

As Passed by the House

135th General Assembly

Regular Session

2023-2024

Am. H. B. No. 129

Representative Patton

Cosponsors: Representatives Abrams, Brennan, Brown, Callender, Carruthers, Cutrona, Dell'Aquila, Edwards, Jones, Lightbody, Loychik, Manning, Miller, A., Rogers, Sweeney, Thomas, C., Upchurch

A BILL

To amend sections 715.27, 3781.102, 4740.01, 1
4740.02, 4740.04, 4740.12, 4740.13, and 4764.03 2
of the Revised Code to require licensure of 3
commercial roofing contractors and to amend the 4
versions of sections 715.27 and 3781.102 of the 5
Revised Code that are scheduled to take effect 6
on December 29, 2023, to continue the change on 7
and after that date. 8

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

Section 1. That sections 715.27, 3781.102, 4740.01, 9
4740.02, 4740.04, 4740.12, 4740.13, and 4764.03 of the Revised 10
Code be amended to read as follows: 11

Sec. 715.27. (A) Any municipal corporation may: 12

(1) Regulate the erection of fences, billboards, signs, 13
and other structures, within the municipal corporation, and 14
provide for the removal and repair of insecure billboards, 15
signs, and other structures; 16

(2) Regulate the construction and repair of wires, poles, plants, and all equipment to be used for the generation and application of electricity;

(3) Provide for the licensing of house movers; plumbers; sewer tappers; vault cleaners; and specialty contractors who are not required to hold a valid license issued pursuant to Chapter 4740. of the Revised Code;

(4) Require all specialty contractors other than those who hold a valid license issued pursuant to Chapter 4740. of the Revised Code, to successfully complete an examination, test, or demonstration of technical skills, and may impose a fee and additional requirements for a license or registration to engage in their respective occupations within the jurisdiction of the municipal corporation.

(B) No municipal corporation shall require any specialty contractor who holds a valid license issued pursuant to Chapter 4740. of the Revised Code to complete an examination, test, or demonstration of technical skills to engage in the type of contracting for which the license is held, within the municipal corporation.

(C) A municipal corporation may require a specialty contractor who holds a valid license issued pursuant to Chapter 4740. of the Revised Code to register with the municipal corporation and pay any fee the municipal corporation imposes before that specialty contractor may engage within the municipal corporation in the type of contracting for which the license is held. Any fee shall be the same for all specialty contractors who engage in the same type of contracting. A municipal corporation may require a bond and proof of all of the following:

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| (1) Insurance pursuant to division (B) (4) of section 4740.06 of the Revised Code; | 47 48 |
| (2) Compliance with Chapters 4121. and 4123. of the Revised Code; | 49 50 |
| (3) Registration with the tax department of the municipal corporation. | 51 52 |
| If a municipal corporation requires registration, imposes such a fee, or requires a bond or proof of the items listed in divisions (C) (1), (2), and (3) of this section, the municipal corporation immediately shall permit a contractor who presents proof of holding a valid license issued pursuant to Chapter 4740. of the Revised Code, who registers, pays the fee, obtains a bond, and submits the proof described under divisions (C) (1), (2), and (3) of this section, as required, to engage in the type of contracting for which the license is held, within the municipal corporation. | 53 54 55 56 57 58 59 60 61 62 |
| (D) A municipal corporation may revoke the registration of a contractor registered with that municipal corporation for good cause shown. Good cause shown includes the failure of a contractor to maintain a bond or the items listed in divisions (C) (1), (2), and (3) of this section, if the municipal corporation requires those. | 63 64 65 66 67 68 |
| (E) A municipal corporation that licenses specialty contractors pursuant to division (A) (3) of this section may accept, for purposes of satisfying its licensing requirements, a valid license issued pursuant to Chapter 4740. of the Revised Code that a specialty contractor holds, for the construction, replacement, maintenance, or repair of one-family, two-family, or three-family dwelling houses or accessory structures | 69 70 71 72 73 74 75 |

incidental to those dwelling houses. 76

(F) A municipal corporation shall not register a specialty 77
contractor who is required to hold a license under Chapter 4740. 78
of the Revised Code but does not hold a valid license issued 79
under that chapter. 80

(G) As used in this section, "specialty contractor" means 81
a heating, ventilating, and air conditioning contractor, 82
refrigeration contractor, electrical contractor, plumbing 83
contractor, ~~or~~ hydronics contractor, or roofing contractor, as 84
those contractors are described in Chapter 4740. of the Revised 85
Code. 86

Sec. 3781.102. (A) Any county or municipal building 87
department certified pursuant to division (E) of section 3781.10 88
of the Revised Code as of September 14, 1970, and that, as of 89
that date, was inspecting single-family, two-family, and three- 90
family residences, and any township building department 91
certified pursuant to division (E) of section 3781.10 of the 92
Revised Code, is hereby declared to be certified to inspect 93
single-family, two-family, and three-family residences 94
containing industrialized units, and shall inspect the buildings 95
or classes of buildings subject to division (E) of section 96
3781.10 of the Revised Code. 97

