
DEPARTMENT OF NATURAL RESOURCES

Oil and gas

Stratigraphic wells

- Establishes the Ohio Department of Natural Resource's (ODNR's) regulatory authority over stratigraphic wells, which are boreholes that are drilled on a tract solely to conduct research or testing of the subsurface geology, including porosity and permeability.
- Specifies that the regulatory authority over stratigraphic wells includes the following:
 - The permitting process;
 - Insurance and bonding requirements;
 - Plugging requirements;
 - Setback requirements; and
 - Notice and enforcement procedures.
- Generally requires a stratigraphic well to be plugged within one year after the well is spudded (i.e., when drilling commences) unless the well owner does one of the following:
 - Applies for a permit to convert the well to another use (extending the plugging requirement to two years after the well is spudded); or
 - Executes and files with the Division of Oil and Gas Resources Management financial assurance that is equal to or greater than the estimated cost to plug the well and reclaim the associated well site (extending the plugging requirement to five years after the well is spudded).
- Allows the Chief of the Division of Oil and Gas Resources Management to forfeit by order the total amount of financial assurance executed and filed if the Chief finds that the well owner is not in compliance with the laws governing stratigraphic wells.
- Allows the Chief to use the money to plug the well.
- Allows a stratigraphic well to be assigned or otherwise transferred, provided that notice of the assignment or transfer is given to the Division and signed by both the assignor and assignee or by both the transferor and transferee.
- Allows a stratigraphic well owner to designate certain information as confidential business information not subject to disclosure under any law for five years from the time that stratigraphic well was spudded.
- Allows the Chief to post the surface location of a stratigraphic well on the Division's website.

Enforcement of oil and gas law and notice

- Broadens the ability for the Chief of the Division of Oil and Gas Resources Management to enforce the laws governing oil and gas by allowing the Chief to issue violation orders

and take enforcement action against *any person* that violates the oil and gas laws and who is subject to those laws, instead of only well owners.

- Requires a person to have committed a material and substantial violation before the Chief may issue an order requiring that person (who is causing an imminently dangerous condition) to cease oil and gas operations and suspending or revoking an unused permit.
- Clarifies that the Chief may notify a drilling contractor, transporter, service company, or other similar entity of the compliance status of a person subject to the oil and gas laws, rather than only allowing the Chief to provide the notice regarding the status of a well owner as in current law.
- Requires the Chief to provide notice under the oil and gas laws in accordance with law, rather than as prescribed by rules adopted by the Chief, as in current law.
- Eliminates a corresponding requirement that the Chief's rules provide for notice by publication.

Hunting and fishing

Wildlife Council to approve annual wildlife rules

- Clarifies that ODNR's Division of Wildlife must obtain the Wildlife Council's approval prior to adopting rules, in their entirety, that annually establish, each calendar year, all of the following regarding hunting and fishing:
 - Season (e.g., dates for the taking of wild animals);
 - Bag limits;
 - Sizes;
 - Species;
 - Method of taking; and
 - Possession.

Licenses for college students

- Allows a full-time student who is enrolled in any accredited Ohio public or private college or university to obtain a resident hunting license, fishing license, deer permit, and wild turkey permit, regardless of residency.

Parks and watercraft

Fire extinguishers on watercraft

- Regarding the requirement to have fire extinguishers on board powercraft:
 - Eliminates the exemption for powercraft propelled by an electric motor; and
 - Adds that powercraft of open construction that are not carrying passengers for hire are exempt from fire extinguisher requirements only if the powercraft are not capable of entrapping explosive or flammable gases or vapors.

- With certain exceptions, generally requires 5-B and 20-B portable fire extinguishers on class A, 1, 2, or 3 powercraft, depending on the class, rather than B-1 or B-2 fire extinguishers, depending on the class, as in current law.
- With certain exceptions, generally requires class 4 powercraft to have the number and type of 20-B portable fire extinguishers specified by gross tonnage as prescribed by federal regulations.
- Requires all portable and semi-portable fire extinguishers for use on a vessel to comply with specified requirements, including being on board the vessel, being readily accessible, and being maintained in good and serviceable condition.

