



**S.B. 385**

126th General Assembly  
(As Introduced)

**Sen. Gardner**

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**BILL SUMMARY**

- Authorizes a certified county building department to inspect plumbing in buildings within the jurisdiction of a health district pursuant to an agreement between the board of county commissioners and the board of health of the health district.
- Authorizes a board of county commissioners and the board of health of a health district to enter into an agreement designating either the certified county building department or the health district as the exclusive entity to perform those plumbing inspections.

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**CONTENT AND OPERATION**

**Current law: authority to conduct plumbing inspections**

Under current law, plumbing inspections generally may be made by the Division of Industrial Compliance in the Department of Commerce, a board of health of a health district, or a certified building department of a municipal corporation (R.C. 3703.01, 3703.08, and 3781.03). However, the Division of Industrial Compliance and a board of health may not inspect plumbing in a municipal corporation that has a building department that has been certified by the Board of Building Standards to exercise enforcement authority for plumbing for the type of building being inspected (R.C. 3703.01(B)(1)). Similarly, the Division of Industrial Compliance may not perform inspections in health districts that have hired approved plumbing inspectors (R.C. 3703.01(B)(2)).<sup>1</sup>

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<sup>1</sup> The bill shifts division (B)'s provisions in R.C. 3703.01 to new division (C) in that section.

**Changes proposed by the bill: county authority to perform plumbing inspections**

The bill authorizes a county to perform plumbing inspections under contract with a board of health of a health district. Specifically, it authorizes a board of county commissioners and a board of health of a health district to enter into an agreement that designates *either* the health district or the certified county building department as the agency exclusively responsible for the inspection of plumbing in residential buildings, nonresidential buildings, or both types of buildings within the jurisdiction of the health district. (R.C. 3703.01(B), 3703.08, and 3781.03(C).)

Under the bill, a *health district* cannot be designated as the inspecting agency unless it has employed one or more plumbing inspectors approved for the types of buildings designated in the agreement, and a *county building department* cannot be designated as the inspecting agency unless it has been certified by the Board of Building Standards to exercise enforcement authority for plumbing in the types of buildings designated in the agreement. (R.C. 3703.01(B).)

The bill further specifies that a county building department does not have jurisdiction to inspect plumbing or to collect fees for a plumbing inspection within a health district unless it is certified by the Board of Building Standards to exercise enforcement authority for the type of building being inspected *and* has entered into an agreement authorized by the bill that designates the certified county building department as the agency to perform those inspections (R.C. 3703.01(C)(4) and (6)). Accordingly, under the bill, if a county building department is designated as the exclusive agency to inspect plumbing, the Division of Industrial Compliance is prohibited from inspecting plumbing or collecting fees for inspecting plumbing in particular buildings in the health district that has agreed to that designation (R.C. 3703.01(C)(3)).

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**HISTORY**

| ACTION     | DATE     |
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| Introduced | 10-24-06 |

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