A BILL

To amend sections 1509.03, 1509.22, 1509.222, 1509.223, 1509.224, 1509.33, and 1509.99 and to repeal section 1509.226 of the Revised Code to expressly prohibit the surface application of brine from oil and gas wells on roads.

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

Section 1. That sections 1509.03, 1509.22, 1509.222, 1509.223, 1509.224, 1509.33, and 1509.99 of the Revised Code be amended to read as follows:

Sec. 1509.03. (A) The chief of the division of oil and gas resources management shall adopt, rescind, and amend, in accordance with Chapter 119. of the Revised Code, rules for the administration, implementation, and enforcement of this chapter. The rules shall include an identification of the subjects that the chief shall address when attaching terms and conditions to a permit with respect to a well and production facilities of a well that are located within an urbanized area or with respect to a horizontal well and production facilities associated with a horizontal well. The subjects shall include all of the
following:

(1) Safety concerning the drilling or operation of a well;

(2) Protection of the public and private water supply, including the amount of water used and the source or sources of the water;

(3) Fencing and screening of surface facilities of a well;

(4) Containment and disposal of drilling and production wastes;

(5) Construction of access roads for purposes of the drilling and operation of a well;

(6) Noise mitigation for purposes of the drilling of a well and the operation of a well, excluding safety and maintenance operations.

No person shall violate any rule of the chief adopted under this chapter.

(B)(1) Any order issuing, denying, or modifying a permit or notices required to be made by the chief pursuant to this chapter shall be made in compliance with Chapter 119. of the Revised Code, except that personal service may be used in lieu of service by mail. Every order issuing, denying, or modifying a permit under this chapter and described as such shall be considered an adjudication order for purposes of Chapter 119. of the Revised Code. Division (B)(1) of this section does not apply to a permit issued under section 1509.06 of the Revised Code.

(2) Where notice to the owners is required by this chapter, the notice shall be given as prescribed by a rule adopted by the chief to govern the giving of notices. The rule shall provide for notice by publication except in those cases
where other types of notice are necessary in order to meet the
requirements of the law.

(C) The chief or the chief's authorized representative may
at any time enter upon lands, public or private, for the purpose
of administration or enforcement of this chapter, the rules
adopted or orders made thereunder, or terms or conditions of
permits or registration certificates issued thereunder and may
examine and copy records pertaining to the drilling, conversion,
or operation of a well for injection of fluids and logs required
by division (C) of section 1509.223 of the Revised Code. No
person shall prevent or hinder the chief or the chief's
authorized representative in the performance of official duties.
If entry is prevented or hindered, the chief or the chief's
authorized representative may apply for, and the court of common
pleas may issue, an appropriate inspection warrant necessary to
achieve the purposes of this chapter within the court's
territorial jurisdiction.

(D) The chief may issue orders to enforce this chapter,
rules adopted thereunder, and terms or conditions of permits
issued thereunder. Any such order shall be considered an
adjudication order for the purposes of Chapter 119. of the
Revised Code. No person shall violate any order of the chief
issued under this chapter. No person shall violate a term or
condition of a permit or registration certificate issued under
this chapter.

(E) Orders of the chief denying, suspending, or revoking a
registration certificate; approving or denying approval of an
application for revision of a registered transporter's plan for
disposal; or to implement, administer, or enforce division (A)
of section 1509.224 and sections 1509.22, 1509.222, 1509.223,
and 1509.225, and 1509.226 of the Revised Code pertaining to the
transportation of brine by vehicle and the disposal of brine so
transported are not adjudication orders for purposes of Chapter
119. of the Revised Code. The chief shall issue such orders
under division (A) or (B) of section 1509.224 of the Revised
Code, as appropriate.

Sec. 1509.22. (A) Except when acting in accordance with
section 1509.226 of the Revised Code, no—

(1) No person shall
place or cause to be placed in ground water or in or on the land
or discharge or cause to be discharged in surface water brine,
crude oil, natural gas, or other fluids associated with the
exploration, development, well stimulation, production
operations, or plugging of oil and gas resources that causes or
could reasonably be anticipated to cause damage or injury to
public health or safety or the environment.

(2) No person shall apply brine on the surface of any road
or highway in this state.