Personal flotation device labeling

- Eliminates a requirement that the label on an approved personal flotation device have a specified designation concerning flotation device type (e.g., type 1, 2, 3, 4, or 5 personal flotation device).

Obtaining a watercraft or outboard motor title

- Increases the period of time that a purchaser has to obtain a watercraft or outboard motor title from 30 days to 60 days.

Parks and Watercraft Federal Grants Fund

- Creates the Parks and Watercraft Federal Grants Fund consisting of federal funds received by ODNR for parks and watercraft projects approved by the Director and any other money credited to the fund.
- Requires the Chief of the Division of Parks and Watercraft to use money in the fund for parks and watercraft projects approved by the ODNR Director.

Rocky Fork Lake permits

- Requires ODNR's Chief of the Division of Parks and Watercraft to establish a program for the issuance of the following to property owners whose property is adjacent to Rocky Fork State Park in Highland County and abuts Rocky Fork Lake:
 - A permit to construct or acquire and maintain a dock on Rocky Fork State Park property, including permit add-ons (electricity, dock covering, and access path);
 - A permit to mow Rocky Fork State Park land;
 - A permit to remove fallen, hazardous, or dead trees from Rocky Fork State Park land; and
 - A permit to control undergrowth or remove invasive tree or plant species from Rocky Fork State Park property.
- Establishes fees for each type of permit and add-on specified above, except for a permit to remove trees and a permit for the removal of undergrowth and invasive trees and plants.

- Exempts a property owner who currently owns a dock from the requirements governing dock permits.
- Prohibits a property owner whose property is adjacent to Rocky Fork State Park land from purposely altering, modifying, or destroying land that abuts a Rocky Fork Lake, except in accordance with a permit issued under the program.

Other provisions

General Assembly approval of ODNR property purchase

- Requires the Controlling Board's approval for an ODNR real property purchase if the proposed purchase price exceeds 25% of its highest appraised value and is more than \$1 million.
- Requires the Controlling Board, when approving the ODNR real property purchase, to do all of the following:
 - Only allow legislative members of the Board to participate in the vote;
 - Receive an approval vote from a majority vote of House members and a majority vote of Senate members; and
 - Take a roll call of each individual voting member's vote.

Performance Bond Refund Fund

- Creates the Performance Bond Refund Fund, which consists of money received by ODNR from other entities as performance security.
- Disposes of money in the fund as follows:
 - If work for which the performance bond was required is completed, the money is refunded to the pledging entity; or
 - If a performance bond is forfeited, the money must be transferred to the appropriate fund within the state treasury.

ODNR administration of capital projects

- Allows ODNR, for FY 2024 and FY 2025, to administer certain capital facility projects commenced within those fiscal years, regardless of estimated cost, without the assistance of the Ohio Facilities Construction Commission (OFCC).
- Requires ODNR to do both of the following:
 - Comply with the procedures and guidelines established in the law governing public improvement contracts; and
 - Track all project information in the Ohio Administrative Knowledge System (OAKS) capital improvements application pursuant to OFCC guidelines as though ODNR is administering the project pursuant to all generally applicable laws.

Oil and gas

Stratigraphic wells

(R.C. 1509.051, 1509.01, and 1509.03)

The bill establishes ODNR's regulatory authority over stratigraphic wells. Stratigraphic wells are boreholes that are drilled on a tract solely to conduct research or testing of the subsurface geology, including porosity and permeability. However, a stratigraphic well does not include geotechnical or soil borings or a borehole drilled for seismic shot, or mining of industrial minerals or coal. Under the bill, the Chief of the Division of Oil and Gas Resources Management may post the surface location of a stratigraphic well on the Division's website.

Requirements

Generally, under the bill, stratigraphic wells are subject to all the current laws that govern oil and gas wells, which include (1) the permitting process, (2) insurance and bonding requirements, (3) plugging requirements, (4) setback requirements, and (5) notice and enforcement procedures.

