

1 RESOLUTION NO. 2019-200

**First Reading Passage Requested**  
**(C. Dickinson)**

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3  
4 SPONSORS Mr. Dickinson, Ms. Shapiro, Ms. Prentice and Council of the Whole

5  
6 DATE June 3, 2019 COMMITTEE Committee of the Whole

7  
8 **A Resolution thanking Ohio Governor Mike DeWine and the Ohio House of**  
9 **Representatives for their support of state indigent defense reimbursement and calling on**  
10 **the Ohio Senate to continue this support in the state budget bill, for the Council and**  
11 **Executive, and declaring an emergency.**

12  
13 WHEREAS, Ohio counties have experienced a collective \$351 million annual revenue  
14 loss due to reductions in the Local Government Fund, Medicaid Managed Care sales tax  
15 elimination, and tangible personal property tax; and

16  
17 WHEREAS, Ohio counties are anticipating a \$50 million collective sales tax revenue loss  
18 by State Fiscal Year 2021 due to the implementation of the prescription eyewear sales tax  
19 exemption and the expiration of Ohio's grandfather clause to the federal Internet Tax Freedom  
20 Act of 1998; and

21  
22 WHEREAS, county budgets have been strained for decades by the state passing down to  
23 counties its constitutionally-mandated requirement under the U.S. Supreme Court decision  
24 *Gideon v. Wainright* (1963) that the state provide legal counsel to indigent defendants; and

25  
26 WHEREAS, the state reimbursement rate to counties for indigent defense costs has only  
27 averaged 35 percent from State Fiscal Year 07 to State Fiscal Year 16, leaving counties to  
28 collectively spend tens of millions in county general revenue funds to fulfill this state mandate;  
29 and

30  
31 WHEREAS, over this same ten year period, from County Fiscal Year 2007 through 2016,  
32 Summit County spent \$40,846,784.63 on indigent defense costs while being reimbursed  
33 \$15,231,765.62 by the State of Ohio to support the State's constitutionally mandated  
34 requirement; and

35  
36 WHEREAS, Governor Mike DeWine provided counties an additional \$60 million each  
37 fiscal year of his introduced state budget to provide counties with much needed budgetary relief  
38 of this state mandate; and

39  
40 WHEREAS, the Ohio House of Representatives provided an additional \$35 million in  
41 State Fiscal Year 21 to the state budget bill to reimburse counties for indigent defense costs and  
42 alleviate counties of this growing state mandate; and

43  
44 NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State  
45 of Ohio, that:

46  
47 SECTION 1

48  
49 This Council hereby thanks Ohio Governor Mike DeWine and the Ohio House of  
50 Representatives for their support of state indigent defense reimbursement and calls on the Ohio  
51 Senate to continue this support in the state budget bill.  
52

1 RESOLUTION NO. 2019-200

2 PAGE TWO

3  
4 SECTION 2

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6 The Clerk of Council is hereby directed to forward a copy of this Resolution to Ohio  
7 Governor Mike DeWine and all members of the Ohio House of Representatives and Ohio  
8 Senators representing a portion of Summit County.

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10 SECTION 3

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12 This Resolution is hereby declared an emergency in the interest of the health, safety and  
13 welfare of the citizens of the County of Summit, and for the further reason of immediately  
14 thanking Ohio Governor Mike DeWine and the Ohio House of Representatives for their support  
15 of state indigent defense reimbursement and calling on the Ohio Senate to continue this support  
16 in the state budget bill.

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18 SECTION 4

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20 Provided this Resolution receives the affirmative vote of eight members, it shall take  
21 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take  
22 effect and be in force at the earliest time provided by law.

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24 SECTION 5

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26 It is found and determined that all formal actions of this Council concerning and relating  
27 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all  
28 deliberations of this Council and of any of its committees that resulted in such formal action,  
29 were in meetings open to the public, in compliance with all legal requirements, including Section  
30 121.22 of the Ohio Revised Code.

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33 INTRODUCED June 3, 2019

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35 ADOPTED June 3, 2019

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39 CLERK OF COUNCIL

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41 APPROVED June 4, 2019

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45 EXECUTIVE

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47 ENACTED EFFECTIVE June 4, 2019

Voice Vote: 10-0 YES: Dickinson, Donofrio, Feeman, Koehler,  
McKenney, Prentice, Rodgers, Schmidt, Walters, Wilhite  
ABSENT: Hamilton