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OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research
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Legislative Budget
Office

H.B. 360
133rd General Assembly

Fiscal Note & Local Impact Statement

[Click here for H.B. 360's Bill Analysis](#)

Version: As Reported by House Commerce and Labor

Primary Sponsors: Reps. Crawley and Hillyer

Local Impact Statement Procedure Required: Yes

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Highlights

- The bill may increase construction costs for new state-assisted public school facilities by prescribing minimum drinking fountain and water bottle filling station requirements that are in addition to current building code requirements. Costs for new school facilities included in state-assisted projects are shared between the state and the school district depending on the district's relative wealth.
- It is also possible that any new costs to implement the drinking fountain and water bottle filling station requirements are accounted for in the design phase of a project so as not to increase a project's overall cost.
- The bill may increase costs for building departments in political subdivisions that implement installation or operational requirements for battery-charged fences in nonresidential zones. Any cost likely would at least be partially offset by additional permit fee revenue.

Detailed Analysis

Water bottle filling stations in schools

The bill establishes requirements regarding drinking fountains and water bottle filling stations for new classroom facility construction projects administered by the Ohio Facilities Construction Commission (OFCC). It specifies that OFCC must require that the design plans for each facility in a state-funded project provide:

- a minimum of two water bottle filling stations in each building;
- a minimum of one filtered drinking fountain or water bottle filling station on each floor and wing of each building; and

- a minimum of one filtered drinking fountain or water bottle filling station for every 100 students projected to attend the building.

The new requirements are in addition to existing building code requirements. Under the building code, school buildings must have one drinking fountain per 100 occupants. The drinking fountains are not required to be filtered. The bill's requirements may increase public school construction project costs beyond a minimal amount, depending on the size and configuration of new school buildings and the equipment selected. There are a wide variety of drinking fountains and water bottle filling stations available. An internet search suggests that the lowest prices for a filtered drinking fountain with a water bottle filling station may be roughly \$500 to \$600 more than an unfiltered drinking fountain and a stand-alone filtered drinking fountain may be roughly \$50 to \$100 more than one that is not filtered. Ultimately, the cost of any additional equipment made necessary by the bill will depend on the brands, styles, and features of the equipment chosen. However, it is also possible that any such costs may be accounted for in the design phase of the project so as not to increase the overall cost of the project. How these costs are incorporated into the total cost for state-assisted projects will ultimately be determined by negotiations between OFCC and the school district.

An increase in new construction costs in state-assisted school facilities projects will be shared by the state and school districts. OFCC's main program, the Classroom Facilities Assistance Program (CFAP), is designed to provide each city, exempted village, and local school district with partial funding to address all of the district's classroom facilities needs. It is a graduated, cost-sharing program where a district's portion of the total cost of the project and priority for funding are based on the district's relative wealth. Lower wealth districts receive a greater share of state assistance and are also served sooner. A similar program, the Vocational Facilities Assistance Program (VFAP), provides assistance to joint vocational school districts (JVSDs). Other smaller programs address the particular needs of certain types of districts and schools. These too are cost-sharing programs.

As a point of reference, 141 (21%) school districts, including 119 school districts and 22 JVSDs, had not yet been offered funding under CFAP or VFAP as of the end of FY 2020. An additional 111 (17%) of districts, including 100 traditional districts and 11 JVSDs, have been offered funding but have either deferred the offer or allowed it to lapse because they were unable to secure the required local share. However, some work may have been completed under another of OFCC's programs. These districts are eligible for CFAP or VFAP funding in the future. The remaining districts have either completed their master facilities plans projects (290 districts or 44%) or have been funded but the projects are not complete (117 districts or 18%). According to OFCC, the Commission reviews an average of 50 design plans for classroom facility construction projects each year across all of its programs. On average, OFCC reports that it completes classroom facilities projects for about 12 school districts and one JVSD each year.

Safety standards for battery-charged fences

The bill creates safety standards for battery-charged fences in nonresidential zones. It also permits political subdivisions to regulate battery-charged fences in nonresidential properties, including (1) imposing installation or operational requirements, and (2) requiring a permit or fee for the installation or use of a battery-charged fence. Lastly, the bill prohibits the installation or use of a battery-charged fence in a nonresidential zone that does not meet the standards specified in the bill. The bill may increase costs for building departments in political

subdivisions that implement installation or operational requirements for battery-charged fences in nonresidential zones. Any cost likely would at least be partially offset by additional permit fee revenue.