

Columbus Chamber GR Update
Holly Gross, Vice President of Government Relations: HollyGross@Columbus.org
040620

Amended Stay at Home Order Goes into Effect at Midnight

A more detailed overview of the continuing provisions of the original Stay at Home Order can be found in a prior update [here](#).

Under the new [Amended Order](#), stores engaged in the retail sale of groceries and other essential items must determine and visibly post notice of the maximum occupancy the building can admit while maintaining 6 feet distances between all occupants. If an entrance line must form outside, social distancing must also be enforced. Stores must also ensure baskets and shopping carts are cleaned between each use.

Under new travel restrictions, individuals entering Ohio from out of state are asked to self-quarantine for 14 days. This does not apply if an individual lives in one state and regularly works or obtains essential services in an adjacent state. Essential businesses that are still engaged in any level of out-of-state travel should consider this new provision. Essential businesses should also consider implementing a policy for employees that engage in travel for personal reasons.

A newly created Dispute Resolution Commission will evaluate and render binding guidance where two local health departments have come to a different conclusion for similar businesses as to what is or is not an essential business. Essential businesses operating across multiple jurisdictions that have received conflicting opinions may seek clarity by [filling out this form](#) and submitting to: Dispute.Resolution@odh.ohio.gov. This process should not be used by businesses seeking clarification as to whether they are essential without intervention by conflicting local enforcement officers.

The Amended Order will remain in effect until 11:59pm on May 1.

DeWine Issues Order to Halt Commercial Evictions and Foreclosures

The Governor has requested that commercial landlords suspend rent payments and halt evictions for small business tenants facing hardship for a period of 90 days. [Review the Order here](#). Lending institutions have taken steps to provide relief for mortgage holders, so the intent of the Order is for that relief to be passed on to the tenants as a means to provide much-needed cash flow, or in some instances, helps businesses remain in operation.

This Order does not make any changes to private contracts, and does not eliminate a tenant's obligation to pay rent or a landlord's rights to take action for failure to do so. Notably, the Order is a *request* is not a *requirement*. However, the issuance of the Governor's request, coupled with the fact that Ohio courts are not currently hearing foreclosure and eviction proceedings, provides small businesses facing financial hardship good standing to bring forward a conversation with landlords.

As part of this discussion, commercial landlords and tenants should both review and discuss SBA Emergency Grants that can be used towards rent payments, as well as the newly created Paycheck Protection Program that offers loan forgiveness for up to 25

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percent of rent and mortgage payments (in addition to 75 percent of payroll expenses) for an 8 week period after loan origination. Additional information about both of these programs is available [on the Chamber's website](#).

CARES Act Update including Employee Retention Tax Credit

The third stimulus package provides small business a number of options for relief, which we have detailed for you [here](#). After closer review, employers that have and continue to make efforts to retain workers should consider the new \$5,000 [Employee Retention Credit](#). Businesses and non-profits of all sizes can claim the credit for qualified wages paid after March 12, 2020, therefore providing a bridge for employers whose business operations were impacted by COVID-19 in the month of March, but still paid wages to workers.

Chamber members are encouraged to review all of the new relief offerings holistically. Many of them work in conjunction with one another and in some instances, are created specifically to fill in gaps – EIDLs, SBA EIDL Emergency Grants, the Paycheck Protection Program (PPP) and other loan offerings by lending institutions, new paid leave requirements and the accompanying tax credits, and additional employer tax incentives like the Employee Retention Credit.

An update on PPP: The CARES Act authorized new lending institutions, including small community banks and credit unions, to offer PPP loans. For businesses that do not have an existing relationship with a lender, additional banks are being approved by the federal government at a pace of 150 per hour, offering lots of new options for businesses experiencing hardship.

A fourth federal stimulus package is likely to be introduced, although the timeliness of its passage is yet to be determined due to political disagreement. That being said, the dollars appropriated for programs such as the PPP are rapidly dwindling with funds are expected to be depleted in the coming days and weeks. The need for additional dollars to support Main Street businesses that didn't access the first round of relief under the CARES Act will be significant.

In order to determine the evolving needs of Chamber members and how we can best advocate on your behalf entering the next round of stimulus negotiations, we need to hear from you. Please [consider taking our second Impact Survey](#) to let us know the challenges you are facing, the rate of your recovery, and how we can help you weather this storm.

Ohio House Creates Economic Recovery Task Force

The task force is comprised of 22 legislators for the purpose of determining the barriers to economic recovery and ways to help employers emerge stronger than before the crisis. The group held their first meeting on Monday, April 6 in private with a second scheduled for Wednesday. Chairman Zeltwanger stated that the task force is not subject to Ohio's open meetings laws due to its lack of decision-making authority, and would not make the virtual meeting open to the public. Members of the Columbus Region Legislative

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Delegation serving on the committee include Representatives Laura Lanese, Rick Carfagna, and David Leland, with whom the Chamber has been in touch to make recommendations on behalf of our members. The Ohio Senate has not yet announced a companion initiative. While the General Assembly is not slated to return until later in the summer, the Chamber will be in close communication with this group and will keep members apprised of any anticipated action.

While tax collections are still ahead of estimates for the fiscal year to date by half a percent (\$16.99 billion), Ohio's tax revenues dropped more than 10 percent in March. April income tax revenue is expected to miss estimates significantly, especially due to the extended tax deadline of July 15. The Administration and Ohio General Assembly will be monitoring these numbers, and the state's financial position will likely play a significant role in determining the extent of a potential second relief package for Ohio small businesses and families considered by the Legislature.

Regulatory Relief Available through Ohio EPA

The Ohio EPA has approved numerous requests for regulatory flexibility, and is reviewing such requests on a case-by-case basis. If you are subject to an EPA regulation that is exacerbating harm caused by COVID-19, consider making a request temporary relief.