DEPARTMENT OF NATURAL RESOURCES

Division of Wildlife

- Increases, from $74 to $210, the fee for each nonresident deer permit.
- Increases various fishing license fees charged to a nonresident who is not a resident of a reciprocal state.
- Expands the allowable uses for hunting and fishing related gift certificates.
- Makes permissive, instead of mandatory, the Chief of the Division of Wildlife's authority to adopt rules governing hunting and fishing related gift certificates.
- Eliminates the requirement that the Chief establish fees for gift certificates that equal the total fee for the applicable license, permit, or stamp.
- Eliminates the requirement that a gift certificate expire one year after purchase.
- Allows a resident landowner's parents to hunt and trap on the landowner's property without a hunting license, deer permit, wild turkey permit, or fur taker permit.
- Allows a resident landowner's grandchildren under 18 to hunt and trap on the landowner's property without a deer permit, wild turkey permit, or fur taker permit.
- Clarifies that, for both in-state and out-of-state residents who own land in Ohio, the landowner's spouse may hunt deer or wild turkey and hunt or trap fur-bearing animals on that property without a deer, wild turkey, or fur taker permit.
- Revises what constitutes a "wild boar" or "feral swine" for purposes of the law governing hunting and fishing.

Division of Oil and Gas Resources Management

Permit to plug and abandon fee

- Eliminates the $250 permit fee generally required to be paid when applying for a permit to plug and abandon any oil and gas well.

Oil and Gas Resolution and Remediation Fund (VETOED)

- Would have created the Oil and Gas Resolution and Remediation Fund (OGRRF) in the state treasury (VETOED).
- Would have required the Chief of the Division of Oil and Gas Resources Management to use money in the OGRRF to plug orphaned wells in accordance with continuing law (VETOED).
- Would have authorized the Chief to use the OGRRF for expenses that are critical and necessary for the protection of human health and safety and the environment related to oil and gas production (VETOED).

- Would have required the Treasurer of State, at the beginning of each fiscal year, to transfer the amount of money in the Oil and Gas Well Fund that exceeds the total amount appropriated to it for that fiscal year to the OGRRF (VETOED).
- Would have required the Treasurer to make disbursements, other than interest earnings, from the ORGRRF on a quarterly basis, on order of the Chief (VETOED).
- Would have required the $50 filing fee for an exempt domestic well or exempt Mississippian well (that may be filed in lieu of posting a surety bond) and any funds collected by the Chief from corrective action orders to be deposited into the OGRRF instead of the Oil and Gas Well Fund (VETOED).
- Would have required interest earned on the OGRRF to be reserved for use by the ODNR Director for any ODNR-related purpose, subject to the written approval of the Technical Advisory Council on Oil and Gas (VETOED).

Oil and gas orders – appeals

- Allows the Oil and Gas Commission to decide an appeal of an order of the Chief of the Division of Oil and Gas Resources Management or a rule adopted by the Chief without a hearing when, in its judgment, it is appropriate to do so.

Division of Water Resources

H2Ohio (VETOED)

- Would have prohibited H2Ohio Fund money from being used to purchase land or a conservation easement (VETOED).

Division of Parks and Watercraft

Creation of new funds

- Creates the Park Lodges, Maintenance, and Repair Fund and the Parks and Watercraft Holding Fund, both in the state treasury, and specifies the purposes of each fund.

Watercraft registration and fees

- Allows a required watercraft registration certificate to be presented in digital form in lieu of a physical form.
- Allows a registration certificate to be presented in digital form within 72 hours of when a watercraft that is not numbered is stopped by a law enforcement officer in lieu of a physical form.
- Applies the 72-hour registration certificate presentment requirement to kayaks and inflatable watercraft meeting the definition of a paddlecraft.
- Specifies that these provisions take effect January 1, 2027.

Rules governing preventing ice on state park's water

- If the Chief of the ODNR Division of Parks and Recreation adopts rules for the issuance of a permit for preventing or limiting ice formation on the surface of water that is located in a state park on property owned or managed by the Division, prohibits the Chief from levying a permit fee.

