



OHIO BUILDING OFFICIALS ASSOCIATION



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May 5, 2020

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The Honorable Scott Wiggam
Chair, House State and Local Government Committee
77 S High St Fl 13
Columbus OH 43215-6108
Via e-mail Dillon.Barto@Ohiohouse.gov

SUBJECT: Opposition Testimony on Sub SB 1 before the House of
Representatives State & Local Government Committee

1. Introduction. Chairman Wiggam, Vice Chair Ginter, Ranking Member Kelly, and members of the committee. Thank you for allowing me to submit this testimony on Substitute Senate Bill 1 (Sub SB 1). My name is Charles Huber, serving on Ohio Building Officials' Association's (OBOA) Legislation Committee [(M) 330-389-2954, e-mail chuber@fboa.org]. OBOA is a professional organization consisting of approximately 1,000 members most of whom administer construction and fire rules. Our membership includes private sector architects, professional engineers, other construction designers, and construction contractors. Our members include employees and officials in State government. However, my testimony has been neither specifically coordinated nor endorsed by any State government employee or official. Some portions reflect existing general policy of the Ohio Board of Building Standards (BBS) and the Division of State Fire Marshal (SFM), both of which are within the Department of Commerce.
2. Previous Testimony. Proponent Testimony provided to the Senate Government Oversight & Reform Committee February 26, 2019 on SB 1 and to this Committee April 10, 2019 on HB 115 by James Broughel PhD, George Mason University's, Mercatus Center lists Ohio's top 10 agency restrictions with SFM #3, BBS's Ohio Building Code #4, and BBS's Residential Code of Ohio #6. This caused OBOA to provide Interested Party Testimony May 7, 2019 to the Senate's Committee providing background on the construction and fire codes' size, sophistication, and the possible impacts of SB 1.
3. Sponsors' Testimony & Sub SB 1 Revision. Sen Kristina Roegner, one of Sub SB 1's Sponsors, June 12, 2019 responding to questions of the House State and Local Government Committee twice cited revisions now included at lines 403 – 405 exempting, "(4) A regulatory restriction contained in materials or documents incorporated by reference into a rule pursuant to sections 121.71 to 121.75 of the Revised Code;" as excluding Ohio's building codes. OBOA supports the Sponsors' position to exempt Ohio's construction and fire

codes. However, for various reasons, BBS and SFM rather than adopt the International Code Council's (ICC) building and fire codes by reference with a few Ohio changes have reproduced those ICC model codes with Ohio changes into Ohio Administrative Code.

4. Suggested Further Revision. OBOA asks this Committee and the Sub SB 1 Sponsors to revise lines 403 – 405 to read, "(4) A regulatory restriction substantially based on or adopting documents that are industry standards;" My project officer's Charles Huber, (M) 330-389-2954, e-mail chuber@fboa.org