



To: Senate Agriculture and Natural Resources Committee

From: Construction & Demolition Association of Ohio

RE: Proposed Senate Bill 147

Date: March 31, 2025

Dear Senate Agriculture and Natural Resources Committee Members.

On behalf of the Construction & Demolition Association of Ohio, our members and our Board of Trustees, we are writing in opposition to proposed Senate Bill 147 sponsored by Senator Rieneke. The introduction of Senate Bill 147 is unnecessary, unneeded and overreaching as the intention of the Bill is to tax all respectable landfill operators, all waste contractors, collectors and transporters, and all taxpayers in Ohio in an attempt to sequester a local jurisdictional concern within the State of Ohio. This Bill is nothing more than a money grab to fill the coffers of local Health Departments who already have access to large sums of funds that have remained unused year after year. Below you will find additional factual opposition points challenging the legality of the proposed bill as it commingles with two very distinctive waste streams governed by different rules and authority within the State of Ohio.

- 1) SB 147 imposes Solid Waste Management District (SWMD) fees on the disposal of construction & demolition debris at municipal solid waste (MSW) facilities and construction & demolition facilities thereby double taxing the same material
- 2) Solid Waste Management Districts have no statutory authority over construction and demolition facilities.



Trustees: Channing Cooper, Michael Dinneen, Sarah Graves, John Kurtz, John Thomas



- 3) The cost of the potential SWMD fees on construction & demolition disposal in Ohio will substantially increase the waste disposal costs associated with new housing, urban renewal, commercial construction and residential remodeling.
- 4) The unjust increased rates on construction & demolition disposal will have an adverse effect on local economies and taxpayers by increasing the costs associated with new commercial construction projects, homeowner renovations and local waste pick up services.
- 5) The fees proposed are on a per-ton basis. CDD facilities are not required to have scales. To the best of our knowledge, we do not think there is a conversion for tonnage into cubic yards in the law as it is written.
- 6) The fees are applicable in a district that is OEPA licensed, creating a multi-tier fees system that is different across the State.
- 7) The unjust increase in waste disposal fees will also encourage more illegal dumping, burning and burying of waste that would have normally gone to a licensed and properly run waste disposal facility for responsible regulated disposal.
- 8) In addition to being an exercise of power exceeding a SWMD's authority under O.R.C. Chapter 3734, imposing SWMD fees on construction and demolition debris facilities represents taxation without representation as construction and demolition debris facilities are not included in SWMD organization and planning.
- 9) SB 147, as proposed, is a revenue windfall for County Boards of Health who have already demonstrated no need for additional revenue.
- 10) SB 147, as proposed, does not clearly define what the additional disposal tax will be used for specifically, which can lead to improper spending, mis-appropriate funds and wasteful uses.

In closing, The Construction & Demolition Association of Ohio strongly opposes the passing of SB147 as it violates the rights of honest hardworking people of Ohio just to quell a specific issue, in a specific area of the state that should be handled locally. The Association notes that passing of SB147 largely mirrors a





previous Bill sponsored by Senator Reineke that failed to pass. That Bill, SB119, challenged by the CDAO, NWRA, SWANA and the majority of responsible facility operators did not clearly identify the need for additional fees to solve an undefined issue that clearly is motivated by local politics. In understanding the intention of both of these Bills, 119 & 147, they are trying to resolve a specific local concern by imposing unsubstantiated additional fees statewide on an unverbilized or written issue. Furthermore, neither Bill defines clearly what the additional fees will be used for or the need to impose the fees given the amount of unused money already collected by several Health Departments. The Senate and the House need to consider the needs of the many outweigh the needs of the one when contemplating the actual intent of SB 147.

Respectfully,

The Construction & Demolition Association of Ohio, the Board of Trustees and our Membership

CC: Dan Jones

Sarah Graves

John Kurtz

Channing Cooper

Michael Dinneen

John Thomas



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