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H.B. 360
133rd General Assembly

Bill Analysis

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Version: As Reported by House Commerce and Labor

Primary Sponsors: Reps. Crawley and Hillyer

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SUMMARY

Drinking fountain and water bottle fill station requirements

- Prescribes minimum drinking fountain and water bottle filling station requirements for new state-assisted classroom facility construction projects.
- Requires public schools to ensure that each drinking fountain and water bottle filling station installed as part of a project is regularly cleaned and maintained.

Safety Standards for battery-charged fences

- Creates safety standards for battery-charged fences in nonresidential zones.
- Authorizes political subdivisions to regulate battery-charged fences in nonresidential properties, to require a permit or fee for a battery-charged fence pursuant to a permit or fee for an alarm system, and to prohibit the installation or use of a battery-charged fence in a nonresidential zone that does not meet the bill's standards.

DETAILED ANALYSIS

Drinking fountain and water bottle filling station requirements

The bill establishes requirements regarding drinking fountains and water bottle filling stations for classroom facility construction projects administered by the Ohio Facilities Construction Commission.¹ The new requirements are in addition to building code requirements provided for under continuing law and rule.²

¹ R.C. 3318.038(B).

² R.C. 3318.038(D).

The bill specifies that the Commission must require that the design plans for each facility included in a project provide for all of the following:

- A minimum of two water bottle filling stations in each building;
- A minimum of one drinking fountain or water bottle filling station on each floor and wing of each building; and
- A minimum of one drinking fountain or water bottle filling station for every one hundred students projected to attend the building upon the project's completion.³

Under the bill, a drinking fountain must be designed to allow an individual to drink from it, dispense filtered and clean drinking water, and be equipped with both a protective cowl and a water spout at least one inch above the fountain's overflow rim. A water bottle filling station must be designed to fill a bottle with water and dispense filtered and clean drinking water.⁴

Required maintenance of fountains and filling stations

Under the bill, each school district and other public school governing body must ensure that each drinking fountain or water bottle filling station installed in a facility included in a project is regularly cleaned and maintained.⁵

Background

The Commission administers several programs that provide state assistance to school districts and other public schools in constructing classroom facilities. The main program, the Classroom Facilities Assistance Program, 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. Other smaller programs address the particular needs of certain types of districts and schools. These, too, are cost-sharing programs.

Safety standards for battery-charged fences

The bill creates a suite of safety standards for battery-charged fences that are located on private property in nonresidential zones. A battery-charged fence must:

- Be connected to a monitored alarm system;
- Have an energizer that meets the standards set forth by the International Electrotechnical Commission;
- Be completely surrounded by a nonelectric perimeter fence or wall at least five feet tall;

³ R.C. 3318.038(B).

⁴ R.C. 3318.038(A).

⁵ R.C. 3318.038(C).

- Be no taller than the higher of either ten feet, or two feet higher than the height of the nonelectric perimeter fence or wall; and
- Be marked with conspicuous warning signs, no more than 40 feet apart, that read “WARNING—ELECTRIC FENCE.”

The bill exempts several types of fences from the safety provisions above, including fences keeping livestock off of railroads, preferred partition fences for livestock, fences constructed by the federal government, the state, or a political subdivision (prisons, for example), and fences at zoos and wildlife sanctuaries.

The bill also permits counties, townships, and municipal corporations to impose the bill’s standards, to require a permit and charge a fee for the installation or use of a battery-charged fence as part of getting a permit for an alarm system, and to prohibit the use or installation of a battery-charged fence in a nonresidential zone that does not meet the standards described in the bill.⁶

HISTORY

Action	Date
Introduced	10-08-19
Reported, H. Commerce and Labor	11-24-20

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⁶ R.C. 3781.1011.