However, the bill does establish new requirements specific to stratigraphic wells and exempts stratigraphic wells from certain requirements that apply to oil and gas wells, as follows:

- Allows the Chief to prescribe a different application form for a permit to drill a stratigraphic well;
- Prohibits a person from submitting more than seven applications per year for a permit to drill a stratigraphic well unless otherwise approved by the Chief;
- Prohibits the surface location of a stratigraphic well from being within 150 feet from the property line of the tract on which the well is drilled; and
- Specifies that all of the following do not apply to stratigraphic wells:
 - The ability to receive temporary inactive well status;
 - Filing requirements for statements of production of oil, gas, and brine;
 - Minimum acreage requirements for a drilling unit;
 - Rules governing horizontal well site construction;
 - Rules governing saltwater operations and class II disposal wells;
 - Rules governing oil and gas waste facilities;
 - Rules governing enhanced recovery projects (injecting gas, water, or other fluids to change the pressure in a reservoir to recover oil or other hydrocarbons); and
 - Rules governing solution mining projects (involving a well or group of wells and associated facilities under one owner utilized for the solution mining of minerals).

Plugging requirements

The bill also specifies that stratigraphic wells generally must be plugged within one year after the well is spudded (i.e., when drilling commences) unless one of the following apply:

1. The well owner applies, within that one-year period, for a permit to convert the well to another use subject to regulation under the Oil and Gas Law or the Water Pollution Control Law. If the owner is issued a permit, the well must be converted within two years after the well was first spudded. If the owner fails to convert the well within that two-year period, the owner must immediately plug the well or obtain financial assurance (see below) within 30 days after the expiration of the two-year period. The well must be plugged within one year after the Chief or the OEPA Director issues a final nonappealable order denying, or affirming the denial of, an application for a permit to convert the well.

2. The well owner executes and files with the Division financial assurance in an amount approved by the Chief that is equal to or greater than the estimated cost to plug the well and reclaim the associated well site. This financial assurance is in addition to any surety bond or other financial assurance required under law. It may be in the form of cash or a surety bond that names the state as obligee and is executed by a surety company authorized to do business in Ohio. If the owner executes and files financial assurance, the well must be converted to another use (in accordance with the bill's provisions) or plugged within five years after the well was first spudded.

The bill allows the Chief to forfeit by order the total amount of financial assurance executed and filed if the Chief finds that the well owner is not in compliance with the laws governing stratigraphic wells. To do so, the Chief must set forth in the order findings of fact supporting the forfeiture and the violations giving rise to the order. The Chief may use the forfeited money to plug the stratigraphic well in the same manner as the Chief would do so for orphan wells. If a well owner filed financial assurance in the form of a surety bond, the Chief also must issue an order to the bank or surety bond company informing the bank or company of the option to plug the well in lieu of forfeiture.

Transfer or assignment

A stratigraphic well may be assigned or otherwise transferred. However, notice of the assignment or transfer must be provided to the Division on a form prescribed by the Division and signed by both the assignor and assignee or by both the transferor and transferee.

Confidential business information

A stratigraphic well owner may elect, at its sole discretion, to designate any of the following to be confidential business information not subject to disclosure under any law for five years from the time that the well was spudded:

1. Data from the research of the subsurface geology obtained from a stratigraphic well;
or

2. Any reports, documents, or records, any of which that are otherwise required for submission under the Oil and Gas Law, any order of the Chief, or any term or condition of a permit issued by the Chief.

Regardless of whether a stratigraphic well owner designates data, reports, documents, or records as confidential business information, the well owner must disclose (1) data to the Chief as may be necessary to respond to or investigate harm or potential harm to public health or safety or the environment, including potential damage to subsurface formations, and (2) reports, documents, or records that are required for submission under law. However, any designated data, reports, documents, or records remain confidential business information and cannot be disclosed by the Chief during the five-year designation period. In addition, the data, reports, documents, or records are not public records subject to Ohio's laws governing public records during the five-year period.

