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OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research
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Legislative Budget
Office

H.B. 251
134th General Assembly

Fiscal Note & Local Impact Statement

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Version: As Introduced

Primary Sponsors: Reps. J. Miller and Russo

Local Impact Statement Procedure Required: No

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Highlights

- The Ohio Department of Health (ODH) will experience an increase in costs to establish a mold information and awareness program, review mold technology or treatment techniques every five years, study adverse effects of mold, and to create a public awareness campaign. Overall costs will depend on ODH's workload to perform these requirements and the activities undertaken as part of the awareness campaign.
- ODH will also realize a minimal increase in costs to promulgate necessary rules and to create the disclosure form for transferors of commercial or industrial real property.
- The Ohio Department of Commerce could experience a minimal increase in costs to make changes to its existing residential property disclosure form to include the disclosure of mold.

Detailed Analysis

Indoor mold program

The bill requires the Director of Health to establish a mold information and awareness program to assist the public in understanding the threat of mold in buildings. As part of the program, the Director must (1) require a person or public entity that transfers commercial or industrial real property and that knows or has reasonable cause to believe that mold is present to disclose that knowledge to a potential occupant of the real property, (2) review, every five years, technology or treatment techniques for mold identification and remediation that provide additional protections to public health and safety, and (3) establish a public awareness campaign on the dangers of mold in accordance with rules adopted under the bill. The Director must disseminate public awareness information via brochures and the Ohio Department of Health's (ODH) website. Rules to be adopted must include (1) requirements that ensure the public

awareness campaign educates the public on the health effects of mold in damp and water-damaged buildings, methods of identification and remediation of mold, and contact information for organizations or government agencies that can assist the public with their concerns, as well as (2) any other procedures or requirements necessary to implement and administer the program. Additionally, ODH is required to study any adverse effects to humans from exposure to mold and may consult with any medical research institution that has staff who are knowledgeable on mold. ODH is required to submit its findings to the General Assembly no later than one year after the bill's effective date. The bill also requires a transferor of residential property to disclose on the existing property disclosure form the existence of mold on the property.

Fiscal impact

ODH will experience an increase in costs to establish the mold information and awareness program, conduct the required five-year review, study adverse mold impacts, create disclosure forms, adopt rules, and to create a public awareness campaign. ODH does not currently address mold concerns, so it is possible that ODH may need to hire an employee to perform these duties. However, administrative and personnel costs will depend on ODH's workload associated with these requirements, as well as the level of oversight necessary to ensure compliance on the part of those responsible for disclosing the existence of mold on certain transferred properties or to address questions regarding mold. The costs associated with the public awareness campaign will also depend on many factors including the scope of activities planned during the campaign, as well as the length of the campaign itself. A wide variety of activities can be done as part of a public awareness campaign such as social media posts on Facebook or Twitter, the use of billboards or posters, as well as paid ads such as radio or television, digital ads, etc.

Additionally, the Ohio Department of Commerce could experience a minimal increase in costs to make changes to its existing residential property disclosure form to include the disclosure of mold.