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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 and operators of public
water systems 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:

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Sec. 3737.834. (A) As used in this section:

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(1) "Fire hydrant maintenance plan" means a schedule for
inspection, testing, and maintenance of fire hydrant systems
that are owned, operated, or otherwise maintained by a political
subdivision or an operator of a public water system.

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(2) "Operator of a public water system" means a person who
holds a license under Chapter 6109. of the Revised Code to
operate a public water system.

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(3) "Public water system" has the same meaning as in
section 6109.01 of the Revised Code.

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(B) Not later than twelve months after the effective date 18
of this section, any political subdivision or operator of a 19
public water system that owns, operates, or otherwise maintains 20
fire hydrant systems or the associated service mains and water 21
tanks shall establish a fire hydrant maintenance plan. 22

(C) Any fire hydrant maintenance plan may include the 23
following: 24

(1) A schedule for conducting inspections of each fire 25
hydrant that is within the fire hydrant system managed by the 26
political subdivision or operator of a public water system; 27

(2) Records of tests, repairs, alterations, replacement, 28
or regular maintenance of the fire hydrant system managed by the 29
political subdivision or operator of a public water system. 30

(D) The legislative authority of a political subdivision 31
or operator of a public water system may ensure that the 32
inspection, testing, and maintenance of fire hydrant systems 33
within that political subdivision or area of service are 34
conducted in accordance with the fire hydrant maintenance plans 35
established under this section. 36

(E) Records of tests, repairs, alterations, replacement, 37
or regular maintenance of a fire hydrant system shall be 38
retained on the same schedule as the local public water system 39
asset management program records under section 6109.24 of the 40
Revised Code. 41

(F) Nothing in this section shall be construed to affect, 42
limit, diminish, or impair the immunity or liability of a 43
nonprofit corporation or regional water and sewer district under 44
section 2305.34 of the Revised Code. 45

Sec. 6109.24. (A) The director of environmental protection 46

shall adopt, and may amend and rescind, rules pursuant to 47
section 6109.04 of the Revised Code establishing requirements 48
governing the demonstration of technical, managerial, and 49
financial capability for the purposes of this section. 50

(B) (1) A public water system shall demonstrate the 51
technical, managerial, and financial capability of the system to 52
comply with this chapter and rules adopted under it by 53
implementing an asset management program not later than October 54
1, 2018. 55

(2) Notwithstanding division (B) (1) of this section, the 56
director may require a public water system to complete an asset 57
management program prior to October 1, 2018. 58

(3) A public water system shall include in the asset 59
management program all of the following: 60

(a) An inventory and evaluation of all public water system 61
assets; 62

(b) Public water system operation and maintenance 63
programs; 64

(c) A public water system emergency preparedness and 65
contingency planning program; 66

(d) Criteria and timelines for public water system 67
infrastructure rehabilitation and replacement; 68

(e) Approved public water system capacity projections and 69
public water system capital improvement planning; 70

(f) A long-term funding strategy to support the public 71
water system's asset management program implementation; 72

(g) A fire hydrant maintenance plan as defined in section 73

3737.834 of the Revised Code. 74

(C) If requested by the director, a public water system 75
shall submit a written description of the system's asset 76
management program to the director. The system shall submit the 77
written description not later than thirty days after the date of 78
the request. A small public water system may meet the written 79
description requirement by doing both of the following: 80

(1) Submitting the template made available by the director 81
under division (F) (1) of this section; 82

(2) Including with the completed template a statement that 83
the activities described in the template are being implemented. 84

(D) If a public water system fails to submit an acceptable 85
written description of the system's asset management program or 86
otherwise fails to demonstrate technical, managerial, and 87
financial capability in accordance with this section and rules 88
adopted under it, the director may request the owner or operator 89
of the system to revise and resubmit the written description. 90
Environmental protection agency staff may provide technical 91
guidance to a public water system in preparing the asset 92
management program or while addressing deficiencies noted in the 93
asset management program. 94

(E) If a public water system fails to demonstrate 95
technical, managerial, and financial capability in accordance 96
with this section and rules adopted under it, the director may 97
take any action authorized by this chapter or rules adopted 98
under it to improve and ensure the capability of the public 99
water system, including denying a plan submitted under section 100
6109.07 of the Revised Code. 101

(F) The director shall make available both of the 102

following either on the environmental protection agency's web 103
site or via another public forum: 104

(1) A template for small public water systems to prepare 105
an asset management program; 106

(2) Information about sources of funding available to 107
assist public water systems with preparing and completing an 108
asset management program. 109

(G) (1) The director shall not adopt or enforce rules that 110
require a transient noncommunity water system to prepare, 111
implement, or complete an asset management program, including a 112
demonstration of technical, managerial, and financial 113
capability. 114

(2) Divisions (B) to (E) of this section do not apply to a 115
transient noncommunity water system. 116

Section 2. That existing section 6109.24 of the Revised 117
Code is hereby repealed. 118