Division of Natural Areas and Preserves

- Allows the Chief of the Division of Natural Areas and Preserves to sell merchandise and other items related to, or that promote, the state's wildlife and unique environment, and general ecological preservation and conservation.
- Requires the money received from the sale of merchandise to be paid into the state treasury to the credit of the Natural Areas and Preserves Fund.

Division of Mineral Resources Management

Long-term Abandoned Mine Reclamation Fund

- Creates in the state treasury the Long-Term Abandoned Mine Reclamation Fund to be administered by the Chief of the Division of Mineral Resources Management.
- Specifies that the fund must consist of federal grants from the federal Abandoned Mine Reclamation Fund, to be used for the abatement of the causes and the treatment of the effects of acid mine drainage resulting from coal mine practices.

Qualifications/exams for certain mining industry positions

- Repeals provisions of Ohio's mine and quarry law that:
  - Specify the qualifications for fire bosses, shot firers, and forepersons of surface maintenance facilities; and
  - Require that the Chief to conduct examinations for those positions and issue certificates to applicants who pass their examinations.
- Specifies that for mine forepersons, forepersons, mine electricians, and surface mine blasters, the Chief must provide examinations "as needed" instead of "quarterly or more often as required."
- Repeals the requirement that public notice be given announcing the time and place for upcoming examinations.

Program Support Fund

- Codifies the Program Support Fund, which supports ODNR's centralized service support offices using payments from divisions within ODNR and other payments received for purposes of the fund.

Dredging operations (VETOED)

- Would have prohibited ODNR, when conducting, or contracting with a third party to conduct, dredging operations in the waters of the state, from requiring a license, registration, or certification for an individual to operate the dredging equipment or watercraft associated with such operations (VETOED).

ODNR contracts with local government for services (VETOED)

- Would have required ODNR to enter into a contract with municipal corporations on Lake Erie islands to reimburse them for expenses incurred in providing certain services on state park land or at facilities owned or managed by ODNR if ODNR does not provide the services (VETOED).

Local consent prior to ODNR altering a historical site

- Prohibits ODNR from physically working on or altering an oil and gas historical site without the consent of certain local entities.

Division of Wildlife

(R.C. 1533.10, 1533.11, 1533.111, 1533.32, and 1533.131)

Nonresident deer permit and fishing license fees

The act increases, from $74 to $210, the fee for each nonresident deer permit.

It also increases fishing license fees charged to a nonresident who is not a resident of a reciprocal state[117] as follows:

1. Annual fishing license fee, from $49 to $74;

2. Three-day tourist fishing license fee, from $24 to $50; and

3. One-day fishing license fee, from $13 to $26.

Gift certificates

The act expands the allowable uses for hunting and fishing related gift certificates to allow a person to obtain, pay for, or purchase both:

1. Any license, permit, or stamp that the Chief of the Division of Wildlife so designates as gift certificate eligible; and

2. Any user fee or conservation-related item, such as a magazine subscription, that the Chief so designates as gift certificate eligible.

[117] A "reciprocal state" is a state that has entered into an agreement with Ohio to charge in-state fees to nonresidents for hunting and fishing licenses (R.C. 1533.91, not in the act).

Prior law allowed gift certificates to be used only for hunting and fishing licenses; fur taker, deer, and wild turkey permits; and wetlands habitat stamps.

The act also allows, instead of requires, the Chief to adopt rules governing hunting and fishing related gift certificates. Further, it eliminates a requirement that the Chief establish fees for gift certificates that equal the total fee for the applicable license, permit, or stamp. Finally, it eliminates the requirement that a gift certificate expire one year after purchase.

Hunting on family land

The act expands which relatives may hunt and trap on an Ohio landowner's property without purchasing a hunting license, deer or wild turkey permit, or fur taker permit. As used in this context, an Ohio landowner includes:

1. An Ohio resident who owns land in Ohio;

2. An Ohio resident member of an LLC or an Ohio resident partner of an LLP, with three or fewer members or partners, that own land in Ohio; and

3. An Ohio resident trustee or an Ohio resident beneficiary of a trust that has a total of three or fewer trustees and beneficiaries, that own land in Ohio.