(B) Each board of county commissioners may adopt, by 98
resolution, rules establishing standards and providing for the 99
licensing of electrical and heating, ventilating, and air 100
conditioning contractors who are not required to hold a valid 101
and unexpired license pursuant to Chapter 4740. of the Revised 102
Code. 103

Rules adopted by a board of county commissioners pursuant 104

to this division may be enforced within the unincorporated areas 105
of the county and within any municipal corporation where the 106
legislative authority of the municipal corporation has 107
contracted with the board for the enforcement of the county 108
rules within the municipal corporation pursuant to section 109
307.15 of the Revised Code. The rules shall not conflict with 110
rules adopted by the board of building standards pursuant to 111
section 3781.10 of the Revised Code or by the department of 112
commerce pursuant to Chapter 3703. of the Revised Code. This 113
division does not impair or restrict the power of municipal 114
corporations under Section 3 of Article XVIII, Ohio 115
Constitution, to adopt rules concerning the erection, 116
construction, repair, alteration, and maintenance of buildings 117
and structures or of establishing standards and providing for 118
the licensing of specialty contractors pursuant to section 119
715.27 of the Revised Code. 120

A board of county commissioners, pursuant to this 121
division, may require all electrical contractors and heating, 122
ventilating, and air conditioning contractors, other than those 123
who hold a valid and unexpired license issued pursuant to 124
Chapter 4740. of the Revised Code, to successfully complete an 125
examination, test, or demonstration of technical skills, and may 126
impose a fee and additional requirements for a license to engage 127
in their respective occupations within the jurisdiction of the 128
board's rules under this division. 129

(C) No board of county commissioners shall require any 130
specialty contractor who holds a valid and unexpired license 131
issued pursuant to Chapter 4740. of the Revised Code to 132
successfully complete an examination, test, or demonstration of 133
technical skills in order to engage in the type of contracting 134
for which the license is held, within the unincorporated areas 135

of the county and within any municipal corporation whose 136
legislative authority has contracted with the board for the 137
enforcement of county regulations within the municipal 138
corporation, pursuant to section 307.15 of the Revised Code. 139

(D) A board may impose a fee for registration of a 140
specialty contractor who holds a valid and unexpired license 141
issued pursuant to Chapter 4740. of the Revised Code before that 142
specialty contractor may engage in the type of contracting for 143
which the license is held within the unincorporated areas of the 144
county and within any municipal corporation whose legislative 145
authority has contracted with the board for the enforcement of 146
county regulations within the municipal corporation, pursuant to 147
section 307.15 of the Revised Code, provided that the fee is the 148
same for all specialty contractors who wish to engage in that 149
type of contracting. If a board imposes such a fee, the board 150
immediately shall permit a specialty contractor who presents 151
proof of holding a valid and unexpired license and pays the 152
required fee to engage in the type of contracting for which the 153
license is held within the unincorporated areas of the county 154
and within any municipal corporation whose legislative authority 155
has contracted with the board for the enforcement of county 156
regulations within the municipal corporation, pursuant to 157
section 307.15 of the Revised Code. 158

(E) The political subdivision associated with each 159
municipal, township, and county building department the board of 160
building standards certifies pursuant to division (E) of section 161
3781.10 of the Revised Code may prescribe fees to be paid by 162
persons, political subdivisions, or any department, agency, 163
board, commission, or institution of the state, for the 164
acceptance and approval of plans and specifications, and for the 165
making of inspections, pursuant to sections 3781.03 and 3791.04 166

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| of the Revised Code. | 167 |
| (F) Each political subdivision that prescribes fees | 168 |
| pursuant to division (E) of this section shall collect, on | 169 |
| behalf of the board of building standards, fees equal to the | 170 |
| following: | 171 |
| (1) Three per cent of the fees the political subdivision | 172 |
| collects in connection with nonresidential buildings; | 173 |
| (2) One per cent of the fees the political subdivision | 174 |
| collects in connection with residential buildings. | 175 |
| (G) (1) The board shall adopt rules, in accordance with | 176 |
| Chapter 119. of the Revised Code, specifying the manner in which | 177 |
| the fee assessed pursuant to division (F) of this section shall | 178 |
| be collected and remitted monthly to the board. The board shall | 179 |
| pay the fees into the state treasury to the credit of the | 180 |
| industrial compliance operating fund created in section 121.084 | 181 |
| of the Revised Code. | 182 |
| (2) All money credited to the industrial compliance | 183 |
| operating fund under this division shall be used exclusively for | 184 |
| the following: | 185 |
| (a) Operating costs of the board; | 186 |
| (b) Providing services, including educational programs, | 187 |
| for the building departments that are certified by the board | 188 |
| pursuant to division (E) of section 3781.10 of the Revised Code; | 189 |
| (c) Paying the expenses of the residential construction | 190 |
| advisory committee, including the expenses of committee members | 191 |
| as provided in section 4740.14 of the Revised Code. | 192 |
| (H) A board of county commissioners that adopts rules | 193 |
| providing for the licensing of electrical and heating, | 194 |

ventilating, and air conditioning contractors, pursuant to 195
division (B) of this section, may accept, for purposes of 196
satisfying the requirements of rules adopted under that 197
division, a valid and unexpired license issued pursuant to 198
Chapter 4740. of the Revised Code that is held by an electrical 199
or heating, ventilating, and air conditioning contractor, for 200
the construction, replacement, maintenance, or repair of one- 201
family, two-family, or three-family dwelling houses or accessory 202
structures incidental to those dwelling houses. 203

