Ohio Legislative Service Commission

Terry Steele

Fiscal Note & Local Impact Statement

Bill: S.B. 140 of the 129th G.A. **Date**: November 8, 2011

Status: As Introduced **Sponsor**: Sens. Bacon and Skindell

Local Impact Statement Procedure Required: No

Contents: Requires the inclusion of a bittering agent in engine coolant and antifreeze

State Fiscal Highlights

- No direct fiscal effect on the state.

Local Fiscal Highlights

- The bill requires the inclusion of a bittering agent in engine coolant and antifreeze. Any violations of the bill's requirements would result in a misdemeanor penalty and a fine of no more than $1,000. Although there would be few if any new cases prosecuted under this penalty, the bill could result in some additional county and municipal court costs, as well as some new fine revenue.

Detailed Fiscal Analysis

The bill requires manufacturers, packagers, distributors, recyclers, and sellers of engine coolant or antifreeze manufactured after January 1, 2013 that contains more than 10% ethylene glycol to include a bittering agent in these products. Bittering agents render toxic substances that could be ingested by humans or animals unpalatable, thereby forestalling potentially serious illness or death. The bill provides these entities immunity from prosecution for any personal injury, death, property or environmental damage, or economic loss that results from the inclusion of the bittering agent as required under the bill. The bill also requires a manufacturer or packager of engine coolant or antifreeze to maintain a record of the trade name, scientific name, and active ingredients of the bittering agent. The bill provides for a misdemeanor penalty and fine of not more than $1,000 for manufacturers, packagers, distributors, recyclers, and sellers of engine coolant or antifreeze who either (1) fail to ensure that these products contain bittering agents or (2) do not keep the required product information available for consumers. The bill does not apply to the sale of a motor vehicle that contains engine coolant or antifreeze, or to a wholesale container of engine coolant or antifreeze containing 55 gallons or more of antifreeze. Although the bill could lead to some new prosecutions that would be handled by county and municipal courts, the expenses related to these cases, as well as the court costs and fine revenue any successful prosecution would generate, are likely to be small.

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