Hunting license

The act allows the parents of an Ohio landowner to hunt on the landowner's property without a hunting license. Under continuing law, an Ohio landowner's children and the landowner's grandchildren under 18 may do so.

Deer and wild turkey permit

The act allows an Ohio landowner's parents and grandchildren under 18 to hunt deer and wild turkey on the landowner's property without a deer or wild turkey permit. Under continuing law, an Ohio landowner's children may do so.

Fur taker permit

The act also allows an Ohio landowner's parents and grandchildren under 18 to hunt and trap fur-bearing animals on the landowner's property without a fur taker permit. Under continuing law, an Ohio landowner's children may hunt or trap fur-bearing animals on the land without a fur taker permit.

Spouse of Ohio landowner

The act allows the spouses of both in-state and out-of-state residents who own land in Ohio to hunt deer or wild turkey and hunt or trap fur-bearing animals on that property without a deer, wild turkey, or fur taker permit. Prior law did not explicitly allow the spouse of an Ohio landowner to engage in such hunting activities without a permit.

Wild boar or feral swine

(R.C. 1531.01)

The act adds various animals that are considered "wild boar" or "feral swine" for purposes of the law governing hunting and fishing. Under continuing law, a "wild boar" or "feral swine" is either of the following:

1. Members of the family suidae, including a wild pig, wild hog, feral hog, and feral pig and an old world swine, razorback, European wild boar, Russian wild boar, and any hybrids or crossbreeds thereof; or

2. Members of the family tayassuidae, including collared peccary and javelina, and any hybrids or crossbreeds of members of the family tayassuidae.

The act adds that a wild boar or feral swine also is a hog, boar, or pig that appears to be untamed, undomesticated, or in a wild state; and a wild pig, wild hog, feral hog, or feral pig that appears contained in a licensed wild animal hunting preserve or a wholly enclosed preserve for hunting or trapping. However, the act specifically excludes a domesticated pig of the family suidae that is legally confined or held in captivity from being considered a wild boar or feral swine.

Division of Oil and Gas Resources Management

Permit to plug and abandon fee

(R.C. 1509.13, conforming change in R.C. 1509.071)

The act eliminates the $250 nonrefundable permit fee to apply for a permit to plug and abandon any oil and gas well. Under continuing law, a person must apply for and receive a permit from the Chief of the Division of Oil and Gas Resources Management before plugging and abandoning a well. The act, however, retains the $500 fee an applicant must pay to receive the permit in an expedited manner, which the Chief must issue within seven days after submission of the request for expedited review.

Oil and Gas Resolution and Remediation Fund (VETOED)

(R.C. 1509.02, 1509.07, 1509.071, 1509.075, and 1509.38)

The Governor vetoed all provisions governing the creation and management of the Oil and Gas Resolution and Remediation Fund (OGRRF) in the state treasury. Those provisions would have required the Chief of the Division of Oil and Gas Resources Management to use money in the OGRRF to plug orphaned wells. The Chief would have used the OGRRF for expenses that are critical and necessary for the protection of human health and safety and the environment related to oil and gas production.

Investments (VETOED)

The act would have required the Treasurer of State to invest any portion of the OGRRF not needed for immediate use in the same manner as, and subject to all laws governing state funds.

Deposits (VETOED)

The act would have required the Treasurer of State, at the beginning of each fiscal year, to transfer to the OGRRF the amount of money in the Oil and Gas Well Fund that exceeded the total amount appropriated to it for that fiscal year. Additionally, it would have required the following to be credited to the OGRRF, rather than the Oil and Gas Well Fund:

1. The $50 filing fee for an exempt domestic well or exempt Mississippian well (that may be filed in lieu of posting a surety bond); and

2. Any funds collected by the Chief from the issuance of corrective action orders related to plugging oil and gas wells.

Interest earned (VETOED)

Interest earned on the OGRRF would have been credited to the OGRRF and reserved for use by the ODNR Director for any ODNR-related purpose, subject to the written approval of the Technical Advisory Council on Oil and Gas.

