



# OHIO LEGISLATIVE SERVICE COMMISSION

Ruhaiza Ridzwan

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## Fiscal Note & Local Impact Statement

**Bill:** S.B. 157 of the 132nd G.A.

**Status:** As Introduced

**Sponsor:** Sen. Bacon

**Local Impact Statement Procedure Required:** No

**Subject:** To regulate the reselling of public utility service

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### State & Local Fiscal Highlights

- No direct fiscal effect on the state or political subdivisions.
- Possible indirect minimal increase in administrative costs for the Attorney General's office to enforce the bill's requirements. Such costs, if any, would be paid from DPF appropriation item 055637, Consumer Protection Enforcement (Fund 6310).
- Similarly, possible indirect minimal increase in costs of county courts of common pleas from increase in civil cases brought involving violations of the bill's requirements. Such an increase, if any, would likely be minimal and would be partially offset by court filing fees.

### Detailed Fiscal Analysis

The bill would regulate the reselling of public utility service. Under the bill, a landlord, manufactured home park operator, unit owners association, or other person with ownership interest in a property who charges consumers for public utility service may allocate the costs of such service using one of four methods specified in the bill, and may charge only one reasonable administrative fee per month relating to the provision of, or billing for, all such public utility services. The bill specifies other requirements related to such individuals, termed "proprietors" under the bill, which have no fiscal effect. Please see the LSC Bill Analysis for a full description of these other requirements.

The bill allows the Attorney General to bring a civil action to enforce the bill's regulations, and specifies that the authority of the Attorney General to bring such an action must not affect the right of a consumer to pursue any remedy available under law for a failure to comply with requirements governing the reselling of public utility service. The bill specifies that if a proprietor (or proprietor's agent) fails to comply with or violates certain restrictions under the bill, the affected consumer is allowed to bring a civil action to recover treble the total amount of the overcharges resulting from a compliance failure and reasonable attorney's fees, obtain injunctive relief to prevent the recurrence of the conduct, or both, within three years of the compliance failure or violation.

**Fiscal effect**

The bill does not have any direct fiscal effect on the state or political subdivisions, but may have minimal indirect fiscal effects. If the Attorney General decided to bring a civil action to enforce the bill's requirements, it may increase the Attorney General's administrative costs. Any increase in such cost would be paid from DPF appropriation item 055637, Consumer Protection Enforcement (Fund 6310). In addition, if any affected consumers under this bill chose to file a civil action for a violation of the regulation of the reselling of public utility service it may increase the number of court hearings, thereby increasing county courts' costs. Any such increase is likely to be minimal, and may be partially offset by court filing fees.

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