(I) A board of county commissioners shall not register a 204
specialty contractor who is required to hold a license under 205
Chapter 4740. of the Revised Code but does not hold a valid 206
license issued under that chapter. 207

(J) As used in this section, "specialty contractor" means 208
a heating, ventilating, and air conditioning contractor, 209
refrigeration contractor, electrical contractor, plumbing 210
contractor, ~~or~~ hydronics contractor, or roofing contractor, as 211
those contractors are described in Chapter 4740. of the Revised 212
Code. 213

Sec. 4740.01. As used in this chapter: 214

(A) "License" means a license the Ohio construction 215
industry licensing board issues to an individual as a heating, 216
ventilating, and air conditioning contractor, refrigeration 217
contractor, electrical contractor, plumbing contractor, ~~or~~ 218
hydronics contractor, or roofing contractor. 219

(B) "Contractor" means any individual or contracting 220
company that satisfies both of the following: 221

(1) Has responsibility for the means, method, and manner 222
of construction, improvement, renovation, repair, or maintenance 223

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| on a construction project with respect to one or more trades and | 224 |
| who offers, identifies, advertises, or otherwise holds out or | 225 |
| represents that the individual or contracting company is | 226 |
| permitted or qualified to perform or have responsibility for the | 227 |
| means, method, and manner of construction, improvement, | 228 |
| renovation, repair, or maintenance with respect to one or more | 229 |
| trades on a construction project; | 230 |
| (2) Does either of the following: | 231 |
| (a) Performs construction, improvement, or renovation on a | 232 |
| construction project with respect to the individual's or | 233 |
| contracting company's trade; | 234 |
| (b) Employs tradespersons who perform construction, | 235 |
| improvement, or renovation on a construction project with | 236 |
| respect to the individual's or contracting company's trades. | 237 |
| (C) "Contracting company" means a company in the | 238 |
| construction industry working on construction projects. | 239 |
| (D) "Licensed trade" means a trade performed by a heating, | 240 |
| ventilating, and air conditioning contractor, a refrigeration | 241 |
| contractor, an electrical contractor, a plumbing contractor, or | 242 |
| a hydronics contractor, <u>or a roofing contractor</u> . | 243 |
| (E) "Tradesperson" means any individual who is employed by | 244 |
| a contractor and who engages in construction, improvement, | 245 |
| renovation, repair, or maintenance of buildings or structures | 246 |
| without assuming responsibility for the means, method, or manner | 247 |
| of that construction, improvement, renovation, repair, or | 248 |
| maintenance. | 249 |
| (F) "Construction project" means a construction project | 250 |
| involving a building or structure subject to Chapter 3781. of | 251 |
| the Revised Code and the rules adopted under that chapter, but | 252 |

not an industrialized unit or a residential building as defined 253
in section 3781.06 of the Revised Code. 254

(G) "Training agency" means an entity approved by the 255
administrative section of the board to provide continuing 256
education courses. 257

Sec. 4740.02. (A) There is hereby created within the 258
department of commerce, the Ohio construction industry licensing 259
board, consisting of ~~seventeen~~ twenty-two residents of this 260
state. The board shall have an administrative section and ~~three~~ 261
four specialty sections: a plumbing and hydronics section, an 262
electrical section, ~~and~~ a heating, ventilating, air 263
conditioning, and refrigeration section, and a roofing section. 264
The director of commerce shall appoint all members of the board. 265
The director or the director's designee shall serve as a member 266
of the administrative section and the director shall appoint to 267
the section to represent the public, one member who is not a 268
member of any group certified by any section of the board. Each 269
section, other than the administrative section, shall annually 270
elect a member of its section to serve a one-year term on the 271
administrative section. 272

(B) The plumbing and hydronics section consists of five 273
members, one of whom is a plumbing inspector employed by the 274
department of commerce, a municipal corporation, or a health 275
district, two of whom are plumbing contractors who have no 276
affiliation with any union representing plumbers, and two of 277
whom are plumbing contractors who are signatories to agreements 278
with unions representing plumbers. 279

The plumbing and hydronics section has primary 280
responsibility for the licensure of plumbing contractors and 281
hydronics contractors. 282

(C) The electrical section consists of five members, one 283
of whom is an electrical inspector employed by the department of 284
commerce, a municipal corporation, or a county, two of whom are 285
electrical contractors who have no affiliation with any union 286
representing electricians, and two of whom are electrical 287
contractors who are signatories to agreements with unions 288
representing electricians. 289