Fund transfers (VETOED)

The act would have prohibited money from being transferred out of the OGRRF by the OBM Director or the Controlling Board to any other fund, including the GRF. It also would have prohibited the OGRRF from being used for any purpose not specified in law.

Oil and gas orders – appeals

(R.C. 1509.36)

The act allows the Oil and Gas Commission to decide an appeal of an order, or part of an order, of the Chief of the Division of Oil and Gas Resources Management or a rule adopted by the Chief without a hearing when, in its judgment, it is appropriate to do so. The Oil and Gas Commission is a five-member body that hears appeals of persons claiming to be adversely affected by an order of the Chief. An appeal decided by the Commission is final unless vacated by the Franklin County Court of Common Pleas.

Division of Water Resources

H2Ohio (VETOED)

(R.C. 126.60)

The Governor vetoed a proposed prohibition against H2Ohio Fund money being used to purchase land or a conservation easement. The H2Ohio program is Ohio's statewide approach to protect and improve water quality. It is administered by ODNR, the Ohio Lake Erie Commission, the Department of Agriculture, and the Environmental Protection Agency. The fund may be used for various types of water projects; awarding or allocating grants or money for projects designed to address water quality priorities; cooperative research; and other purposes that align with a statewide strategic vision and comprehensive periodic water protection and restoration strategy.

Division of Parks and Watercraft

New funds

(R.C. 1546.25 and 1546.26)

The act creates the Park Lodges, Maintenance, and Repair Fund and the Parks and Watercraft Holding Fund, both in the state treasury as follows:

DNR fund creation		
Fund	**Money credited to fund**	**Allowable fund uses**
Park Lodges, Maintenance, and Repair Fund	Money that ODNR's Division of Parks and Watercraft receives from contractual agreements with service providers and concessionaires for state park lodges, restaurants, and marinas.	To pay maintenance and repair costs for facilities operated by concessionaires and service providers at state park lodges, restaurants, and marinas.
Parks and Watercraft Holding Fund	Money received by the Division of Parks and Watercraft from gift card sales, credit card sales, and sales conducted at field locations.	Funds are transferred to the appropriate ODNR fund. For gift card sales, the Division Chief must transfer money in the fund to the appropriate fund after gift certificates and gift cards are redeemed.

Watercraft registration certificate inspection

(R.C. 1547.54; Section 820.70)

Continuing law generally requires a watercraft's registration certificate to be on the watercraft and available for inspection at all times the watercraft is in operation. The act allows the registration certificate to be on the watercraft in either physical or digital form.

Continuing law also requires a person operating a canoe, rowboat, or inflatable watercraft on the waters of Ohio that has not been numbered and that is stopped by a law enforcement officer to present a registration certificate to the officer within 72 hours after being stopped. The act allows the registration certificate to be presented to the officer in either physical or digital form. It also applies this presentment requirement to kayaks and inflatable watercraft meeting the definition of a paddlecraft.

These provisions take effect January 1, 2027.

Rules governing preventing ice on state park's water

(R.C. 1546.04)

Under continuing law, the Chief of the ODNR Division of Parks and Watercraft, with the approval of the ODNR Director, must adopt rules that are necessary for the proper management of state parks, bodies of water, and the lands adjacent to them under its jurisdiction and control. If the Chief adopts rules for the issuance of a permit for preventing or limiting ice formation on the surface of water that is located in a state park on property owned or managed by the Division, the act prohibits the Chief from levying a permit fee.

Division of Natural Areas and Preserves: merchandise sales

(R.C. 1517.11)

The act allows the Chief of the Division of Natural Areas and Preserves to sell any of the following:

- Items related to, or that promote, Ohio's native plants and animals, unique ecology and geology, and general ecological preservation and conservation such as pins, apparel, stickers, books, bulletins, maps, publications, calendars, and other educational articles and Division-branded merchandise;
- Items pertaining to Ohio's ecology, including native plants and seeds of native plants.

The act directs all money received from the sale of merchandise for deposit into the state treasury to the credit of the existing Natural Areas and Preserves Fund.