Enforcement of oil and gas law and notice provisions

(R.C. 1509.03 and 1509.04)

The bill broadens the authority of the Chief of the Division of Oil and Gas Resources Management to enforce the laws governing oil and gas. It does so by allowing the Chief to issue violation orders and take enforcement action against *any person* who violates the oil and gas laws and who is subject to those laws. Current law allows the Chief to take these actions only against well owners.

Under current law, if there is a material or substantial violation of the oil and gas law, the Chief may issue an order to immediately suspend drilling, operating, or plugging activities that are related to the violation and revoke any unused permit if either of the following apply:

1. A well owner has failed to comply with a material and substantial violation order; or
2. A well owner is causing, engaging in, or maintaining a condition or activity that presents an imminent danger to the health or safety of the public or that results in or is likely to result in substantial damage to Ohio's natural resources.

The bill broadens (1) above so that it applies to any person (instead of just a well owner). It also alters (2) above so that it applies only to a person who has committed a material and substantial violation (instead of applying it to well owners).

The bill clarifies that the Chief may notify a drilling contractor, transporter, service company, or other similar entity of the compliance status of a person subject to the oil and gas laws. Under current law, the Chief can only provide that status notification about a well owner.

When the Chief must provide notice under the oil and gas laws, the bill requires the Chief to do so in accordance with law. Current law requires the Chief to provide notice as prescribed by rules adopted by the Chief. The bill also eliminates a corresponding requirement that the rules provide for notice by publication.

Hunting and fishing

Wildlife Council to approve annual wildlife rules

(R.C. 1531.03)

Current law stipulates that ODNR's Division of Wildlife must obtain the Wildlife Council's approval prior to adopting rules, that establish, all of the following regarding hunting and fishing:

1. Season (e.g., dates for the taking of wild animals);
2. Bag limits;
3. Sizes;
4. Species;
5. Method of taking; and
6. Possession.

The bill clarifies that the entirety of these rules are subject to approval by the Council and that the rules must be approved annually each calendar year.

Licenses for college students

(R.C. 1531.01)

The bill allows a full-time student who is enrolled in any accredited Ohio public or private college or university to obtain a resident hunting license, fishing license, deer permit, and wild turkey permit, regardless of residency. To obtain one of those resident licenses or permits, the student must apply to ODNR and attest to the individual's full-time student status in a manner determined by the Chief of the Division of Wildlife. Generally, the fee for a resident license or permit is cheaper than a nonresident license or permit.

Parks and watercraft

Fire extinguishers on watercraft

(R.C. 1547.27)

Current law generally requires powercraft to carry fire extinguishers. However, this requirement does not apply to powercraft propelled by an electric motor and powercraft that are less than 26 feet in length designed for use with an outboard motor, of open construction, and not carrying passengers for hire. A powercraft is any water vessel propelled by machinery, fuel, rockets, or similar device.

The bill modifies the above provisions by doing both of the following:

1. Eliminating the exemption for powercraft propelled by an electric motor; and
- 2 Adding that powercraft of open construction that are not carrying passengers for hire are only exempt from fire extinguisher requirements if the powercraft are not capable of entrapping explosive or flammable gases or vapors.

Due to changes in the U.S. Coast Guard's federal regulations according to ODNR, the bill changes the types of fire extinguishers that a powercraft must carry. The bill generally requires any water vessel not equipped with fixed fire extinguishing systems in machinery to carry the following:

Type of powercraft	Current law	The bill
Class A and class 1	One B-1 fire extinguisher	One 5-B portable extinguisher
Class 2 powercraft	At least two B-1 fire extinguishers or at least one B-2 fire extinguisher	At least two 5-B portable fire extinguishers or at least one 20-B portable fire extinguisher
Class 3 powercraft	At least three B-1 fire extinguishers or at least one B-2 fire extinguisher	At least three 5-B portable fire extinguishers or at least one 20-B portable fire extinguisher
Class 4 powercraft	No requirements	Have the number and type of 20-B portable fire extinguishers specified by gross tonnage as prescribed by federal regulations

According to ODNR, federal regulations allow different fire extinguishers for recreational vessels with a model year earlier than 2018, provided the extinguishers are maintained in good condition. If the older fire extinguishers need to be replaced, the new fire extinguishers must comply with the requirements established under the bill.

