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H.B. 361
(1_136_1211-13)
136th General Assembly

Fiscal Note & Local Impact Statement

[Click here for H.B. 361's Bill Analysis](#)

Version: In House Local Government

Primary Sponsors: Reps. Lorenz and Fischer

Local Impact Statement Procedure Required: No

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Highlights

- The Board of Building Standards (BBS) will likely certify general contractors for code enforcement. The administrative costs for certification will be offset by application and renewal fees. These fees are deposited into Industrial Compliance Operating Fund (Fund 5560) appropriation line item 800615, Industrial Compliance.
- If a local building department fails to complete a plan review or building inspection within the specified timelines established by BBS rule, it may forgo some revenue while a certified third-party inspector or another building department completes the work.
- Conversely, certain building departments may receive additional revenue for completing reviews or inspections for properties within another department's jurisdiction.
- The bill requires counties and townships with zoning to adopt a comprehensive plan pertaining to certain elements such as land use decisions, economic development, and housing needs. Counties and townships might incur some additional costs for updating their existing plans to conform to the requirements of the bill.
- The BBS will incur some new administrative costs for establishing and maintaining an electronic dashboard containing statistics on building inspections and plan review processing timelines submitted quarterly by local building departments. Any new costs would be paid out of the Industrial Compliance Operating Fund (Fund 5560).

Detailed Analysis

Local land use decisions

The bill makes several modifications to the time requirements for the approval or disapproval of various land use applications and appeals. Overall, these changes may result in

some additional costs for potentially expediting these processes, or for modifications to required public notices. These costs, while not quantifiable, appear to be minimal.

In addition, the bill requires counties and townships with zoning to adopt by ordinance or resolution, as applicable, a comprehensive plan to address certain goals such as fiscal responsibility and jurisdictional collaboration, and must include certain elements such as land use, economic development, and housing needs. The bill also specifies that those counties or townships with an existing plan have one year to update the plan according to the criteria in the bill. There may be some administrative costs associated with creating and adopting the comprehensive plan.

The bill modifies the timelines that apply to work carried out by county or township boards of zoning commissions and boards of zoning appeals. The bill specifies that county and township zoning commissions conclude a zoning amendment hearing within 45 days of being opened, and make recommendations within 20 days of the end of a hearing. The bill establishes the same timelines for county and township boards of zoning appeals by specifying that appeal hearings must conclude within 45 days of being opened, and appeal recommendations made within 20 days of the appeal hearing.

The bill also sets new time limits applying to zoning hearing. The bill specifies that a municipal zoning authority has a maximum period of 65 days to provide its recommendations, and requires the legislative authority of a municipality to conclude and adjourn a zoning-related hearing within 65 days after the hearing was first opened. Finally, the bill increases the amount of time a municipal corporation may refuse approval of a plat before it is deemed approved from 30 to 90 days.

Board of Building Standards

Under the bill, the Board of Building Standards (BBS) could possibly incur additional administrative costs to certify certain additional individuals to enforce building codes, and these costs will be offset by certification fees. As of the beginning of FY 2026, there is a \$50 initial application fee which provides an interim certification for up to two years while the applicant completes the necessary training and tests to receive full status certification. The BBS provides training and continuing education credits at no cost. The International Code Council administers the tests needed for certification. Upon reaching full status certification, the individual will have three years before needing to pay \$30 every three years to renew their certification. These fees are deposited into the Industrial Compliance Operating Fund (Fund 5560). As of the beginning of FY 2026, the BBS notes that there are approximately 4,500 active certifications which are held by approximately 2,500 people.

The bill also requires the BBS to establish rules concerning timelines for plan reviews and building inspections, processes for independent plan review, procedures for submission of plan reviews, and deadlines for plan review, inspections, fee payment, and permitting. Depending on the timelines established by BBS rule, it is possible that a building department with jurisdiction over the residential or nonresidential construction project could forgo some revenue. Conversely, another building department which has been contracted to do the plan review or inspection in place of another building department could see additional revenue for undertaking these reviews or inspections. If a general contractor or owner contracts with a certified third-party private inspector, then the contractor or owner pays the fee pursuant to the contract.

Finally, the bill requires the BBS to establish and maintain an electronic dashboard, within one year of the bill's effective date, that provides information related to inspection and processing times. The BBS would incur some additional rulemaking costs as well as IT costs related to dashboard creation and maintenance. As part of this dashboard, the bill requires certified building departments and third-party inspectors to submit quarterly data on plan reviews and processing timelines to the BBS. Any expenses the BBS incurs for setting up this data dashboard would be paid from the Industrial Compliance Operating Fund (Fund 5560).

Road access management

The bill establishes additional parameters for road access regulations by prohibiting counties and townships from adopting standards that are stricter than either state or federal regulations for similar points of access. The bill also requires a board of county commissioners or board of township trustees that adopt road access management regulations to require any necessary traffic studies associated with a point of access location to be reviewed within 45 days after the application for construction or use of the access point is submitted to the board. To the extent that any such applications are submitted on behalf of another government body, there may be some minimal cost increases for expediting the completion of needed traffic studies.

Synopsis of Fiscal Effect Changes

The substitute version of the bill (I_136_1211-13) removes provisions that require townships with a population of over 5,000 to adopt a comprehensive zoning plan, and to do so in consultation with the Department of Development (DEV) and a nine-member plan review commission created by each township. The bill also eliminates all the timelines established in the bill pertaining to building inspections and instead requires these timelines to be established by rules adopted by the Board of Building Standards (BBS).

The bill also requires counties and townships with zoning to adopt a comprehensive plan to address certain goals such as fiscal responsibility and jurisdictional collaboration. The plan must be adopted by ordinance or resolution and include certain elements such as land use, economic development, and housing needs. The bill also specifies that those counties or townships with an existing plan have one year to update the plan to contain all required provisions described in the bill. As a result, counties and townships could incur some new costs for creating or revising their comprehensive plans to comply with the standards under the bill.

On the state level, the bill requires the BBS to establish and maintain an electronic dashboard that provides information related to inspection and processing times. The BBS would incur some additional rulemaking costs as well as IT costs related to dashboard creation and maintenance. The bill requires all certified building departments and third-party inspectors to submit quarterly data on plan reviews and processing to be provided to the BBS for this dashboard.