Division of Mineral Resources Management

Long-term Abandoned Mine Reclamation Fund

(R.C. 1513.371)

The act creates the Long-Term Abandoned Mine Reclamation Fund in the state treasury to be administered by the Chief of the Division of Mineral Resources Management. The fund consists of grants awarded by the U.S. Secretary of the Interior from the federal Abandoned Mine Reclamation Fund under the federal "Infrastructure Investment and Jobs Act" (IIJA).[118] All investment earnings of the fund are credited to the fund.

The fund must be used for abatement of the causes and treatment of the effects of acid mine drainage resulting from coal mine practices. The scope of the fund's purpose includes:

- The costs of building, operating, maintaining, and rehabilitating acid mine drainage treatment systems;
- The prevention, abatement, and control of subsidence; and
- The prevention, abatement, and control of coal mine fires.

[118] Infrastructure Investment and Jobs Act, Pub. L. No. 177-58.

According to the Office of Surface Mining Reclamation and Enforcement within the U.S. Department of the Interior, "acid mine drainage" (also referred to as "acid drainage" or "AMD") is "[w]ater with a pH of less than 6.0 and in which total acidity exceeds total alkalinity, discharged from an active, inactive, or abandoned surface coal mine and reclamation operation or from an area affected by surface coal mining and reclamation operations." "Subsidence" is "[s]urface caving or sinking of a part of the earth's crust due to underground mining excavations."[119]

Qualifications/exams for certain mining industry positions

(R.C. 1561.13, 1561.18, repealed, 1561.21, repealed, 1561.22, repealed, and 1561.23; R.C. 1561.16, 1561.46, and 1561.48 (conforming changes))

The act repeals Ohio mining and quarry laws that specify the qualifications for the mining industry positions of forepersons of surface maintenance facilities, fire bosses, and shot firers.

Under continuing law, the Chief must conduct examinations for several other mining-related positions. The act specifies that for persons seeking certificates as mine forepersons, forepersons, mine electricians, and surface mine blasters, the Chief must provide examinations "as needed," instead of providing them "quarterly or more often as required" as under prior law. Finally, the act also repeals the requirement that public notice, through the press or otherwise, be given announcing the time and place at which examinations are to be held.

Program Support Fund

(R.C. 1501.47)

The act codifies the Program Support Fund, which is used by the Director to support centralized service support offices of ODNR. The fund consists of payments from divisions within ODNR and any other payments ODNR receives related to the fund's purposes.

The Program Support Fund was created in uncodified law by H.B. 110 of the 134th General Assembly in 2021.[120]

Dredging operations (VETOED)

(R.C. 1501.46)

The Governor vetoed a provision that would have prohibited ODNR, when conducting, or contracting with a third party to conduct, dredging operations in the waters of the state, from requiring a license, registration, or certification for an individual to operate the dredging equipment or watercraft associated with such operations.

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[119] U.S. Department of Interior, Office of Surface Mining Reclamation and Enforcement, "Glossary," available on the Office's website: osmre.gov.

[120] Section 343.20 of H.B. 110, 134th General Assembly (2021).

ODNR contracts with local government for services (VETOED)

(R.C. 1501.022)

The Governor vetoed a provision that would have required ODNR to enter into a contract with any municipal corporation that is located on a Lake Erie island that includes resort attractions and activities to reimburse the municipal corporation for expenses incurred in providing for any of the following services on state park land or at facilities owned or managed by ODNR, if ODNR did not provide the services:

1. Emergency response services;

2. Garbage and debris removal services;

3. Snow removal services; and

4. Any other service if the ODNR Director requests a local government to provide it.

Local consent prior to ODNR altering a historical site

(R.C. 1501.023)

The act prohibits ODNR from physically working on or altering a historical site that has been designated by the Ohio History Connection with a brown historical marker sign and has a significance with respect to Ohio's oil and gas industry, without the consent of every member of the following:

1. The board of county commissioners of the county in which the historical site is located;

2. The historical society of the county where the historical site is located; and

3. The Oil and Gas Technical Advisory Council.