

THE PLAIN DEALER

Ohio lawmakers' unjustified assault on home-rule rights continues with HB 5: editorial

The Regional Income Tax Agency collects taxes for many communities in Ohio but if Substitute House Bill 5 is signed into law, those municipalities' tax ordinances will likely have to be rewritten. *(RITA, File)*

By [Editorial Board](#)

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Given the business interests and suburban Republicans behind it, Gov. John Kasich likely will sign [Substitute House Bill 5, which aims to "revise" how Ohio cities and villages impose municipal income taxes](#). The bill cleared the General Assembly this week.

To be sure, varying municipal income-tax ordinances required better coordination. But HB 5 goes way beyond that. What's more, it's another Statehouse assault on the home rule the Ohio Constitution promises municipalities.

According to the Legislative Service Commission, potential revenue losses to the roughly 600 Ohio cities and villages that charge an income tax "[may be significant](#), potentially millions of dollars annually."

In 2012, the latest year available, Ohio cities collected about \$4.2 billion in municipal income taxes, Ohio villages about \$350 million. Meanwhile, though, over the last four years, the state budget – proposed by Kasich, passed by legislators – has cut revenue to local governments by an estimated \$413 million annually, according to the [Innovation Ohio](#) think tank.

Thus, even as Kasich and the General Assembly want cities and villages to rely more heavily on local resources, HB 5 crimps local options for mustering them.

But gripes from business lobbyists, and from suburbanites taxed by cities and villages where they work, led to HB 5 -- and likely will induce Kasich to sign it despite its manifest flaws.

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That's too bad, because HB 5 is another example of the legislature's serial assault on municipal home rule.

In 2002, legislators forbade municipalities to rein in predatory lending. In 2003, legislators forbade municipalities to regulate oil and gas drilling inside their boundaries (including hydraulic fracturing, or fracking).

In 2005, legislators forbade municipalities to regulate firearms -- then proceeded to pass such ludicrous bills as the **guns-in-bars opus of 2011** and this year's **loosening of training requirements for a concealed-weapons permit**, in **House Bill 234**, which Kasich also should veto, but won't.

And in 2006, legislators forbade municipalities to require residency of their employees.

In each case, powerful lobbies won from the General Assembly what they could not pry from Ohio's individual city and village halls -- the very abuse Ohio's 1912 Constitution home rule sections aimed to prevent.

Kasich is not likely to put impediments in the way of this attack on local rights, but Ohioans must insist that their representatives stop ceding the home-rule privileges that the Ohio Constitution so clearly and aptly requires.

Original Article:

http://www.cleveland.com/opinion/index.ssf/2014/12/ohio_lawmakers_unjustified_ass.html