(B)(1) No person shall store or dispose of brine in
violation of a plan approved under division (A) of section
1509.222 or section 1509.226 of the Revised Code, in violation
of a resolution submitted under section 1509.226 of the Revised
Code, or in violation of rules or orders applicable to those
plans or resolutions that plan.

(2)(a) On and after January 1, 2014, no person shall
store, recycle, treat, process, or dispose of in this state
brine or other waste substances associated with the exploration,
development, well stimulation, production operations, or
plugging of oil and gas resources without an order or a permit
issued under this section or section 1509.06 or 1509.21 of the
Revised Code or rules adopted under any of those sections. For
purposes of division (B)(2)(a) of this section, a permit or other form of authorization issued by another agency of the state or a political subdivision of the state shall not be considered a permit or order issued by the chief of the division of oil and gas resources management under this chapter.

(b) Division (B)(2)(a) of this section does not apply to a person that disposes of such waste substances other than brine in accordance with Chapter 3734. of the Revised Code and rules adopted under it.

(C) The chief shall adopt rules regarding storage, recycling, treatment, processing, and disposal of brine and other waste substances. However, the chief shall not adopt any rules authorizing the surface application of brine to roads or highways in this state. The rules shall establish procedures and requirements in accordance with which a person shall apply for a permit or order for the storage, recycling, treatment, processing, or disposal of brine and other waste substances that are not subject to a permit issued under section 1509.06 or 1509.21 of the Revised Code and in accordance with which the chief may issue such a permit or order. An application for such a permit shall be accompanied by a nonrefundable fee of two thousand five hundred dollars.

The storage, recycling, treatment, processing, and disposal of brine and other waste substances and the chief's rules relating to storage, recycling, treatment, processing, and disposal are subject to all of the following standards:

(1) Brine from any well except an exempt Mississippian well shall be disposed of only as follows:

(a) By injection into an underground formation, including
annular disposal if approved by rule of the chief, which
injection shall be subject to division (D) of this section;

(b) By surface application in accordance with section
1509.226 of the Revised Code;

(c) In association with a method of enhanced recovery as
provided in section 1509.21 of the Revised Code;

(d) In any other manner not specified in divisions (C)
(1)(a) to (c) or (b) of this section that is approved by a
permit or order issued by the chief.

(2) Brine from exempt Mississippian wells shall not be
discharged directly into the waters of the state.

(3) Muds, cuttings, and other waste substances shall not
be disposed of in violation of this chapter or any rule adopted
under it.

(4) Pits or steel tanks shall be used as authorized by the
chief for containing brine and other waste substances resulting
from, obtained from, or produced in connection with drilling,
well stimulation, reworking, reconditioning, plugging back, or
plugging operations. The pits and steel tanks shall be
constructed and maintained to prevent the escape of brine and
other waste substances.

(5) A dike or pit may be used for spill prevention and
control. A dike or pit so used shall be constructed and
maintained to prevent the escape of brine and crude oil, and the
reservoir within such a dike or pit shall be kept reasonably
free of brine, crude oil, and other waste substances.

(6) Impoundments constructed utilizing a synthetic liner
pursuant to the division's specifications may be used for the
temporary storage of waste substances used in the construction, stimulation, or plugging of a well.

(7) No pit or dike shall be used for the temporary storage of brine or other waste substances except in accordance with divisions (C)(4) and (5) of this section.

(8) No pit or dike shall be used for the ultimate disposal of brine or other liquid waste substances.

(D)(1) No person, without first having obtained a permit from the chief, shall inject brine or other waste substances resulting from, obtained from, or produced in connection with oil or gas drilling, exploration, or production into an underground formation unless a rule of the chief expressly authorizes the injection without a permit. The permit shall be in addition to any permit required by section 1509.05 of the Revised Code, and the permit application shall be accompanied by a permit fee of one thousand dollars. The chief shall adopt rules in accordance with Chapter 119. of the Revised Code regarding the injection into wells of brine and other waste substances resulting from, obtained from, or produced in connection with oil or gas drilling, exploration, or production. The rules shall include provisions regarding all of the following:

(a) Applications for and issuance of the permits required by this division;

(b) Entry to conduct inspections and to examine and copy records to ascertain compliance with this division and rules, orders, and terms and conditions of permits adopted or issued under it;

(c) The provision and maintenance of information through
monitoring, recordkeeping, and reporting. In addition, the rules shall require the owner of an injection well who has been issued a permit under division (D) of this section to quarterly submit electronically to the chief information concerning each shipment of brine or other waste substances received by the owner for injection into the well.

