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October 21, 2025

via email only to OpinionsRequest@OhioAttorneyGeneral.gov

The Honorable Dave Yost
Attorney General of the State of Ohio
30 East Broad Street, 15th Floor
Columbus, Ohio 43215

Dear Attorney General Yost,

Pursuant to R.C. 109.14, I am writing to request a formal opinion on behalf of my client, the Lake County Board of Commissioners, seeking guidance as it pertains to use of levy funds.

In 1979, the Lake County Board of Commissioners entered into an agreement pursuant to R.C. 307.15 with the Lake County Sheriff and the other political subdivisions of Lake County to establish a county-wide organization known as the Lake County Narcotics Agency ("LCNA"). The most recent version of this agreement was executed in August of 2023, a copy of which is attached hereto. An executive board was created for the purpose of employing an agency director, adopting policies for the operation of LCNA, preparing an annual budget, and cooperating with other entities in all matters pertaining to narcotics investigations.

A continuous replacement levy for the purpose of providing funds for police equipment and personnel for the Lake County Narcotics Agency was placed on the ballot and ultimately passed in 1994.¹ A copy of the ballot language is enclosed with this letter. LCNA operates separately from the Lake County Sheriff's Office, although all of the narcotics agents employed by LCNA are deputized as special deputy sheriffs by the Lake County Sheriff. See 1991 Ohio Atty.Gen.Ops. No. 91-037.

Recent discussions have explored the possibility of eliminating the executive board and bringing LCNA fully under the authority of the Lake County Sheriff's Office. In such a situation, the question arises of whether the current levy for the benefit of LCNA could continue to be used if the oversight of LCNA changes from the executive board to the Lake County Sheriff's Office. The levy funds would still be used for the purpose of police equipment and personnel for narcotics agents operating in Lake County.

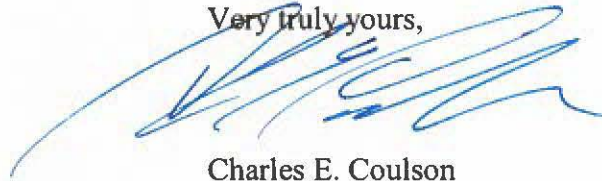
¹ A prior levy for LCNA passed in 1982, which was replaced by the current levy in May of 1994.

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My question is this: based on the specific ballot language for the current levy, does the fact that the levy is for the "Lake County Narcotics Agency" limit the ability of the Lake County Sheriff's Office to use the levy funds if LCNA becomes a functional division of the Sheriff's Office?

If you need any additional information to aid you in answering this question, please let me know. Thank you in advance for your consideration of this request.

Very truly yours,



Charles E. Coulson