



***BEFORE THE SENATE JUDICIARY COMMITTEE
PROPONENT TESTIMONY ON SENATE BILL 21***

Chairman Manning, Vice Chair Reynolds, Ranking Member Hicks-Hudson, and members of the Senate Judiciary Committee, thank you for the opportunity to provide proponent testimony on Senate Bill 21 (SB 21). My name is Kevin Shimp and I am an associate attorney at the law firm Dickinson Wright testifying on behalf of the Ohio Chamber of Commerce.

The Ohio Chamber is the state's leading business advocate. The organization represents over 8,000 companies that do business in Ohio and their mission is to aggressively champion free enterprise, economic competitiveness and growth for the benefit of all Ohioans.

In the Ohio Chamber's efforts to champion economic competitiveness, the Ohio Chamber supports SB 21 because it can reduce the administrative burden associated with appealing a state agency decision. Whether it is a professional license, a license to operate a business, or a decision by an administrative law judge, Ohio businesses are often subject to regulation by one of Ohio's state agencies and may want to appeal a decision they believe adversely effects their operations.

These state agencies do play a vital role in keeping the Buckeye State economy moving forward and protecting the health and safety of Ohioans, however some businesses are negatively impacted by Ohio's current law that rests the exclusive jurisdiction to bring a civil action appealing an agency decision with the Franklin County Court of Common Pleas.

Granting a single county exclusive jurisdiction to hear appeals of agency decisions poses several challenges for Ohio businesses and judicial efficiency within the state. In terms of judicial economy, granting exclusive jurisdiction to a single county to handle all appeals of administrative actions slows the ultimate adjudication of a matter since one court is responsible for hearing every appeal that is filed – regardless of where the business or individual resides. Likewise, placing the jurisdiction for all agency appeals in a single court has created an unnecessary burden for businesses since the business may have no connection to Franklin County, yet are mandated by Ohio law to file their appeal in the county.

Senate Bill 21 addresses each of these concerns by giving the common pleas court in each of Ohio's 88 counties the necessary jurisdiction to hear appeals of an agency's order. This reform promotes judicial economy and results in a business being more likely to have their appeal adjudicated in a timely manner because the legislation reduces the case load of a single court in favor of a system that will give other courts an opportunity to hear administrative appeals. Moreover, the legislation levels the playing field for businesses and state agencies by providing the business the option to bring the appeal in their home county rather than the home county of the state agency.

Senate Bill 21 also represents a positive step forward in removing bureaucratic hassles that negatively impact small businesses. Under the legislation, access to judicial remedies will be less burdensome since business owners across Ohio will have the option to appeal administrative actions in their local court. Giving Ohio business owners this ability may enable more small businesses to appeal administrative orders that negatively impact their company and their livelihood.

In closing, the Ohio Chamber urges your favorable consideration of SB 21 because its enactment will minimize the administrative burdens associated with appealing actions taken by Ohio's executive agencies. I welcome any questions from the committee and thank you for the opportunity to testify today.