(d) The provision and electronic reporting quarterly of information concerning brine and other waste substances from a transporter that is registered under section 1509.222 of the Revised Code prior to the injection of the transported brine or other waste substances;

(e) Any other provisions in furtherance of the goals of this section and the Safe Drinking Water Act.

(2) The chief may adopt rules in accordance with Chapter 119. of the Revised Code authorizing tests to evaluate whether fluids or carbon dioxide may be injected in a reservoir and to determine the maximum allowable injection pressure, which shall be conducted in accordance with methods prescribed in the rules or in accordance with conditions of the permit. In addition, the chief may adopt rules that do both of the following:

(a) Establish the total depth of a well for which a permit has been applied for or issued under this division;

(b) Establish requirements and procedures to protect public health and safety.

(3) To implement the goals of the Safe Drinking Water Act, the chief shall not issue a permit for the injection of brine or other waste substances resulting from, obtained from, or produced in connection with oil or gas drilling, exploration, or production unless the chief concludes that the applicant has
demonstrated that the injection will not result in the presence of any contaminant in ground water that supplies or can reasonably be expected to supply any public water system, such that the presence of the contaminant may result in the system's not complying with any national primary drinking water regulation or may otherwise adversely affect the health of persons.

(4) The chief may issue an order to the owner of a well in existence on September 10, 2012, to make changes in the operation of the well in order to correct problems or to address safety concerns.

(5) This division and rules, orders, and terms and conditions of permits adopted or issued under it shall be construed to be no more stringent than required for compliance with the Safe Drinking Water Act unless essential to ensure that underground sources of drinking water will not be endangered.

(E) The owner holding a permit, or an assignee or transferee who has assumed the obligations and liabilities imposed by this chapter and any rules adopted or orders issued under it pursuant to section 1509.31 of the Revised Code, and the operator of a well shall be liable for a violation of this section or any rules adopted or orders or terms or conditions of a permit issued under it.

(F) An owner shall replace the water supply of the holder of an interest in real property who obtains all or part of the holder's supply of water for domestic, agricultural, industrial, or other legitimate use from an underground or surface source where the supply has been substantially disrupted by contamination, diminution, or interruption proximately resulting from the owner's oil or gas operation, or the owner may elect to
compensate the holder of the interest in real property for the difference between the fair market value of the interest before the damage occurred to the water supply and the fair market value after the damage occurred if the cost of replacing the water supply exceeds this difference in fair market values. However, during the pendency of any order issued under this division, the owner shall obtain for the holder or shall reimburse the holder for the reasonable cost of obtaining a water supply from the time of the contamination, diminution, or interruption by the operation until the owner has complied with an order of the chief for compliance with this division or such an order has been revoked or otherwise becomes not effective. If the owner elects to pay the difference in fair market values, but the owner and the holder have not agreed on the difference within thirty days after the chief issues an order for compliance with this division, within ten days after the expiration of that thirty-day period, the owner and the chief each shall appoint an appraiser to determine the difference in fair market values, except that the holder of the interest in real property may elect to appoint and compensate the holder's own appraiser, in which case the chief shall not appoint an appraiser. The two appraisers appointed shall appoint a third appraiser, and within thirty days after the appointment of the third appraiser, the three appraisers shall hold a hearing to determine the difference in fair market values. Within ten days after the hearing, the appraisers shall make their determination by majority vote and issue their final determination of the difference in fair market values. The chief shall accept a determination of the difference in fair market values made by agreement of the owner and holder or by appraisers under this division and shall make and dissolve orders accordingly. This division does not affect in any way the right of any person to
enforce or protect, under applicable law, the person's interest
in water resources affected by an oil or gas operation.

(G) In any action brought by the state for a violation of
division (A) of this section involving any well at which annular
disposal is used, there shall be a rebuttable presumption
available to the state that the annular disposal caused the
violation if the well is located within a one-quarter-mile
radius of the site of the violation.

