

**As Introduced**

**136th General Assembly  
Regular Session  
2025-2026**

**S. B. No. 453**

**Senator Hicks-Hudson**

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To enact sections 3745.75, 3745.751, 3745.752, 1  
3745.753, 3745.754, 3745.755, 3745.756, and 2  
3745.757 of the Revised Code to prohibit the use 3  
of PFAS chemicals and lead in playground 4  
surfacing materials. 5

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

**Section 1.** That sections 3745.75, 3745.751, 3745.752, 6  
3745.753, 3745.754, 3745.755, 3745.756, and 3745.757 of the 7  
Revised Code be enacted to read as follows: 8

**Sec. 3745.75.** As used in sections 3745.75 to 3745.757 of 9  
the Revised Code: 10

(A) "PFAS chemicals" means a class of fluorinated organic 11  
chemicals that contain at least one fully fluorinated carbon 12  
atom, including per- and polyfluoralkyl substances. 13

(B) "Playground" means a public outdoor recreation area 14  
for children equipped with one or more play structures. 15

(C) "Playground surfacing materials" means products, 16  
materials, or substances used or installed on the ground surface 17  
of a playground in this state that come into direct contact with 18  
a person. 19

Sec. 3745.751. On or after the effective date of this 20  
section, a person shall not install, supply, sell, solicit, or 21  
offer for sale in this state playground surfacing materials that 22  
contain either of the following: 23

(A) More than 90 parts per million of lead; 24

(B) A component product, material, or substance to which 25  
PFAS chemicals were previously intentionally added in the 26  
formation of that component where the continued presence of the 27  
PFAS chemicals was desired in the component to provide a 28  
specific characteristic. 29

Sec. 3745.752. (A) A person that manufactures, sells, 30  
offers for sale, or distributes for use in this state playground 31  
surfacing materials shall certify in a certificate of compliance 32  
that the playground surfacing materials are in compliance with 33  
the requirements of section 3745.751 of the Revised Code. 34

(B) Within thirty days of a request of the director of 35  
environmental protection, a person described in division (A) of 36  
this section shall provide the certificate of compliance. 37

Sec. 3745.753. (A) Except as provided in division (B) of 38  
this section, sections 3745.75 to 3745.757 of the Revised Code 39  
shall not be construed as limiting the power of a county, 40  
municipality, or other political subdivision to adopt 41  
ordinances, rules, or regulations related to playground 42  
surfacing materials that contain PFAS chemicals or lead. 43

(B) A county, municipality, or other political subdivision 44  
shall not adopt any ordinance, rule, or regulation related to 45  
playground surfacing materials that contain PFAS chemicals or 46  
lead that is less stringent than the requirements of section 47  
3745.751 of the Revised Code. 48

(C) Sections 3745.75 to 3745.757 of the Revised Code do 49  
not affect the authority of a county, municipality, or other 50  
political subdivision to enact and enforce standards or 51  
requirements related to playground surfacing materials that 52  
contain PFAS chemicals or lead that are more stringent than the 53  
requirements of section 3745.751 of the Revised Code. 54

**Sec. 3745.754.** (A) If a person is believed to have 55  
violated section 3745.751 of the Revised Code, the director of 56  
environmental protection may do either of the following: 57

(1) Make a written request to the attorney general to 58  
bring a civil enforcement action against the person in the court 59  
of common pleas in the county in which the person resides; 60

(2) Conduct an investigation on the matter. 61

(B) Upon receipt of a written request made under division 62  
(A) (1) of this section, the attorney general shall bring a civil 63  
enforcement action against the person in question. 64

**Sec. 3745.755.** Any person found to have violated section 65  
3745.751 of the Revised Code pursuant to a civil enforcement 66  
action or an investigation initiated under section 3745.754 of 67  
the Revised Code is subject to the following penalties: 68

(A) A civil penalty up to two thousand five hundred 69  
dollars for each violation; 70

(B) An administrative penalty up to two thousand five 71  
hundred dollars for each violation, but not more than one 72  
hundred thousand dollars total. 73

**Sec. 3745.756.** All amounts collected under section 74  
3745.755 of the Revised Code shall be paid into the state 75  
treasury to the credit of the general revenue fund. 76

<u>Sec. 3745.757. The environmental protection agency may</u>	77
<u>adopt rules as necessary to implement and enforce sections</u>	78
<u>3745.75 to 3745.757 of the Revised Code.</u>	79