The electrical section has primary responsibility for the 290
licensure of electrical contractors. 291

(D) The heating, ventilating, air conditioning, and 292
refrigeration section consists of five members, one of whom is a 293
heating, ventilating, air conditioning, and refrigeration 294
inspector employed by either the department of commerce or a 295
municipal corporation; two of whom are heating, ventilating, and 296
air conditioning contractors or refrigeration contractors who 297
have no affiliation with any union representing heating, 298
ventilating, and air conditioning tradespersons or refrigeration 299
tradespersons; and two of whom are heating, ventilating, and air 300
conditioning contractors or refrigeration contractors who are 301
signatories to agreements with unions representing heating, 302
ventilating, and air conditioning tradespersons or refrigeration 303
tradespersons. 304

The heating, ventilating, air conditioning, and 305
refrigeration section has primary responsibility for the 306
licensure of heating, ventilating, and air conditioning 307
contractors and refrigeration contractors. 308

(E) The roofing section consists of five members, one of 309
whom is a building inspector employed by the department of 310
commerce or a municipal corporation, two of whom are roofing 311
contractors who have no affiliation with any union representing 312

roofers, and two of whom are roofing contractors who are 313
signatories to agreements with unions representing roofers. The 314
roofing section has primary responsibility for the licensure of 315
roofing contractors. 316

(F) (1) Within ninety days after July 31, 1992, initial 317
appointments shall be made to the board. Of the initial 318
appointments to the board, two appointments in each section, 319
other than the administrative section, are for terms ending one 320
year after July 31, 1992, and two are for terms ending two years 321
after July 31, 1992. All other appointments to the board are for 322
terms ending three years after July 31, 1992. 323

Within ninety days after the effective date of this 324
amendment, initial appointments shall be made to the roofing 325
section of the board. Two initial appointments in the section 326
shall be for terms ending one year after the effective date of 327
this amendment, two initial appointments shall be for terms 328
ending two years after the effective date of this amendment, and 329
the remaining initial appointment shall be for a term ending 330
three years after the effective date of this amendment. 331

(2) Thereafter, terms of office are for three years, each 332
term ending on the same day of the same month of the year as did 333
the term that it succeeds. Each member shall hold office from 334
the date of appointment until the end of the term for which the 335
member was appointed. Members may be reappointed. Vacancies 336
shall be filled in the manner provided for original 337
appointments. Any member appointed to fill a vacancy occurring 338
prior to the expiration of the term for which the member's 339
predecessor was appointed shall hold office as a member for the 340
remainder of that term. A member shall continue in office 341
subsequent to the expiration of a term until a successor takes 342

office or until a period of sixty days has elapsed, whichever 343
occurs first. 344

~~(F)~~ (G) Before entering upon the discharge of official 345
duties, each member shall take the oath of office required by 346
Section 7 of Article XV, Ohio Constitution. 347

~~(G)~~ (H) Each member, except for the director or the 348
director's designee, shall receive a per diem amount fixed 349
pursuant to section 124.15 of the Revised Code when actually 350
attending to matters of the board and for the time spent in 351
necessary travel, and all actual and necessary expenses incurred 352
in the discharge of official duties. 353

~~(H)~~ (I) The director of commerce may remove any member of 354
the board the director appoints for malfeasance, misfeasance, or 355
nonfeasance. 356

~~(I)~~ (J) Membership on the board and holding any office of 357
the board does not constitute holding a public office or 358
employment within the meaning of any section of the Revised 359
Code, or an interest, either direct or indirect, in a contract 360
or expenditure of money by the state or any municipal 361
corporation, township, special district, school district, 362
county, or other political subdivision. No member or officer of 363
the board is disqualified from holding any public office or 364
employment nor shall the officer or member forfeit any public 365
office or employment by reason of holding a position as an 366
officer or member of the board. 367

~~(J)~~ (K) The board, and each section of the board, shall 368
meet only after adequate advance notice of the meeting has been 369
given to each member of the board or section, as appropriate. 370

Sec. 4740.04. The administrative section of the Ohio 371

construction industry licensing board is responsible for the 372
administration of this chapter and shall do all of the 373
following: 374

(A) Schedule the contractor examinations each of the other 375
sections of the board directs. Each type of examination shall be 376
held at least four times per year. 377

(B) Select and contract with one or more persons to do all 378
of the following relative to the examinations: 379

(1) Prepare, administer, score, and maintain the 380
confidentiality of the examinations; 381

(2) Be responsible for all the expenses required to 382
fulfill division (B) (1) of this section; 383

(3) Charge an applicant a fee in an amount the 384
administrative section of the board authorizes for administering 385
the examination. 386

(C) Issue and renew licenses as follows: 387

(1) Issue a license to any individual who the appropriate 388
specialty section of the board determines is qualified pursuant 389
to section 4740.06 of the Revised Code to hold a license and has 390
attained, within the twelve months preceding the individual's 391
application for licensure, a score on the examination that the 392
appropriate specialty section authorizes for the licensed trade. 393

