



Ohio Legislative Service Commission

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Fiscal Note & Local Impact Statement

Bill: [H.B. 163 of the 129th G.A.](#)

Date: May 16, 2011

Status: As Introduced

Sponsor: Rep. Balderson

Local Impact Statement Procedure Required: No

Contents: Revises the coal mining law relative to surface disturbances and set-back distances

State Fiscal Highlights

- The bill could potentially result in some minimal increase in administrative costs paid from the Coal Mining and Reclamation Reserve Fund (Fund 5260), the operating fund used by the Department of Natural Resources' Division of Mineral Resources Management to oversee coal mining regulation.

Local Fiscal Highlights

- No direct fiscal effect on political subdivisions.

Detailed Fiscal Analysis

The bill revises Ohio's coal mining law concerning permits for strip mining on land where the mineral rights have been severed from the surface rights. Specifically, the bill specifies that if an applicant for a permit to mine on such lands will use strip mining methods resulting in surface disturbance, the applicant must obtain either (1) the written consent of the surface owner to the surface disturbance, rather than just to the extraction of coal, as in current law, or (2) a conveyance expressly granting or reserving the applicant's right to extract coal by methods that cause surface disturbance. Additionally, the bill specifies that set-back requirements for the location of coal mining operations must be measured horizontally. (Current law does not specify the basis for measuring such distances.) This provision essentially codifies the current set-back compliance standard used by the Department of Natural Resources' Division of Mineral Resources Management. Overall, the bill would likely have no more than a minimal effect on the Division's administrative costs to process coal mining permit applications. Such costs are paid out of the Coal Mining Administration and Reclamation Reserve Fund (Fund 5260).

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