

As Reported by the House Health Committee

134th General Assembly

Regular Session

2021-2022

H. B. No. 247

Representatives West, Kelly

Cosponsor: Representative Russo



A BILL

To amend sections 3703.01 and 3703.03 of the Revised Code to amend the law related to plumbing inspections.

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

Section 1. That sections 3703.01 and 3703.03 of the Revised Code be amended to read as follows:

Sec. 3703.01. (A) Except as otherwise provided in this section, the division of industrial compliance in the department of commerce shall do all of the following:

(1) Inspect all nonresidential buildings within the meaning of section 3781.06 of the Revised Code;

(2) Condemn all unsanitary or defective plumbing that is found in connection with those places;

(3) Order changes in plumbing necessary to insure the safety of the public health.

(B) (1) (a) The division of industrial compliance, boards of health of city and general health districts, and county building departments shall not inspect plumbing or collect fees for

inspecting plumbing in particular types of buildings in any 18
municipal corporation that is certified by the board of building 19
standards under section 3781.10 of the Revised Code to exercise 20
enforcement authority for plumbing in those types of buildings. 21

(b) The division shall not inspect plumbing or collect 22
fees for inspecting plumbing in particular types of buildings in 23
any health district that has notified the division in writing of 24
its intent to inspect plumbing within its jurisdiction and that 25
employs or retains under contract one or more plumbing 26
inspectors, certified pursuant to division (D) of this section 27
3781.10 of the Revised Code, to enforce Chapters 3781. and 3791. 28
of the Revised Code and the rules adopted pursuant to those 29
chapters relating to plumbing in those types of buildings. 30

~~(c) The division shall not inspect plumbing or collect 31
fees for inspecting plumbing in particular types of buildings in 32
any health district where the county building department is 33
authorized to inspect those types of buildings pursuant to a 34
contract described in division (C) (1) of this section. 35~~

~~(d) The division shall not inspect plumbing or collect 36
fees for inspecting plumbing in particular types of buildings in 37
any health district where the board of health has entered into a 38
contract with the board of health of another district to conduct 39
inspections pursuant to division (C) (2) of this section. 40~~

(2) No county building department shall inspect plumbing 41
or collect fees for inspecting plumbing in any type of building 42
in a health district unless the department is authorized to 43
inspect that type of building pursuant to a contract described 44
in division (C) (1) of this section. 45

(3) No municipal corporation shall inspect plumbing or 46

collect fees for inspecting plumbing in types of buildings for 47
which it is not certified by the board of building standards 48
under section 3781.10 of the Revised Code to exercise 49
enforcement authority. 50

~~(4) No board of health of a health district shall inspect 51
plumbing or collect fees for inspecting plumbing in types of 52
buildings for which it does not have a plumbing inspector 53
certified pursuant to division (D) of this section. 54~~

(C) (1) The board of health of a health district may enter 55
into a contract with a board of county commissioners to 56
authorize the county building department to inspect plumbing in 57
buildings within the health district. The contract may designate 58
that the department inspect either residential or nonresidential 59
buildings, as those terms are defined in section 3781.06 of the 60
Revised Code, or both types of buildings, ~~so long as the 61
department employs or contracts with a plumbing inspector 62
certified pursuant to division (D) of this section to inspect 63
the types of buildings the contract designates. The board of 64
health may enter into a contract regardless of whether the 65
health district employs any certified plumbing inspectors to 66
enforce Chapters 3781. and 3791. of the Revised Code. 67~~

(2) The board of health of a health district, ~~regardless 68
of whether it employs any certified plumbing inspectors to 69
enforce Chapters 3781. and 3791. of the Revised Code,~~ may enter 70
into a contract with the board of health of another health 71
district to authorize that board to inspect plumbing in 72
buildings within the contracting board's district. The contract 73
may designate the inspection of either residential or 74
nonresidential buildings as defined in section 3781.06 of the 75
Revised Code, or both types of buildings, ~~so long as the board 76~~

~~that performs the inspections employs a plumbing inspector-~~ 77
~~certified pursuant to division (D) of this section to inspect-~~ 78
~~the types of buildings the contract designates.~~ 79

~~(D) The superintendent of industrial compliance shall-~~ 80
~~adopt rules prescribing minimum qualifications based on-~~ 81
~~education, training, experience, or demonstrated ability, that-~~ 82
~~the superintendent shall use in certifying or recertifying-~~ 83
~~plumbing inspectors to do plumbing inspections for health-~~ 84
~~districts and county building departments that are authorized to-~~ 85
~~perform inspections pursuant to a contract under division (C) (1)-~~ 86
~~of this section, and for continuing education of plumbing-~~ 87
~~inspectors. Those minimum qualifications shall be related to the-~~ 88
~~types of buildings for which a person seeks certification.~~ 89

~~(E) The superintendent may enter into reciprocal-~~ 90
~~registration, licensure, or certification agreements with other-~~ 91
~~states and other agencies of this state relative to plumbing-~~ 92
~~inspectors if both of the following apply:~~ 93

~~(1) The requirements for registration, licensure, or-~~ 94
~~certification of plumbing inspectors under the laws of the other-~~ 95
~~state or laws administered by the other agency are substantially-~~ 96
~~equal to the requirements the superintendent adopts under-~~ 97
~~division (D) of this section for certifying plumbing inspectors.~~ 98

~~(2) The other state or agency extends similar reciprocity-~~ 99
~~to persons certified under this chapter.~~ 100

~~(F) The superintendent may select and contract with one or-~~ 101
~~more persons to do all of the following regarding examinations-~~ 102
~~for certification of plumbing inspectors:~~ 103

~~(1) Prepare, administer, score, and maintain the-~~ 104
~~confidentiality of the examination;~~ 105

(2) Maintain responsibility for all expenses required to	106
comply with division (F) (1) of this section;	107
(3) Charge each applicant a fee for administering the	108
examination in an amount the superintendent authorizes;	109
(4) Design the examination for certification of plumbing	110
inspectors to determine an applicant's competence to inspect	111
plumbing.	112
(G) Standards and methods prescribed in local plumbing	113
regulations shall not be less than those prescribed in Chapters	114
3781. and 3791. of the Revised Code and the rules adopted	115
pursuant to those chapters.	116
(H) <u>(E)</u> Notwithstanding any other provision of this	117
section, the division shall make a plumbing inspection of any	118
building or other place that there is reason to believe is in a	119
condition to be a menace to the public health.	120
Sec. 3703.03. In the administration of sections 3703.01 to	121
3703.08 of the Revised Code, the division of industrial	122
compliance shall enforce rules governing plumbing adopted by the	123
board of building standards under authority of sections 3781.10	124
and 3781.11 of the Revised Code, and register those persons	125
engaged in or at the plumbing business.	126
Plans and specifications for all plumbing to be installed	127
in or for buildings coming within such sections shall be	128
submitted to and approved by the division before the contract	129
for plumbing is let.	130
Section 2. That existing sections 3703.01 and 3703.03 of	131
the Revised Code are hereby repealed.	132