

As Introduced

136th General Assembly

Regular Session

2025-2026

H. B. No. 878

Representative Glassburn

Cosponsors: Representatives Brennan, Click, Synenberg

To amend section 6111.09 of the Revised Code to
impose increased civil penalties for repeat
violations of certain rules pertaining to using,
placing, or managing dredged material.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 6111.09 of the Revised Code be
amended to read as follows:

Sec. 6111.09. ~~(A) Any~~ (A) (1) Except as provided in
division (A) (2) of this section, any person who violates section
6111.07 of the Revised Code shall pay a civil penalty of not
more than ten thousand dollars per day of violation. ~~Any~~

(2) Any person who violates section 6111.07 of the Revised
Code when the underlying offense is a violation of division (B)
of section 6111.33 of the Revised Code shall pay a civil penalty
of not more than ten thousand dollars for a first violation and
a civil penalty of not more than thirty-seven thousand five
hundred dollars for each subsequent violation.

(3) Any person who purposely violates section 6111.10 or
6111.11 of the Revised Code shall pay a civil penalty of fifty
dollars for a first violation and a civil penalty of not more

than five hundred dollars for each subsequent violation 20
occurring within twelve months of the first violation. 21

(4) The attorney general, upon written request by the 22
director of environmental protection, shall commence an action 23
under this section against any person who violates section 24
6111.07 of the Revised Code. The director shall notify in 25
writing any person who is allegedly selling or offering for sale 26
a product in violation of section 6111.10 or 6111.11 of the 27
Revised Code of the alleged specific violation and shall request 28
the person to remove the product from the person's sales area. 29
If at least ten days after providing that notification the 30
director determines that the person has failed to remove the 31
product from the person's sales area, the director in writing 32
shall request the attorney general to, and the attorney general 33
shall, commence an action under this section against the person. 34
Any action under this section is a civil action, governed by the 35
Rules of Civil Procedure and other rules of practice and 36
procedure applicable to civil actions. 37

(B) One-half of the moneys collected as civil penalties 38
under division (A) of this section shall be credited to the 39
environmental education fund created in section 3745.22 of the 40
Revised Code. The remainder of the moneys so collected shall be 41
credited to the water pollution control administration fund, 42
which is hereby created in the state treasury. The water 43
pollution control administration fund shall be administered by 44
the director. Moneys in the water pollution control 45
administration fund shall be used to supplement other moneys 46
available for the administration and enforcement of this chapter 47
and the rules adopted and terms and conditions of orders and 48
permits issued under it, including, without limitation, the 49
issuance of permits under it, and shall not be used to satisfy 50

any state matching fund requirements for the receipt of any 51
federal grant funds. 52

The director may expend not more than seven hundred fifty 53
thousand dollars of the moneys credited to the water pollution 54
control administration fund under this division in any fiscal 55
year for the purposes specified in this division. The director 56
may request authority from the controlling board to expend any 57
moneys credited to that fund in any fiscal year in excess of 58
that amount. 59

Section 2. That existing section 6111.09 of the Revised 60
Code is hereby repealed. 61