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# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
and Drafting

Legislative Budget  
Office

**H.B. 361**  
**136<sup>th</sup> General Assembly**

## Fiscal Note & Local Impact Statement

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

**Version:** As Introduced

**Primary Sponsors:** Reps. Lorenz and Fischer

**Local Impact Statement Procedure Required:** No

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### Highlights

- The Board of Building Standards 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 30 days of a request, it may forego some revenue while a certified third-party inspector or another building department completes the work. The building department may still charge an administrative or filing fee if a third-party inspector completes the work. Certain building departments may receive additional revenue to complete reviews or inspections for properties within another department's jurisdiction.
- Local governments may incur some minimal costs to adhere to the expedited timelines related to land use application decisions.

### Detailed Analysis

#### Overview

The bill makes several changes regarding the timeframe for the approval or disapproval of various "entitlement applications" and other local land use decisions. The bill also makes various changes to building inspection law intended to expedite the process at both the state and local levels. Finally, the bill modifies the parameters for road access regulations adopted by a county or township. In totality, the changes of the bill may have some minimal cost increases to the Board of Building Standards (BBS) which may be at least partially offset by revenue gains in the Industrial Compliance Operating Fund (Fund 5560). There may be some minimal cost

increases related to expediting the deadlines related to the land use provisions and road access traffic studies of the bill.

### **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.

First, the bill requires political subdivisions to approve or disapprove an “entitlement application” within 90 days, otherwise it is deemed approved. This would include applications for variances, special or conditional uses, zoning changes, and other proposals that require approval of the body responsible for land use decisions. The bill further requires every entitlement application to receive at least one public hearing within 30 days after the application is submitted. The political subdivision is required to provide at least 14 days’ notice of this hearing with the date, time, and location of the meeting, by doing the following: (1) send postcards to the owners of the property within the proposed amendment, to the owners of adjacent properties, and to owners of property within 250 feet of the proposed amendment, (2) post signs within the area subject to proposed in the amendment, and (3) announce the hearing on the political subdivision’s website.

Secondly, the bill requires that appeals submitted to a county or township board of zoning appeals be decided within 30 days, rather than within a “reasonable time.” The bill also revises the notification requirements for these appeals to match the land use notifications described above. 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 BBS will likely 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 review the rules pertaining to the certification of persons to enforce the residential building code with the purpose of making the process more accessible and simple.

### **Building inspections**

The bill requires a building department to complete a plan review or conduct a building inspection for either residential or nonresidential construction projects within 30 days of being requested to do so. If the review or inspection is not completed within 30 days of a request, the bill then allows the project owner or general contractor for the project to hire a third-party

private inspector, certified and listed by the BBS, or to contract with a certified building department from another jurisdiction to perform the plan review or building inspection. As a result, it is possible that a building department with jurisdiction over the residential or nonresidential construction project could forego 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. The changes the bill makes to this plan review and inspection process, however, still allow for the building department where the project is located to charge any standard fee that is customary for the approval, including an administrative or filing fee. But it cannot charge any fee related to the inspection.

### **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 completed 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.