(H)(1) There is levied on the owner of an injection well
who has been issued a permit under division (D) of this section
the following fees:

(a) Five cents per barrel of each substance that is
delivered to a well to be injected in the well when the
substance is produced within the division of oil and gas
resources management regulatory district in which the well is
located or within an adjoining oil and gas resources management
regulatory district;

(b) Twenty cents per barrel of each substance that is
delivered to a well to be injected in the well when the
substance is not produced within the division of oil and gas
resources management regulatory district in which the well is
located or within an adjoining oil and gas resources management
regulatory district.

(2) The maximum number of barrels of substance per
injection well in a calendar year on which a fee may be levied
under division (H) of this section is five hundred thousand. If
in a calendar year the owner of an injection well receives more
than five hundred thousand barrels of substance to be injected
in the owner's well and if the owner receives at least one
substance that is produced within the division's regulatory
district in which the well is located or within an adjoining
regulatory district and at least one substance that is not
produced within the division's regulatory district in which the
well is located or within an adjoining regulatory district, the
fee shall be calculated first on all of the barrels of substance
that are not produced within the division's regulatory district
in which the well is located or within an adjoining district at
the rate established in division (H)(2) of this section. The fee
then shall be calculated on the barrels of substance that are
produced within the division's regulatory district in which the
well is located or within an adjoining district at the rate
established in division (H)(1) of this section until the maximum
number of barrels established in division (H)(2) of this section
has been attained.

(3) The owner of an injection well who is issued a permit
under division (D) of this section shall collect the fee levied
by division (H) of this section on behalf of the division of oil
and gas resources management and forward the fee to the
division. The chief shall transmit all money received under
division (H) of this section to the treasurer of state who shall
deposit the money in the state treasury to the credit of the oil
and gas well fund created in section 1509.02 of the Revised
Code. The owner of an injection well who collects the fee levied
by this division may retain up to three per cent of the amount
that is collected.

(4) The chief shall adopt rules in accordance with Chapter
119. of the Revised Code establishing requirements and
procedures for collection of the fee levied by division (H) of
this section.
Sec. 1509.222. (A)(1) Except as provided in section 1509.226 of the Revised Code, no person shall transport brine by vehicle in this state unless the business entity that employs the person first registers with and obtains a registration certificate and identification number from the chief of the division of oil and gas resources management.

(2) No more than one registration certificate shall be required of any business entity. Registration certificates issued under this section are not transferable. An applicant shall file an application with the chief, containing such information in such form as the chief prescribes. The application shall include at least all of the following:

(a) A list that identifies each vehicle, vessel, railcar, and container that will be used in the transportation of brine;

(b) A plan for disposal that provides for compliance with the requirements of this chapter and rules of the chief pertaining to the transportation of brine by vehicle and the disposal of brine so transported and that lists all disposal sites that the applicant intends to use;

(c) The bond required by section 1509.225 of the Revised Code;

(d) A certificate issued by an insurance company authorized to do business in this state certifying that the applicant has in force a liability insurance policy in an amount not less than three hundred thousand dollars bodily injury coverage and three hundred thousand dollars property damage coverage to pay damages for injury to persons or property caused by the collecting, handling, transportation, or disposal of brine.
The insurance policy required by division (A)(2)(d) of this section shall be maintained in effect during the term of the registration certificate. The policy or policies providing the coverage shall require the insurance company to give notice to the chief if the policy or policies lapse for any reason. Upon such termination of the policy, the chief may suspend the registration certificate until proper insurance coverage is obtained.

(3) Each application for a registration certificate shall be accompanied by a nonrefundable fee of fifty dollars.

(4) If a business entity that has been issued a registration certificate under this section changes its name due to a business reorganization or merger, the business entity shall revise the bond or certificates of deposit required by section 1509.225 of the Revised Code and obtain a new certificate from an insurance company in accordance with division (A)(2)(e) of this section to reflect the change in the name of the business entity.

(B) The chief shall issue an order denying an application for a registration certificate if the chief finds that either of the following applies:

(1) The applicant, at the time of applying for the registration certificate, has been found liable by a final nonappealable order of a court of competent jurisdiction for damage to streets, roads, highways, bridges, culverts, or drainways pursuant to section 4513.34 or 5577.12 of the Revised Code until the applicant provides the chief with evidence of compliance with the order.

