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Synopsis of Senate Committee Amendments

(This synopsis does not address amendments that may have been adopted on the Senate Floor.)

Sub H.B. 430 of the 134th General Assembly

Senate Energy and Public Utilities

Rocky Hernandez, Attorney

Amanda George Goodman, Attorney

As Passed by the House	As Reported by Senate Energy and Public Utilities
Idle and orphaned wells	
No provision.	<p>Revises the law governing idle and orphaned oil and gas wells, changes the term “idle and orphaned well” to “orphaned well,” and specifies that an orphaned well is a well that was not properly plugged or its land surface restored in accordance with the Oil and Gas Law to which either of the following apply:</p> <ul style="list-style-type: none"> ▪ The well owner is unknown, deceased, or cannot be located and the well is abandoned; or ▪ The owner has abandoned the well and there is no money available to plug the well in accordance with that Law. <p><i>(R.C. 1509.01(CC) and 1509.151.)</i></p>
Procedures for plugging an orphan well	
No provision.	<p>Alters the current procedures that apply to reporting and plugging an idle and orphaned well and applies those procedures to orphaned wells, as follows:</p> <ul style="list-style-type: none"> ▪ Removes the specification that failure to plug an abandoned well or idle and orphaned well that has not been granted

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	<p>temporary inactive status is a material and substantial violation of the Oil and Gas Law;</p> <ul style="list-style-type: none"> ▪ Allows a landowner who discovers any well on the landowner's property to report the discovery to the Department of Natural Resource's (ODNR) Chief of the Division of Oil and Gas Resources Management (instead of only allowing the reporting of an idle and orphaned well); ▪ Requires the Chief to inspect the well only if the well is previously unknown to the Division (instead of requiring the inspection of all reported idle and orphaned wells as in current law); ▪ Modifies the scoring matrix that the Chief uses to determine the priority of orphaned wells to be plugged by requiring each orphaned well to be designated high, medium, or low priority, rather than distressed-high, moderate-medium, or maintenance-low priority as in current law; ▪ Allows the Chief to add additional orphaned wells to a project regardless of classification; ▪ Allows notice of an orphaned well plugging to be posted on ODNR's website in lieu of newspaper publication; ▪ Regarding contracts entered into by the Division to plug an orphaned well that are paid for with money from the Oil and Gas Well Fund, eliminates the requirement that a contractor furnish all of the materials/labor for plugging; ▪ Specifies that contracts entered into by the Chief for well plugging are exempt from the law governing public improvements (instead of solely exempt from the law governing public bid guaranties as in current law);

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	<ul style="list-style-type: none">▪ Eliminates the requirement that contractors use “geophysical” methods to locate a well;▪ Adds to the activities that may be specified in the contract, including analyzing the well, stabilizing or other work conducted prior to plugging the well, drilling out of wellbores, removal of associated equipment, and replugging of previously plugged orphaned wells or wells for which final restoration was completed;▪ Allows the Chief to make expenditures for salaries, maintenance, equipment, and other administrative purposes for those activities;▪ Specifies that expenditures from the Oil and Gas Well Fund cannot be made to remove a structure in order to access a well, rather than a dwelling as in current law;▪ Allows employees (and agents as added by the bill) of a contractor to enter on adjacent parcels of property for well access, provided notice is given (current law only allows entry on land on which a well is located);▪ Specifies that the owner of the land on which at least one orphaned well is located (instead of only one as in current law) who has received notice of an orphaned well on their land may plug any such well and be reimbursed by the Division if done in accordance with the specified requirements, including pursuant to a proper invoice;▪ Authorizes, instead of requires, a landowner who applies to the Chief to plug an orphaned well to enter into a contract for the plugging after the Chief so approves the application;▪ In addition to well plugging, allows the landowner to do all of the following and

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	<p>be reimbursed for those activities:</p> <ul style="list-style-type: none"> ▫ Replug a previously plugged orphaned well; ▫ Replug a well for which final restoration was completed; ▫ Drill out or cleanout a well bore to remove material from a well; and ▫ Install casings. ▪ Removes a provision of law specifying that, if the Chief allows a landowner to plug an orphaned well, the ownership of the equipment appurtenant to the well is automatically transferred to the landowner; ▪ Specifies that if any equipment is removed from the well during the landowner's plugging and subsequently sold, the Chief must deduct the sale amount of the equipment from the payment to the landowner; ▪ Specifies that expenditures made by the Division to a landowner who plugs an orphaned well on their land are not subject to Controlling Board approval; ▪ Allows changes to a landowner's plugging contract due to unanticipated conditions upon approval by the Chief; ▪ Accordingly, requires the Chief to determine whether the contract changes are necessary and reasonable; ▪ Modifies the procedure by which a landowner may transfer ownership of an orphaned well if the landowner chooses not to plug the well themselves; and ▪ Allows the Chief to engage in cooperative projects for well plugging with a nonprofit corporation, in addition to U.S. and state agencies and universities as in current law (<i>R.C. 1509.01 and 1509.071</i>).

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Abandoned Mine Reclamation Fund	
No provisions.	<p>Allows money from the federal Infrastructure Investment and Jobs Act to be deposited in the Abandoned Mine Reclamation Fund (<i>R.C. 1513.37(A)</i>).</p> <p>Allows the ODNR Division of Mineral Resources Management to use the money for reclaiming land affected by mining or controlling mine drainage in accordance with the federal Infrastructure and Investment and Jobs Act’s requirements (<i>R.C. 1513.37(A)(3)</i>).</p>
Mobile computing units and building regulations	
No provision.	Exempts “mobile computing units” from statutes governing the construction and condition of buildings and related rules adopted by the Board of Building Standards and defines them as an assembly that meets certain criteria, including, for example: its purpose is to house and operate computers, it is not publicly accessible and not attached to a permanent foundation, and it can be transported as a single integrated unit (<i>R.C. 3781.06(B)(3)</i>).
Ingress and egress prevention devices	
No provision.	Requires the Board of Building Standards to adopt rules providing for the use of a device in a nonresidential building that prevents both ingress and egress through a door in the building for a finite period of time, in an emergency situation, and during active shooter drills (<i>R.C. 3781.106</i>).
Public Utilities Commission (PUCO) regulatory restrictions	
No provision.	Prohibits PUCO, in the context of a withdrawal or abandonment of telecommunications service or a withdrawal or abandonment of basic local exchange service proceeding, from imposing on any provider of telecommunications service, wireless service, or internet protocol-enabled services any regulatory requirement or restriction that is not generally applicable to the service or

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	<p>provider in other contexts. Requires the PUCO to amend its rules to conform with R.C. 4927.102 within 90 days of the effective date. <i>(R.C. 4927.102 and Section 3.)</i></p>
Rent control and rent stabilization	
<p>No provisions.</p>	<p>Specifies that the existing law prohibition preventing a municipal corporation or township from adopting any regulation that is in conflict or that regulates the rights and obligations of parties to a rental agreement regulated by the Landlord and Tenant Law applies to all political subdivisions. Prohibits rent control and rent stabilization regulations adopted by political subdivisions, specifying that these are considered rental agreement regulations covered by the state Landlord and Tenant Law. Allows political subdivisions to adopt and enforce rent control and rent stabilization regulations in specified circumstances. Makes legislative findings relating to rent control and rent stabilization regulations. <i>(R.C. 5321.01, 5321.19, and 5123.20.)</i></p>