

Fiscal Note & Local Impact Statement

123rd General Assembly of Ohio

BILL: **Am. H.B. 87** DATE: **March 17, 1999**

STATUS: **As Reported by House Commerce and Labor** SPONSOR: **Rep. Bateman**

LOCAL IMPACT STATEMENT REQUIRED: **No — No local cost**

CONTENTS: **Restricts the use of certain titles relating to the practice of occupational safety and industrial hygiene**

State Fiscal Highlights

- No direct fiscal effect on the state.

Local Fiscal Highlights

LOCAL GOVERNMENT	FY 1999	FY 2000	FUTURE YEARS
Counties			
Revenues	- 0 -	Potential minimal increase	Potential minimal increase
Expenditures	- 0 -	Potential minimal increase	Potential minimal increase
Other Political Subdivisions (Municipalities)			
Revenues	- 0 -	Potential loss	Potential loss
Expenditures	- 0 -	Potential minimal increase	Potential minimal increase

Note: For most local governments, the fiscal year is the calendar year. The school district fiscal year is July 1 through June 30.

- The bill may result in a potential loss in future license revenue, because under most cases the bill forbids political subdivisions from licensing persons practicing in the field of industrial hygiene or occupational safety. If any political subdivisions are affected by this prohibition, municipalities would be most likely. However, LBO contacted several municipal governments and found that none of them licenses the practice of industrial hygiene or occupational safety.
- The bill would create a new fourth degree misdemeanor offense that could increase expenses for municipal and county courts, but may also increase fine revenue to these counties. Despite the new offense, there would likely be few such prosecutions.



Detailed Fiscal Analysis

The bill would allow only those persons holding valid certificates, issued by the appropriate professional boards, to use various titles in the field of industrial hygiene or occupational safety. In some cases, the bill would allow persons to use these titles if they are completing apprenticeships or finishing accredited courses in these fields. Under terms of the bill, professionals and apprentices seeking to practice industrial hygiene or occupational safety must receive certification from the American Board of Industrial Hygiene (ABIH). Professionals and apprentices seeking to practice occupational safety must receive certification from the Board of Certified Safety Professionals (BCSP).

The bill includes definitions of both industrial hygiene and occupational safety. Industrial hygienists are trained to monitor and evaluate the quality of workplace environmental conditions. For example, an industrial hygienist would use scientific instruments to ensure that sufficient fresh air is being circulated and that airborne contaminants are ventilated from work areas. Safety professionals are trained to inspect work areas for hazards that could cause injuries. For example, safety professionals would make sure that scaffolding assemblies are properly assembled and secured.

The bill would also prevent a political subdivision from establishing licensing or registration requirements for the professions mentioned in the bill. LBO contacted several municipal governments and found that none of them licenses the practice of industrial hygiene or occupational safety. However, if there are political subdivisions within the state that license these professions, the provision could cause a loss in license revenue.

A provision in the bill would allow a political subdivision to license in cases where the skills required in industrial hygiene and occupational safety clearly overlap those required in another trade which is licensed by a political subdivision. For example, a Certified Safety Professional (CSP) may be qualified to install or advise a contractor on the most suitable heating system for a commercial structure. In this instance, the bill would allow a political subdivision to require the work to be done by a licensed HVAC contractor.

Finally, the bill would create a new fourth degree misdemeanor penalty. Any person who uses a title or professional designation without the proper qualifications would be subject to a maximum fine of up to \$250 and thirty days in jail. Assuming that very few people, if any, would be charged with this misdemeanor, the cost of prosecuting these cases would be minimal.

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