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OHIO LEGISLATIVE SERVICE COMMISSION

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H.B. 646
136th General Assembly

Bill Analysis

Version: As Introduced

Primary Sponsors: Reps. Click and Deeter

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SUMMARY

- Creates the Data Center Study Commission within the Department of Development, with members appointed by the Governor, Speaker of the House, President of the Senate, Minority Leader of the House, and Minority Leader of the Senate.
- Specifies when Commission members must be appointed, their period of service, and how vacancies are filled.
- Provides that Commission members are paid \$250 per Commission meeting.
- Specifies the Commission must hold at least four public meetings.
- Requires the Commission to examine various topics regarding data centers.
- Requires the Commission to submit a report of its findings and any legislative recommendations to the Governor and the General Assembly not more than six months after the bill's effective date.
- Terminates the Commission after issuing the above report.
- Declares an emergency.

DETAILED ANALYSIS

Data Center Study Commission

Creation and membership

The bill creates the Data Center Study Commission within the Department of Development. The Commission consists of the following members, which must be appointed not more than 30 days after the bill's effective date:

- Three members appointed by the Governor;

- Three members appointed by the Speaker of the House of Representatives;
- Three members appointed by the President of the Senate;
- Two members appointed by the Minority Leader of the House of Representatives;
- Two members appointed by the Minority Leader of the Senate.

As used in the bill:

- “Commission” means the Data Center Study Commission;
- “Data center” means a physical facility equipped with, or connected to, one or more computers that is used for processing or transmitting data.¹

Duration of membership

Members must serve until any of the following occur: (1) the member resigns or is no longer able to fulfill the Commission’s duties, (2) the member is removed from the Commission by the officer that appointed that member, or (3) the Commission is dissolved.²

Filling vacancies

Vacancies in the Commission must be filled in the same manner as the original appointments.³

Compensation

The bill provides that Commission members are paid \$250 per Commission meeting.⁴

Meetings

The first Commission meeting must occur not more than 45 days after the bill’s effective date, at a date and time set by the Governor, for organizational purposes only. At the first meeting, the members are required to elect a chairperson, vice chairperson, and secretary.

The Commission is required to hold not less than four public meetings as follows:

- Not less than two public meetings for hearing public testimony regarding the examination topics described below;
- Not less than two public meetings for hearing invited testimony from experts regarding the same examination topics.⁵

¹ Section 1(A) and (B)(1) and (2).

² Section 1(B)(3).

³ Section 1(B)(4).

⁴ Section 1(B)(5).

⁵ Section 1(C).

Examination topics

The Commission is required to examine all of the following concerning data centers:

- Environmental impact;
- Effect on the electrical grid, including on behind the meter electric supply and on consumer utility rates;
- Water usage and impact on the local water supply;
- Noise pollution;
- Light pollution;
- Impact on the local economy;
- Impact on farmland;
- Value to national security and the development of artificial intelligence;
- Reports of foreign propaganda intended to create opposition to data centers;
- Any other relevant topics determined by the Commission.⁶

Report

The Commission must submit a report of its findings and any legislative recommendations to the Governor and the General Assembly not more than six months after the bill's effective date.⁷

Commission termination

The Commission terminates after issuing the above report.⁸

Emergency clause

The bill declares that it is an emergency measure necessary for the immediate preservation of the public peace, health, and safety and therefore must go into immediate effect. The bill states that “[t]he reason for such necessity is that data centers are proliferating rapidly in the absence of a specific regulatory structure, or historical precedent, which is generating serious concerns among the citizens of this state and creating an unstable environment for local decision making. Verifiable information is crucial to such citizens when facing new development within their communities and local political subdivisions tasked with approving such development, as well as investors who wish to site data centers throughout Ohio. Verifiable

⁶ Section 1(D).

⁷ Section 1(E).

⁸ Section 1(F).

information benefits all concerned parties and is urgently needed due to the rapid development of this emerging technology and the lack of general knowledge concerning data centers in Ohio.”⁹

HISTORY

Action	Date
Introduced	01-14-26

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⁹ Section 2.