(a) Each license shall include the contractor's name, 394
license number, expiration date, and the name of the contracting 395
company associated with the individual, as applicable. 396

(b) Each license issued to an individual who holds more 397
than one valid license shall contain the same license number and 398
expiration date as the original license issued to that 399

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| individual. | 400 |
| (2) Renew licenses for individuals who meet the renewal requirements of section 4740.06 of the Revised Code. | 401 402 |
| (D) Make an annual written report to the director of commerce on proceedings had by or before the board for the previous year and make an annual statement of all money received and expended by the board during the year; | 403 404 405 406 |
| (E) Keep a record containing the name, address, the date on which the board issues or renews a license to, and the license number of, every heating, ventilating, and air conditioning contractor, refrigeration contractor, electrical contractor, plumbing contractor, and hydronics contractor, <u>and roofing contractor</u> issued a license pursuant to this chapter; | 407 408 409 410 411 412 |
| (F) Regulate a contractor's use and display of a license issued pursuant to this chapter and of any information contained in that license; | 413 414 415 |
| (G) Adopt rules in accordance with Chapter 119. of the Revised Code as necessary to properly discharge the administrative section's duties under this chapter. The rules shall include, but not be limited to, the following: | 416 417 418 419 |
| (1) Application procedures for examinations; | 420 |
| (2) Specifications for continuing education requirements for license renewal that address all of the following: | 421 422 |
| (a) A requirement that an individual who holds any number of valid and unexpired licenses accrue a total of ten hours of continuing education courses per year; | 423 424 425 |
| (b) Fees the board charges to persons who provide continuing education courses, in an amount of twenty-five | 426 427 |

dollars annually for each person approved to provide courses, 428
not more than ten dollars plus one dollar per credit hour for 429
each course submitted to a specialty section of the board for 430
approval according to division (F) of section 4740.05 of the 431
Revised Code, and one dollar per credit hour of instruction per 432
attendee; 433

(c) A provision limiting approval of continuing education 434
courses to one year. 435

(3) Requirements for criminal records checks of applicants 436
under section 4776.03 of the Revised Code. 437

(H) Adopt any continuing education curriculum as the other 438
sections of the board establish or approve pursuant to division 439
(F) of section 4740.05 of the Revised Code; 440

(I) Keep a record of its proceedings and do all things 441
necessary to carry out this chapter. 442

Sec. 4740.12. (A) No political subdivision, district, or 443
agency of the state may adopt an ordinance or rule that requires 444
contractor registration and the assessment of a registration or 445
license fee unless that ordinance or rule also requires any 446
contractor who registers and pays the registration or license 447
fee to be licensed in the contractor's trade pursuant to this 448
chapter. 449

(B) Except as provided in division (A) of this section, 450
nothing in this chapter shall be construed to limit the 451
operation of any statute or rule of this state or any ordinance 452
or rule of any political subdivision, district, or agency of the 453
state that does either of the following: 454

(1) Regulates the installation, repair, maintenance, or 455
alteration of plumbing systems, hydronics systems, electrical 456

systems, heating, ventilating, and air conditioning systems, ~~or~~ 457
refrigeration systems, or roofing systems; 458

(2) Requires the registration and assessment of a 459
registration or license fee of tradespersons who perform 460
heating, ventilating, and air conditioning, refrigeration, 461
electrical, plumbing, ~~or hydronics~~, or roofing construction, 462
improvement, renovation, repair, or maintenance. 463

Sec. 4740.13. (A) ~~No~~ Except as provided in division (E) of 464
this section, no person shall act as or claim to be a type of 465
contractor that this chapter licenses unless that person holds 466
or has been assigned a license issued pursuant to this chapter 467
for the type of contractor that person is acting as or claiming 468
to be. 469

(B) Upon the request of the appropriate specialty section 470
of the Ohio construction industry licensing board, the attorney 471
general may bring a civil action for appropriate relief, 472
including but not limited to a temporary restraining order or 473
permanent injunction in the court of common pleas of the county 474
where the unlicensed person resides or is acting as or claiming 475
to be a licensed contractor. 476

(C) A contractor licensed under this chapter may install, 477
service, and maintain the related or interfaced control wiring 478
for equipment and devices related to their specific license, on 479
the condition that the control wiring is less than twenty-five 480
volts. 481

(D) A person is not an electrical contractor subject to 482
licensure under this chapter for work that is limited to the 483
construction, improvement, renovation, repair, testing, or 484
maintenance of the following systems using less than fifty volts 485

of electricity: fire alarm or burglar alarm, cabling, tele-data 486
sound, communication, and landscape lighting and irrigation. 487

(E) A person may act as or claim to be a roofing 488
contractor without holding or being assigned a roofing 489
contractor's license issued pursuant to this chapter on a 490
construction project for which the installation, repair, 491
maintenance, or alteration of the roofing system is fairly 492
estimated to cost less than twenty thousand dollars. No person 493
shall subdivide a construction project into component parts so 494
that the cost of the roofing system is fairly estimated to be 495
less than twenty thousand dollars unless the project's component 496
parts are conceptually separate and unrelated to each other or 497
encompass independent and unrelated needs. 498