(2) The applicant's plan for disposal does not provide for
compliance with the requirements of this chapter and rules of
the chief pertaining to the transportation of brine by vehicle
and the disposal of brine so transported.

(C) No applicant shall attempt to circumvent division (B)
of this section by applying for a registration certificate under
a different name or business organization name, by transferring
responsibility to another person or entity, or by any similar
act.

(D) A registered transporter shall apply to revise a
disposal plan under procedures that the chief shall prescribe by
rule. However, at a minimum, an application for a revision shall
list all sources and disposal sites of brine currently
transported. The chief shall deny any application for a revision
of a plan under this division if the chief finds that the
proposed revised plan does not provide for compliance with the
requirements of this chapter and rules of the chief pertaining
to the transportation of brine by vehicle and the disposal of
brine so transported. Approvals and denials of revisions shall
be by order of the chief.

(E) The chief may adopt rules, issue orders, and attach
terms and conditions to registration certificates as may be
necessary to administer, implement, and enforce sections
1509.222 to 1509.226 of the Revised Code for protection
of public health or safety or conservation of natural resources.

Sec. 1509.223. (A) No permit holder or owner of a well
shall enter into an agreement with or permit any person to
transport brine produced from the well who is not registered
pursuant to section 1509.222 of the Revised Code or exempt from
registration under section 1509.226 of the Revised Code.
(B) Each registered transporter shall file with the chief of the division of oil and gas resources management, on or before the fifteenth day of April, a statement concerning brine transported, including quantities transported and source and delivery points, during the last preceding calendar year, and such other information in such form as the chief may prescribe.

(C) Each registered transporter shall keep on each vehicle used to transport brine a daily log and have it available upon the request of the chief or an authorized representative of the chief or a peace officer. The log shall, at a minimum, include all of the following information:

1. The name of the owner or owners of the well or wells producing the brine to be transported;
2. The date and time the brine is loaded;
3. The name of the driver;
4. The amount of brine loaded at each collection point;
5. The disposal location;
6. The date and time the brine is disposed of and the amount of brine disposed of at each location.

The chief, by rule, may establish procedures for the electronic submission to the chief of the information that is required to be included in the daily log. No registered transporter shall falsify or fail to keep or submit the log required by this division.

(D) Each registered transporter shall legibly identify with reflective paints all vehicles employed in transporting or disposing of brine. Letters shall be no less than four inches in height and shall indicate the identification number issued by
the chief, the word "brine," and the name and telephone number
of the transporter.

(E) The chief shall maintain and keep a current list of
persons registered to transport brine under section 1509.222 of
the Revised Code. The list shall be open to public inspection.
It is an affirmative defense to a charge under division (A) of
this section that at the time the permit holder or owner of a
well entered into an agreement with or permitted a person to
transport brine, the person was shown on the list as currently
registered to transport brine.

Sec. 1509.224. (A) In addition to any other remedies
provided in this chapter, if the chief of the division of oil
and gas resources management has reason to believe that a
pattern of the same or similar violations of any requirements of
section 1509.22, 1509.222, or 1509.223 of the Revised Code, or
any rule adopted thereunder or term or condition of the
registration certificate issued thereunder exists or has
existed, and the violations are caused by the transporter's
indifference, lack of diligence, or lack of reasonable care, or
are willfully caused by the transporter, the chief shall
immediately issue an order to the transporter to show cause why
the certificate should not be suspended or revoked. After the
issuance of the order, the chief shall provide the transporter
an opportunity to be heard and to present evidence at an
informal hearing conducted by the chief. If, at the conclusion
of the hearing, the chief finds that such a pattern of
violations exists or has existed, the chief shall issue an order
suspending or revoking the transporter's registration
certificate. An order suspending or revoking a certificate under
this section may be appealed under sections 1509.36 and 1509.37
of the Revised Code, or notwithstanding any other provision of
this chapter, may be appealed directly to the court of common  
pleas of Franklin county.

