses and physician assistants to admit patients to hospitals. The bill passed the Senate on Jan. 29.

Adoption: Sponsored by House Assistant Majority Whip Jim Buchy (R-Greenville), House Bill 307 requires that certain pre-birth adoption notifications be sent to each putative father. Further, the bill reduces the period of time to appeal an adoption decree and permits certain entities to advertise regarding the adoption of children. The bill was approved by the House on Jan. 29.

Daycare: Sponsored by Senator Capri Cafaro (D-Hubbard), Senate Bill 268 would permit a type B family daycare home to have more than six children on the premises under certain circumstances. The bill was introduced on Jan. 28.

Electric rates: Sponsored by Representative Jack Cera (D-Bellaire), House Bill 421 would permit the governor to terminate reasonable arrangements between an electric distribution utility or public utility electric light company and certain mercantile customers. The bill was introduced on Jan. 28.

Tenant utilities: Sponsored by Representatives Mike Foley (D-Cleveland) and Terrence Blair (R-Washington Twp.), House Bill 422 would create requirements regarding the measurement and billing of tenant and manufactured home park resident public utility service. The bill was introduced on Jan. 28.

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