The bill requires all portable and semi-portable fire extinguishers for use on a vessel to:

1. Be on board the vessel and be readily accessible;
2. Be of an approved type;
3. Not be expired or appear to have been previously used;
4. Be maintained in good and serviceable working condition, which means all of the following: (a) if the fire extinguisher has a pressure gauge or indicator, the reading or indicator is in the operable range or position, (b) the fire extinguisher's lock pin is firmly in place, (c) the fire extinguisher's discharge nozzle is clean and free of obstruction, and (d) the fire extinguisher does not show visible signs of significant corrosion or damage.

Personal flotation device labeling

(R.C. 1547.25)

The bill eliminates a requirement that the label on an approved personal flotation device have one or more of the following designations:

1. Conditional approval;
2. Performance type;
3. Type 1, 2, 3, 4, or 5 personal flotation device;
4. Throwable personal flotation device; or

5. Wearable personal flotation device.

The bill retains the requirement that the appropriate use for each flotation device must be indicated on the device's label. A personal flotation device is a U.S. Coast Guard approved personal safety device designed to provide buoyancy to support a person in the water.²²⁰

Obtaining a watercraft or outboard motor title

(R.C. 1548.03)

The bill increases the period of time that a purchaser has to obtain a watercraft or outboard motor title from 30 days to 60 days. Under current law, a person is prohibited from selling or otherwise disposing of a watercraft or outboard motor without delivering to the purchaser a physical certificate of title. However, a purchaser may take possession of and operate a watercraft or outboard motor without a certificate of title for up to 30 days (60 days under the bill) if both of the following apply:

1. The purchaser has been issued a dealer's dated bill of sale or notarized bill of sale (in the case of a casual sale); and
2. The purchaser has the bill of sale in their possession.

Parks and Watercraft Federal Grants Fund

(R.C. 1546.24)

The bill creates the Parks and Watercraft Federal Grants Fund consisting of both of the following:

1. Federal funds received by ODNR for parks and watercraft projects approved by the ODNR Director. The Chief of the Division of Parks and Watercraft must use money in the fund for those projects.
2. Any other money credited to the fund.

The Chief must use money in the fund for parks and watercraft projects approved by the Director.

Rocky Fork Lake permits

(R.C. 1546.32)

The bill requires ODNR's Chief of the Division of Parks and Watercraft to establish a program for the issuance of permits to property owners whose property is adjacent to Rocky Fork State Park in Highland County and abuts Rocky Fork Lake and who seek to do any of the following:

1. Construct or acquire and maintain a dock on and abutting Rocky Fork Lake (dock permit);

²²⁰ R.C. 1546.01, not in the bill.

2. Mow Rocky Fork State Park that is located between Rocky Fork Lake and the owner's property (mowing permit);

3. Remove trees from Rocky Fork State Park land that is located between Rocky Fork Lake and the owner's property (tree removal permit); or

4. Control the undergrowth or remove invasive species of plants or trees on Rocky Fork State Park property that is located between Rocky Fork Lake and the owner's property (undergrowth and invasive species removal permit).

Dock permit

Under the bill, if a property owner seeks to construct or acquire and maintain a dock on Rocky Fork Lake, the property owner must apply for an annual dock permit to the Chief. The Chief must issue a dock permit after application is so made on forms prescribed by the Chief unless the dock does not meet standards that the Chief establishes for docks under the program. Each annual dock permit comes with one dock slip, however, a permittee may pay a fee for additional dock slips added to the permit. Under the bill, the dock permit fees are as follows:

1. Dock permit application – \$100
2. Annual dock permit (one dock slip included) – \$120
3. Each additional annual dock slip charge added to a dock permit – \$95

The bill requires the Chief to allow adjoining property owners to submit an application to construct one dock with multiple watercraft slips that serves all property owners (commonly referred to as a cluster dock). Each property owner must individually pay the annual dock and slip fees applicable to each property owner as prescribed by the bill.