Sec. 4764.03. Section 4764.02 of the Revised Code does not 499
apply to any person described as follows if the person is acting 500
within the scope of practice of the person's respective 501
profession: 502

(A) A person who is employed by or whose services 503
otherwise are retained by this state or a political subdivision 504
of this state for the purpose of enforcing building codes; 505

(B) A person holding a valid certificate to practice 506
architecture issued under Chapter 4703. of the Revised Code; 507

(C) A person registered as a professional engineer under 508
Chapter 4733. of the Revised Code; 509

(D) A heating, ventilating, and air conditioning 510
contractor, refrigeration contractor, electrical contractor, 511
plumbing contractor, ~~or~~ hydronics contractor, or roofing 512
contractor who is licensed under Chapter 4740. or section 513
3781.102 of the Revised Code or who is licensed or registered 514

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| under section 715.27 of the Revised Code; | 515 |
| (E) A real estate broker, real estate salesperson, foreign real estate dealer, or foreign real estate salesperson who is licensed under Chapter 4735. of the Revised Code; | 516 517 518 |
| (F) A real estate appraiser who is licensed under Chapter 4763. of the Revised Code; | 519 520 |
| (G) A public insurance adjuster who holds a valid certificate of authority issued under Chapter 3951. of the Revised Code or an employee or representative of an insurer licensed to transact business in this state under Title XXXIX of the Revised Code who conducts an inspection of any property or structure for purposes related to the business of insurance; | 521 522 523 524 525 526 |
| (H) A commercial applicator of pesticide who is licensed under Chapter 921. of the Revised Code. | 527 528 |
| Section 2. That existing sections 715.27, 3781.102, 4740.01, 4740.02, 4740.04, 4740.12, 4740.13, and 4764.03 of the Revised Code are hereby repealed. | 529 530 531 |
| Section 3. Sections 1 and 2 of this act, other than the amendments to section 4740.02 of the Revised Code, shall take effect one hundred eighty days after the effective date of this section. | 532 533 534 535 |
| Section 4. That the versions of sections 715.27 and 3781.102 of the Revised Code that are scheduled to take effect December 29, 2023, be amended to read as follows: | 536 537 538 |
| Sec. 715.27. (A) Any municipal corporation may: | 539 |
| (1) Regulate the erection of fences, billboards, signs, and other structures, within the municipal corporation, and provide for the removal and repair of insecure billboards, | 540 541 542 |

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| signs, and other structures; | 543 |
| (2) Regulate the construction and repair of wires, poles, plants, and all equipment to be used for the generation and application of electricity; | 544 545 546 |
| (3) Provide for the licensing of house movers; plumbers; sewer tappers; vault cleaners; and specialty contractors who are not required to hold a valid license issued pursuant to Chapter 4740. of the Revised Code; | 547 548 549 550 |
| (4) Require all specialty contractors other than those who hold a valid license issued pursuant to Chapter 4740. of the Revised Code, to successfully complete an examination, test, or demonstration of technical skills, and may impose a fee and additional requirements for a license or registration to engage in their respective occupations within the jurisdiction of the municipal corporation. | 551 552 553 554 555 556 557 |
| (B) No municipal corporation shall require any specialty contractor who holds a valid license issued pursuant to Chapter 4740. of the Revised Code to complete an examination, test, or demonstration of technical skills to engage in the type of contracting for which the license is held, within the municipal corporation. | 558 559 560 561 562 563 |
| (C) A municipal corporation may require a specialty contractor who holds a valid license issued pursuant to Chapter 4740. of the Revised Code to register with the municipal corporation and pay any fee the municipal corporation imposes before that specialty contractor may engage within the municipal corporation in the type of contracting for which the license is held. Any fee shall be the same for all specialty contractors who engage in the same type of contracting. A municipal | 564 565 566 567 568 569 570 571 |

corporation may require a bond and proof of all of the 572
following: 573

(1) Insurance pursuant to division (B) (4) of section 574
4740.06 of the Revised Code; 575

(2) Compliance with Chapters 4121. and 4123. of the 576
Revised Code; 577

(3) Registration with the tax department of the municipal 578
corporation. 579

If a municipal corporation requires registration, imposes 580
such a fee, or requires a bond or proof of the items listed in 581
divisions (C) (1), (2), and (3) of this section, the municipal 582
corporation immediately shall permit a contractor who presents 583
proof of holding a valid license issued pursuant to Chapter 584
4740. of the Revised Code, who registers, pays the fee, obtains 585
a bond, and submits the proof described under divisions (C) (1), 586
(2), and (3) of this section, as required, to engage in the type 587
of contracting for which the license is held, within the 588
municipal corporation. 589

(D) A municipal corporation may revoke the registration of 590
a contractor registered with that municipal corporation for good 591
cause shown. Good cause shown includes the failure of a 592
contractor to maintain a bond or the items listed in divisions 593
(C) (1), (2), and (3) of this section, if the municipal 594
corporation requires those. 595

