

As Introduced

135th General Assembly

Regular Session

2023-2024

H. B. No. 282

Representatives Miller, J., Hillyer

**Cosponsors: Representatives McNally, Upchurch, Galonski, Miller, A., Grim,
Brewer, Somani, Isaacsohn, Brown, Weinstein, Russo, Forhan, Abdullahi, Jarrells,
Lightbody, Miranda**

A BILL

To amend section 121.083 and to enact section 1
4177.01 of the Revised Code to require the 2
Director of Commerce to establish an indoor mold 3
program. 4

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 121.083 be amended and section 5
4177.01 of the Revised Code be enacted to read as follows: 6

Sec. 121.083. (A) The superintendent of industrial 7
compliance in the department of commerce shall do all of the 8
following: 9

(1) Administer and enforce the general laws of this state 10
pertaining to buildings, pressure piping, boilers, bedding, 11
upholstered furniture, and stuffed toys, steam engineering, 12
elevators, plumbing, licensed occupations regulated by the 13
department, and travel agents, as they apply to plans review, 14
inspection, code enforcement, testing, licensing, registration, 15
and certification. 16

(2) Exercise the powers and perform the duties delegated	17
to the superintendent by the director of commerce under Chapters	18
4109., 4111., and 4115. , <u>and 4177.</u> of the Revised Code.	19
(3) Collect and collate statistics as are necessary.	20
(4) Examine and license persons who desire to act as steam	21
engineers, to operate steam boilers, and to act as inspectors of	22
steam boilers, provide for the scope, conduct, and time of such	23
examinations, provide for, regulate, and enforce the renewal and	24
revocation of such licenses, inspect and examine steam boilers	25
and make, publish, and enforce rules and orders for the	26
construction, installation, inspection, and operation of steam	27
boilers, and do, require, and enforce all things necessary to	28
make such examination, inspection, and requirement efficient.	29
(5) Rent and furnish offices as needed in cities in this	30
state for the conduct of its affairs.	31
(6) Oversee a chief of construction and compliance, a	32
chief of operations and maintenance, a chief of licensing and	33
certification, a chief of worker protection, and other designees	34
appointed by the director to perform the duties described in	35
this section.	36
(7) Enforce the rules the board of building standards	37
adopts pursuant to division (A) (2) of section 4104.43 of the	38
Revised Code under the circumstances described in division (D)	39
of that section.	40
(8) Accept submissions, establish a fee for submissions,	41
and review submissions of certified welding and brazing	42
procedure specifications, procedure qualification records, and	43
performance qualification records for building services piping	44
as required by section 4104.44 of the Revised Code.	45

(B) The superintendent may enter into a contract with a municipal corporation, township, or county building department certified by the board of building standards pursuant to division (E) of section 3781.10 of the Revised Code, or a municipal or county health district, to do any of the following on behalf of the building department or health district:

(1) Exercise enforcement authority pursuant to section 3781.03 of the Revised Code;

(2) Accept and approve plans and specifications, and make inspections, pursuant to section 3791.04 of the Revised Code;

(3) Enforce the rules adopted pursuant to division (A) (2) of section 4104.43 of the Revised Code.

Sec. 4177.01. (A) As used in this section, "mold" means microscopic organisms or fungi that can grow in damp conditions in the interior of a building, including important mycotoxin-producing organisms, such as stachybotrys chartarum, chaetomium globosum, and aspergillus versicolor.

(B) The director of commerce shall establish a mold information and awareness program to assist the public in understanding the threat of mold in buildings and the importance of the proper removal of that mold. As part of the program, the director shall do both of the following:

(1) Every five years, review technology or treatment techniques for mold identification and remediation that provide additional protections to public health and safety. The review shall be performed in accordance with rules adopted under this section and include an examination of any new scientific evidence that indicates that mold may present a greater health risk to the public than previously determined.

(2) Establish a public awareness campaign on the dangers of mold in accordance with rules adopted under this section. As part of the campaign, the director shall disseminate information via brochures and the department of commerce's web site. 75
76
77
78

(C) The director shall adopt rules in accordance with Chapter 119. of the Revised Code establishing all of the following: 79
80
81

(1) Requirements and procedures for the review required under division (B)(1) of this section; 82
83

(2) Requirements and procedures for the public awareness campaign established under division (B)(2) of this section. The rules shall ensure that the campaign educates the public on the health effects of mold in damp and water-damaged buildings, methods of identification and remediation of mold, and contact information for organizations or government agencies that can assist the public with their concerns. 84
85
86
87
88
89
90

(3) Any other procedures or requirements necessary to implement and administer this section. 91
92

(D) Notwithstanding any provision of section 121.95 of the Revised Code to the contrary, a regulatory restriction contained in a rule adopted under division (C) of this section is not subject to sections 121.95 to 121.953 of the Revised Code. 93
94
95
96

Section 2. That existing section 121.083 of the Revised Code is hereby repealed. 97
98

Section 3. (A) As used in this section, "mold" has the same meaning as in section 3723.30 of the Revised Code. 99
100

(B) The Department of Commerce shall study any adverse effects to humans from exposure to mold in damp and water- 101
102

damaged buildings. The Department shall consult with medical	103
research institutions and organizations with expertise on the	104
adverse health effects from exposure to mold.	105
(C) Not later than one year after the effective date of	106
this section, the Department shall submit its findings to the	107
General Assembly.	108