A permittee must maintain the dock in accordance with any maintenance standards established by the Chief.

Dock permit add-ons

Under the Rocky Fork Lake dock permit program, the Chief must allow a dock permittee to install a dock cover, electricity, and access path as an add-on to their dock permit when application is properly made. Each add-on is subject to the following conditions:

Dock permit add-ons		
Add-on	Conditions	Fee
Annual dock covering	Installation and maintenance of the cover is the responsibility of the permittee. The permittee must ensure that the dock cover consists of a metal roof that is painted green or white and is maintained in good repair.	\$25
Annual electricity	Installation and maintenance of the electricity is the responsibility of the permittee. A permittee who intends to install electricity must include with a request for electricity an aerial map from the county auditor's website that shows the path of the electric line to be	\$100 for the request to install the

Dock permit add-ons		
Add-on	Conditions	Fee
	<p>installed. The Chief must approve the path of the electric line. The permittee must ensure that: (1) electric service is installed by a licensed electrical contractor, (2) electric service to the dock is placed in conduit, (3) a disconnect box is installed at the dock, and (4) a disconnect box is installed at the property meter at the origin of service. Upon installation of the electric service, the dock permittee must return Rocky Fork State Park property to its original condition prior to the installation, ensuring that the trench is filled and level to the surrounding area and that the disturbed area is seeded and covered with a material to reduce possible erosion.</p> <p>Also prohibits more than one electric service from being installed per dock location.</p>	electricity and \$25 for the annual electricity usage
Access path construction by adjoining dock permittees	An access path must be constructed only with natural materials and maintained with natural materials that are not permanent in nature. Adjoining permittees that intend to construct an access path must include with the request an aerial photo from the county auditor's website that indicates where the proposed path will be located and a photo of any motor vehicle that the permittees intend to use to access the dock.	\$0
Annual access path sticker for each motorized vehicle	<p>A permittee must submit a photo of each motor vehicle that the permittee intends to use to access the dock via the path. The motor vehicle cannot weigh more than 2,500 pounds and cannot have a power source of more than 899cc.</p> <p>If a permittee uses a motor vehicle that is not approved by the Chief, the Chief must revoke any stickers issued to the permittee and may fine the permittee up to \$500 hundred dollars.</p>	\$25

Dock permit grandfather clause

The bill's new permitting program for Rocky Fork Lake docks does not apply to any property owner who, before the bill's effect date, has lawfully constructed or acquired a dock.

Mowing permit

The bill allows a property owner whose property is adjacent to Rocky Fork State Park land that abuts Rocky Fork Lake who seeks to mow any portion of the Rocky Fork State Park land to apply to the Chief for a mowing permit. The Chief must issue a mowing permit after application is so made on forms prescribed by the Chief and the applicant pays an annual \$25 fee. The property owner must include with the application an aerial map from the county auditor's website that indicates the area the property owner seeks to mow. The Chief may deny mowing access in areas that currently show signs of substantial soil erosion that impacts Rocky Fork Lake.

A mowing permit does not grant any authority to remove live trees on Rocky Fork State Park land. Each mowing permit is valid for one year.

Tree removal permit

The bill also allows a property owner whose property is adjacent to Rocky Fork State Park land that abuts Rocky Fork Lake who seeks to remove trees on Rocky Fork State Park land that have fallen and that are deemed hazardous, or that are dead and pose a hazard to other trees to apply to the Chief for a tree removal permit. The Chief must issue such a permit after application is so made on forms prescribed by the Chief. However, the Chief cannot charge a fee for this permit.

If a property owner makes an application to remove a standing tree, a park official must inspect and mark any tree that is to be removed prior to the Chief issuing a permit. The permittee must remove only those standing trees so marked by the park official and must pay all costs associated with the removal of the trees.

