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136th General Assembly
Regular Session
2025-2026

Sub. H. B. No. 139

To amend section 6109.24 and to enact section
3737.834 of the Revised Code to require certain
political subdivisions to adopt a fire hydrant
maintenance plan.

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

Section 1. That section 6109.24 be amended and section
3737.834 of the Revised Code be enacted to read as follows:

Sec. 3737.834. (A) As used in this section, "fire hydrant
maintenance plan" means a schedule for inspection, testing, and
maintenance of fire hydrant systems located within a political
subdivision and that the political subdivision owns, operates,
or otherwise maintains.

(B) Not later than twelve months after the effective date
of this section, any political subdivision that owns, operates,
or otherwise maintains fire hydrant systems or the associated
service mains and water tanks shall adopt a fire hydrant
maintenance plan.

(C) Any fire hydrant maintenance plan may include the
following:



(1) A schedule for conducting inspections of each fire 19
hydrant that is within the fire hydrant system managed by the 20
political subdivision; 21

(2) Records of tests, repairs, alterations, replacement, 22
or regular maintenance of the fire hydrant system managed by the 23
political subdivision. 24

(D) The legislative authority of a political subdivision 25
may ensure that the inspection, testing, and maintenance of fire 26
hydrant systems within that political subdivision are conducted 27
in accordance with the fire hydrant maintenance plans adopted 28
under this section. 29

(E) Records of tests, repairs, alterations, replacement, 30
or regular maintenance of a fire hydrant system shall be 31
retained on the same schedule as a political subdivision's local 32
public water system asset management program records under 33
section 6109.24 of the Revised Code. 34

Sec. 6109.24. (A) The director of environmental protection 35
shall adopt, and may amend and rescind, rules pursuant to 36
section 6109.04 of the Revised Code establishing requirements 37
governing the demonstration of technical, managerial, and 38
financial capability for the purposes of this section. 39

(B) (1) A public water system shall demonstrate the 40
technical, managerial, and financial capability of the system to 41
comply with this chapter and rules adopted under it by 42
implementing an asset management program not later than October 43
1, 2018. 44

(2) Notwithstanding division (B)(1) of this section, the 45
director may require a public water system to complete an asset 46
management program prior to October 1, 2018. 47

(3) A public water system shall include in the asset management program all of the following:	48 49
(a) An inventory and evaluation of all public water system assets;	50 51
(b) Public water system operation and maintenance programs;	52 53
(c) A public water system emergency preparedness and contingency planning program;	54 55
(d) Criteria and timelines for public water system infrastructure rehabilitation and replacement;	56 57
(e) Approved public water system capacity projections and public water system capital improvement planning;	58 59
(f) A long-term funding strategy to support the public water system's asset management program implementation;	60 61
(g) <u>A fire hydrant maintenance plan as defined in section 3737.834 of the Revised Code.</u>	62 63
(C) If requested by the director, a public water system shall submit a written description of the system's asset management program to the director. The system shall submit the written description not later than thirty days after the date of the request. A small public water system may meet the written description requirement by doing both of the following:	64 65 66 67 68 69
(1) Submitting the template made available by the director under division (F) (1) of this section;	70 71
(2) Including with the completed template a statement that the activities described in the template are being implemented.	72 73
(D) If a public water system fails to submit an acceptable	74

written description of the system's asset management program or	75
otherwise fails to demonstrate technical, managerial, and	76
financial capability in accordance with this section and rules	77
adopted under it, the director may request the owner or operator	78
of the system to revise and resubmit the written description.	79
Environmental protection agency staff may provide technical	80
guidance to a public water system in preparing the asset	81
management program or while addressing deficiencies noted in the	82
asset management program.	83
(E) If a public water system fails to demonstrate	84
technical, managerial, and financial capability in accordance	85
with this section and rules adopted under it, the director may	86
take any action authorized by this chapter or rules adopted	87
under it to improve and ensure the capability of the public	88
water system, including denying a plan submitted under section	89
6109.07 of the Revised Code.	90
(F) The director shall make available both of the	91
following either on the environmental protection agency's web	92
site or via another public forum:	93
(1) A template for small public water systems to prepare	94
an asset management program;	95
(2) Information about sources of funding available to	96
assist public water systems with preparing and completing an	97
asset management program.	98
(G) (1) The director shall not adopt or enforce rules that	99
require a transient noncommunity water system to prepare,	100
implement, or complete an asset management program, including a	101
demonstration of technical, managerial, and financial	102
capability.	103

(2) Divisions (B) to (E) of this section do not apply to a 104
transient noncommunity water system. 105

Section 2. That existing section 6109.24 of the Revised 106
Code is hereby repealed. 107