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S.B. 203
135th General Assembly

Bill Analysis

Version: As Introduced

Primary Sponsor: Sen. Hicks-Hudson

Austin C. Strohacker, Attorney

SUMMARY

- Requires state and local fire code officials to accept an inspection conducted or permit issued by another jurisdiction as conclusive evidence of a mobile food service operation's compliance with the fire code.

DETAILED ANALYSIS

The bill makes changes to how mobile food service operations demonstrate compliance with the state's Fire Code. Under current law, unchanged by the bill, political subdivisions may regulate fire safety requirements related to mobile food service operation ("operation"). As used in the bill, "**mobile food service operation**" means a food service operation that is operated from a movable vehicle, portable structure, or watercraft and that routinely changes location, except that if the operation remains at any one location for more than 40 consecutive days, the operation is no longer a mobile food service operation.¹ Depending on the number and location of political subdivisions in which the operation serves, the operator may be subjected to permitting or inspections from multiple subdivisions.

The bill specifies that if a fire code official with jurisdiction over an operation conducts a favorable inspection, or issues a permit to the operation, that inspection or permit must be considered conclusive evidence of the operation's compliance with all state and local fire code regulations addressed in the inspection or permit.² The bill prohibits fire code inspectors from requiring additional inspections or permits when presented with this conclusive evidence of compliance.³ This means that an operator who receives proof of compliance in one political

¹ R.C. 3737.834(A)(1); R.C. 3737.01(I), not in the bill.

² R.C. 3737.834(B).

³ R.C. 3737.834(D).

subdivision may use that to prove compliance in another political subdivision that requires a similar permit or inspection. A favorable inspection or permit remains conclusive evidence of Fire Code compliance for the duration specified in the inspection report or permit. If there is no duration specified, it remains conclusive evidence for one year after the inspection or the issuance of the permit.⁴

HISTORY

Action	Date
Introduced	12-11-23

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⁴ R.C. 3737.834(C).