Undergrowth and invasive species removal permit

The bill allows a property owner whose property is adjacent to Rocky Fork State Park land that abuts Rocky Fork Lake who seeks to assist the state in the control of undergrowth on Rocky Fork State Park land or engage in the removal of invasive plant or tree species on that land to apply to the Chief for an undergrowth and invasive species removal permit. The Chief must issue such a permit after application is so made on forms prescribed by the Chief. However, the Chief cannot charge a fee for this permit.

If a property owner makes an application for an undergrowth and invasive species removal permit, a park official must, prior to the Chief issuing the permit, inspect the proposed area to determine which trees or plants are to be removed under the terms of the permit. The permittee must pay all costs associated with the removal and disposal of undergrowth or invasive trees or plants. However, this permit does not allow for the removal of any live tree. If a permittee removes a live tree, the Chief must fine the permittee up to \$500 per tree and revoke the permit.

After the permittee exercises the rights granted under an undergrowth and invasive species removal permit, the permittee may apply for a mowing permit to maintain the area to prevent the undergrowth or the invasive tree or plant from growing back.

Fines

The bill prohibits a property owner from purposely altering, modifying, or destroying Rocky Fork State Park land that is not done in accordance with an issued permit. It allows the Chief to fine any property owner who does so in an amount equal to the amount of damage caused or all costs incurred in remediating the alteration, modification, or destruction in addition to a penal sum of up to \$5,000. The amount of any fine beyond that needed to cover damage caused or costs incurred in remediation may equal, but cannot exceed, the amount charged for damage or remediation. In addition, any permit currently held or any applied for by the property owner must be revoked or denied for a period of two years for the first offense, three years for the second offense, and five years for the third and any subsequent offense.

Under the bill, any fees or fines collected by the Chief related to these permits must be deposited into the existing State Park Fund.

Other provisions

General Assembly approval of ODNR property purchase

(R.C. 1501.014)

The bill requires the Controlling Board's approval for an ODNR real property purchase if the proposed purchase price: (1) exceeds 25% of its highest appraised value (as appraised by a person regularly engaged in the business of conducting property appraisals), and (2) is more than \$1 million.

For the Controlling Board to approve the ODNR real property purchase, the Controlling Board must do all of the following:

1. Only allow legislative members of the Board to participate in the vote;
2. Receive an approval vote from a majority vote of House members and a majority vote of Senate members; and
3. Take a roll call of each individual voting member's vote.

Performance Bond Refund Fund

(R.C. 1501.16)

The bill creates the Performance Bond Refund Fund, which consists of money received by ODNR from other entities as performance security. The bill disposes of money in the fund as follows:

1. If work for which the performance bond was required is completed, the money is refunded to the pledging entity; or
2. If a performance bond is forfeited, the money must be transferred to the appropriate fund within the state treasury.

ODNR administration of capital projects

(Section 343.60)

The bill allows ODNR, for FY 2024 and FY 2025, to administer certain capital facility projects commenced within those fiscal years, regardless of estimated cost, without the assistance of the Ohio Facilities Construction Commission (OFCC), which generally administers capital facility projects on behalf of state agencies. It specifies that those projects are the following:

1. Dam repairs administered by the ODNR's Division of Engineering;
2. Projects or improvements administered by the Division of Parks and Watercraft and funded via the Waterways Safety Fund;
3. Projects or improvements administered by the Division of Parks and Watercraft; and

4. Activities conducted by ODNR to maintain ODNR's roads.

However, the bill's provisions do not apply to the construction of a new facility, structure, or lodge.

The bill requires ODNR to do both of the following:

1. Comply with the procedures and guidelines established in the law governing public improvement contracts; and

2. Track all project information in the Ohio Administrative Knowledge System (OAKS) capital improvements application pursuant to OFCC guidelines as though ODNR is administering the project pursuant to all generally applicable laws.

Finally, it states that nothing in these provisions interferes with ODNR's general powers.