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H.B. 139
(1_136_0380-3)
136th General Assembly

Fiscal Note & Local Impact Statement

[Click here for H.B. 139's Bill Analysis](#)

Version: In House Local Government

Primary Sponsor: Rep. T. Hall

Local Impact Statement Procedure Required: Yes

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Highlights

- Political subdivisions and operators of public water systems could incur new fire hydrant system maintenance, repair, and replacement costs depending on the scope of the fire hydrant maintenance plans they are required to establish under the bill.

Detailed Analysis

The bill requires any political subdivision and operator of a public water system which owns or operates fire hydrants, and the associated service mains and water tanks, to establish a fire hydrant maintenance plan within 12 months of the bill's effective date. These fire hydrant maintenance plans may contain an inspection schedule and records concerning testing, repairs, alterations, replacement, and details about the maintenance conducted. The bill then gives political subdivisions authority to ensure that the fire hydrant systems are inspected, tested, and maintained in accordance with the plan established by the political subdivision maintenance plan. Finally, the bill states that its provisions covering fire hydrant maintenance plan requirements do not affect, limit, diminish, or impair the civil immunity or liability of a nonprofit corporation or a regional water and sewer district for certain low-pressure hydrants. Low-pressure hydrants do not provide enough water pressure to suppress fire.

Any new costs that a political subdivision or operator of a public water system incurs under the bill would depend on the scope of the hydrant maintenance plans they establish. Currently, political subdivisions or operators of public water systems are not required to have these plans in place, but routine maintenance of fire hydrants is typical. For example, fire department officials in Akron, Cambridge, Canton, and Oakwood all reported to LBO that they conduct annual hydrant flushing, testing, and maintenance. Cleveland (with 77,000 hydrants) conducts tests in the spring and summer. Political subdivisions and public water system operators could also incur some new administrative costs for ensuring that records of these activities are being retained according to the

same schedule as the local public water system asset management program currently required under statute.

Synopsis of Fiscal Effect Changes

The substitute bill (I_136_0380-3) expands the entities affected by the bill to include operators of public water systems, of which there are about 4,000 in Ohio. Under the previous substitute bill (I_136_0380-2), the requirements applied only to political subdivisions. I_136_0380-3 also specifies that the fire hydrant maintenance plan requirements under the bill do not affect, limit, diminish, or impair the current law civil immunity or liability of a nonprofit corporation or regional water and sewer district relating to certain low-pressure fire hydrants, which are those not capable of suppressing fire. Overall, under I_136_0380-3, operators of public water systems will incur new costs, depending on the scope of their fire hydrant maintenance plans, as they were not included under the two prior versions of the bill.