(E) A municipal corporation that licenses specialty 596
contractors pursuant to division (A) (3) of this section may 597
accept, for purposes of satisfying its licensing requirements, a 598
valid license issued pursuant to Chapter 4740. of the Revised 599
Code that a specialty contractor holds, for the construction, 600

replacement, maintenance, or repair of one-family, two-family, 601
or three-family dwelling houses or accessory structures 602
incidental to those dwelling houses. 603

(F) A municipal corporation shall not register a specialty 604
contractor who is required to hold a license under Chapter 4740. 605
of the Revised Code but does not hold a valid license issued 606
under that chapter. 607

(G) If a municipal corporation regulates a profession, 608
occupation, or occupational activity under this section, the 609
municipal corporation shall comply with Chapter 4796. of the 610
Revised Code. 611

(H) As used in this section, "specialty contractor" means 612
a heating, ventilating, and air conditioning contractor, 613
refrigeration contractor, electrical contractor, plumbing 614
contractor, ~~or~~ hydronics contractor, or roofing contractor, as 615
those contractors are described in Chapter 4740. of the Revised 616
Code. 617

Sec. 3781.102. (A) Any county or municipal building 618
department certified pursuant to division (E) of section 3781.10 619
of the Revised Code as of September 14, 1970, and that, as of 620
that date, was inspecting single-family, two-family, and three- 621
family residences, and any township building department 622
certified pursuant to division (E) of section 3781.10 of the 623
Revised Code, is hereby declared to be certified to inspect 624
single-family, two-family, and three-family residences 625
containing industrialized units, and shall inspect the buildings 626
or classes of buildings subject to division (E) of section 627
3781.10 of the Revised Code. 628

(B) Each board of county commissioners may adopt, by 629

resolution, rules establishing standards and providing for the 630
licensing of electrical and heating, ventilating, and air 631
conditioning contractors who are not required to hold a valid 632
and unexpired license pursuant to Chapter 4740. of the Revised 633
Code. 634

Rules adopted by a board of county commissioners pursuant 635
to this division may be enforced within the unincorporated areas 636
of the county and within any municipal corporation where the 637
legislative authority of the municipal corporation has 638
contracted with the board for the enforcement of the county 639
rules within the municipal corporation pursuant to section 640
307.15 of the Revised Code. The rules shall not conflict with 641
rules adopted by the board of building standards pursuant to 642
section 3781.10 of the Revised Code or by the department of 643
commerce pursuant to Chapter 3703. of the Revised Code. This 644
division does not impair or restrict the power of municipal 645
corporations under Section 3 of Article XVIII, Ohio 646
Constitution, to adopt rules concerning the erection, 647
construction, repair, alteration, and maintenance of buildings 648
and structures or of establishing standards and providing for 649
the licensing of specialty contractors pursuant to section 650
715.27 of the Revised Code. 651

A board of county commissioners, pursuant to this 652
division, may require all electrical contractors and heating, 653
ventilating, and air conditioning contractors, other than those 654
who hold a valid and unexpired license issued pursuant to 655
Chapter 4740. of the Revised Code, to successfully complete an 656
examination, test, or demonstration of technical skills, and may 657
impose a fee and additional requirements for a license to engage 658
in their respective occupations within the jurisdiction of the 659
board's rules under this division. 660

(C) No board of county commissioners shall require any 661
specialty contractor who holds a valid and unexpired license 662
issued pursuant to Chapter 4740. of the Revised Code to 663
successfully complete an examination, test, or demonstration of 664
technical skills in order to engage in the type of contracting 665
for which the license is held, within the unincorporated areas 666
of the county and within any municipal corporation whose 667
legislative authority has contracted with the board for the 668
enforcement of county regulations within the municipal 669
corporation, pursuant to section 307.15 of the Revised Code. 670

(D) A board may impose a fee for registration of a 671
specialty contractor who holds a valid and unexpired license 672
issued pursuant to Chapter 4740. of the Revised Code before that 673
specialty contractor may engage in the type of contracting for 674
which the license is held within the unincorporated areas of the 675
county and within any municipal corporation whose legislative 676
authority has contracted with the board for the enforcement of 677
county regulations within the municipal corporation, pursuant to 678
section 307.15 of the Revised Code, provided that the fee is the 679
same for all specialty contractors who wish to engage in that 680
type of contracting. If a board imposes such a fee, the board 681
immediately shall permit a specialty contractor who presents 682
proof of holding a valid and unexpired license and pays the 683
required fee to engage in the type of contracting for which the 684
license is held within the unincorporated areas of the county 685
and within any municipal corporation whose legislative authority 686
has contracted with the board for the enforcement of county 687
regulations within the municipal corporation, pursuant to 688
section 307.15 of the Revised Code. 689

