



OHIO LEGISLATIVE SERVICE COMMISSION

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Fiscal Note & Local Impact Statement

Bill: S.B. 31 of the 132nd G.A.

Status: As Introduced

Sponsor: Sen. Eklund

Local Impact Statement Procedure Required: No

Subject: Household sewage treatment system rules

State & Local Fiscal Highlights

- Potential increase in administrative costs for the Ohio Department of Health (ODH) to review required yearly reports depending on the number of counties or municipal corporations that choose to vote to withdraw from the application of rules.
- Potential increase in administrative costs for a county or municipal corporation that chooses to vote to withdraw from the application of recent design rules in order to meet the initial withdrawal requirements and to compile and submit the yearly reports.
- Potential fiscal impact to a local board of health (within the jurisdiction of any county or municipal corporation voting to withdraw) would vary depending on what each board is currently doing under recent design rules versus prior design rules.

Detailed Fiscal Analysis

The bill authorizes a board of county commissioners or the legislative authority of a municipal corporation to withdraw from the application of any rule governing the design of a household sewage treatment system adopted by the Ohio Department of Health (ODH) after January 1, 2014, if specified requirements are met. In order to withdraw both of the following must apply: (1) the board or legislative authority demonstrates to ODH that for each year in a period of three consecutive years after December 31, 2010, at least 90% of a statistically significant sample of the household sewage treatment systems operating within the applicable jurisdiction complied with the requirements established in the rules adopted by ODH that existed on January 1, 2014, and (2) the board of health of the applicable health district has established and maintains a program to inspect and test a household sewage treatment system operating within the county or municipal corporation prior to, at the time of, or within a reasonable time after the transfer of ownership of property served by the system.

The bill requires the applicable board of health, in a county or municipal corporation that votes to withdraw from the application of recent design rules, to administer the prior design rules within the county or municipal corporation. The bill requires applicable boards of county commissioners or municipal legislative authority to prepare and submit a report with the results of inspections and tests conducted to ODH by March 1 of each year beginning in the year following the vote to withdraw. The bill specifies that the election to withdraw shall be null and void if the applicable board of health fails to comply with the bill's requirements or a prepared report indicates a failure rate of household sewage treatment systems greater than 10%.

Counties or municipal corporations that vote to withdraw from the application of recent design rules may experience an increase in administrative costs in order to meet the initial withdrawal requirements and to compile and submit the yearly reports. The fiscal impact to local boards of health would vary depending on what each board is currently doing under recent design rules versus prior design rules. A local board of health within the jurisdiction of any county or municipal corporation voting to withdraw may experience costs if any additional inspecting or testing is needed in order to meet the requirements of the bill.

ODH may experience an increase in administrative costs in order to review the yearly reports. The cost would depend on the number of counties or municipal corporations that choose to vote to withdraw from the application of rules.