(E) The political subdivision associated with each 690
municipal, township, and county building department the board of 691

building standards certifies pursuant to division (E) of section 692
3781.10 of the Revised Code may prescribe fees to be paid by 693
persons, political subdivisions, or any department, agency, 694
board, commission, or institution of the state, for the 695
acceptance and approval of plans and specifications, and for the 696
making of inspections, pursuant to sections 3781.03 and 3791.04 697
of the Revised Code. 698

(F) Each political subdivision that prescribes fees 699
pursuant to division (E) of this section shall collect, on 700
behalf of the board of building standards, fees equal to the 701
following: 702

(1) Three per cent of the fees the political subdivision 703
collects in connection with nonresidential buildings; 704

(2) One per cent of the fees the political subdivision 705
collects in connection with residential buildings. 706

(G) (1) The board shall adopt rules, in accordance with 707
Chapter 119. of the Revised Code, specifying the manner in which 708
the fee assessed pursuant to division (F) of this section shall 709
be collected and remitted monthly to the board. The board shall 710
pay the fees into the state treasury to the credit of the 711
industrial compliance operating fund created in section 121.084 712
of the Revised Code. 713

(2) All money credited to the industrial compliance 714
operating fund under this division shall be used exclusively for 715
the following: 716

(a) Operating costs of the board; 717

(b) Providing services, including educational programs, 718
for the building departments that are certified by the board 719
pursuant to division (E) of section 3781.10 of the Revised Code; 720

(c) Paying the expenses of the residential construction advisory committee, including the expenses of committee members as provided in section 4740.14 of the Revised Code.

(H) A board of county commissioners that adopts rules providing for the licensing of electrical and heating, ventilating, and air conditioning contractors, pursuant to division (B) of this section, may accept, for purposes of satisfying the requirements of rules adopted under that division, a valid and unexpired license issued pursuant to Chapter 4740. of the Revised Code that is held by an electrical or heating, ventilating, and air conditioning contractor, for the construction, replacement, maintenance, or repair of one-family, two-family, or three-family dwelling houses or accessory structures incidental to those dwelling houses.

(I) A board of county commissioners shall not register a specialty contractor who is required to hold a license under Chapter 4740. of the Revised Code but does not hold a valid license issued under that chapter.

(J) If a board of county commissioners regulates a profession, occupation, or occupational activity under this section, the board shall comply with Chapter 4796. of the Revised Code.

(K) As used in this section, "specialty contractor" means a heating, ventilating, and air conditioning contractor, refrigeration contractor, electrical contractor, plumbing contractor, ~~or~~ hydronics contractor, or roofing contractor, as those contractors are described in Chapter 4740. of the Revised Code.

Section 5. That the existing versions of sections 715.27

and 3781.102 of the Revised Code that are scheduled to take 750
effect December 29, 2023, are hereby repealed. 751

Section 6. Sections 4 and 5 of this act, take effect 752
December 29, 2023, or one hundred eighty days after the 753
effective date of this section, whichever is later. 754

Section 7. (A) On or before one hundred twenty days after 755
the effective date of this section, the Ohio Construction 756
Industry Licensing Board shall send notice by regular mail to 757
the legislative authority of a municipal corporation and to the 758
board of county commissioners of every county that, prior to the 759
effective date of this section, provided for the licensing or 760
registration of roofing contractors, informing the municipal 761
corporation and board of county commissioners of the provisions 762
of this act. 763

(B) Within ninety days after the effective date of this 764
section, the Ohio Construction Industry Licensing Board shall 765
publish notice of the provisions of this act in appropriate 766
trade publications and in a newspaper of general circulation in 767
each of the nine most populous metropolitan areas of this state, 768
once a week for three consecutive weeks. 769

Section 8. (A) The roofing section of the Ohio 770
Construction Industry Licensing Board shall issue a roofing 771
license, to any individual who meets the criteria described in 772
division (B) of this section. 773

(B) The individual does all of the following: 774

(1) Has been actively engaged as a roofing contractor in 775
this state for at least three years immediately prior to the 776
effective date of this section; 777

(2) Applies to the roofing section of the Board within 778

| | |
|---|---|
| twelve months after the effective date of this section; | 779 |
| (3) Pays the appropriate fee determined by the roofing section of the Board; | 780 781 |
| (4) Furnishes business records or other evidence to verify the experience required under division (B) (1) of this section; | 782 783 |
| (5) Provides evidence of all of the following: | 784 |
| (a) Current contractor's liability insurance, including without limitation, complete operations coverage, in the amount of five hundred thousand dollars; | 785 786 787 |
| (b) Compliance with Chapters 4121. and 4123. of the Revised Code; | 788 789 |
| (c) Compliance with any other applicable legal requirements to do business in this state, as determined by the Board. | 790 791 792 |
| (C) Notwithstanding division (B) (5) (a) of this section, when more than one individual affiliated with a contracting company is issued a license pursuant to division (B) of this section, those individuals collectively shall provide to the appropriate section of the Board evidence of current contractor's liability coverage, including complete operations coverage, in the total amount of five hundred thousand dollars. | 793 794 795 796 797 798 799 |