(B) Before issuing an order denying a registration  
certificate; approving or denying approval of an application for  
revision of a registered transporter's plan for disposal; or to  
implement, administer, or enforce section 1509.22, 1509.222,  
1509.223, or 1509.225 of the Revised Code and rules  
and terms and conditions of registration certificates adopted or  
issued thereunder pertaining to the transportation of brine by  
vehicle and the disposal of brine so transported, the chief  
shall issue a preliminary order indicating the chief's intent to  
issue a final order. The preliminary order shall clearly state  
the nature of the chief's proposed action and the findings on  
which it is based and shall state that the preliminary order  
becomes a final order thirty days after its issuance unless the  
person to whom the preliminary order is directed submits to the  
chief a written request for an informal hearing before the chief  
within that thirty-day period. At the hearing the person may  
present evidence as to why the preliminary order should be  
revoked or modified. Based upon the findings from the informal  
hearing, the chief shall revoke, issue, or modify and issue the  
preliminary order as a final order. A final order may be  
appealed under sections 1509.36 and 1509.37 of the Revised Code.

Sec. 1509.33. (A) Whoever violates sections 1509.01 to  
1509.31 of the Revised Code, or any rules adopted or orders or  
terms or conditions of a permit or registration certificate  
issued pursuant to these sections for which no specific penalty  
is provided in this section, shall pay a civil penalty of not  
more than ten thousand dollars for each offense.

(B) Whoever violates section 1509.221 of the Revised Code
or any rules adopted or orders or terms or conditions of a permit issued thereunder shall pay a civil penalty of not more than ten thousand dollars for each violation.

(C) Whoever violates division (D) of section 1509.22 or division (A)(1) of section 1509.222 of the Revised Code shall pay a civil penalty of not less than two thousand five hundred dollars nor more than twenty thousand dollars for each violation.

(D) Whoever violates division (A)(1) or (2) of section 1509.22 of the Revised Code shall pay a civil penalty of not less than two thousand five hundred dollars nor more than ten thousand dollars for each violation.

(E) Whoever violates division (A) of section 1509.223 of the Revised Code shall pay a civil penalty of not more than ten thousand dollars for each violation.

(F) Whoever violates section 1509.072 of the Revised Code or any rules adopted or orders issued to administer, implement, or enforce that section shall pay a civil penalty of not more than five thousand dollars for each violation.

(G) In addition to any other penalties provided in this chapter, whoever violates section 1509.05, section 1509.21, division (B) of section 1509.22, or division (A)(1) of section 1509.222 of the Revised Code or a term or condition of a permit or an order issued by the chief of the division of oil and gas resources management under this chapter or knowingly violates division (A) of section 1509.223 of the Revised Code is liable for any damage or injury caused by the violation and for the actual cost of rectifying the violation and conditions caused by the violation. If two or more persons knowingly violate one or
more of those divisions in connection with the same event, activity, or transaction, they are jointly and severally liable under this division.

(H) The attorney general, upon the request of the chief of the division of oil and gas resources management, shall commence an action under this section against any person who violates sections 1509.01 to 1509.31 of the Revised Code, or any rules adopted or orders or terms or conditions of a permit or registration certificate issued pursuant to these sections. Any action under this section is a civil action, governed by the Rules of Civil Procedure and other rules of practice and procedure applicable to civil actions. The remedy provided in this division is cumulative and concurrent with any other remedy provided in this chapter, and the existence or exercise of one remedy does not prevent the exercise of any other, except that no person shall be subject to both a civil penalty under division (A), (B), (C), or (D) of this section and a fine established in section 1509.99 of the Revised Code for the same offense.

(I) For purposes of this section, each day of violation constitutes a separate offense.

Sec. 1509.99. (A) Whoever violates sections 1509.01 to 1509.31 of the Revised Code or any rules adopted or orders or terms or conditions of a permit issued pursuant to these sections for which no specific penalty is provided in this section shall be fined not less than one hundred nor more than one thousand dollars for a first offense; for each subsequent offense the person shall be fined not less than two hundred nor more than two thousand dollars.

(B) Whoever violates section 1509.221 of the Revised Code
or any rules adopted or orders or terms or conditions of a permit issued thereunder shall be fined not more than five thousand dollars for each violation.

(C) Whoever knowingly violates section 1509.072, division (A)(1) or (2), (B), or (D) of section 1509.22, division (A) (1) or (C) of section 1509.222, or division (A) or (D) of section 1509.223 of the Revised Code or any rules adopted or orders issued under division (C) of section 1509.22 or rules adopted or orders or terms or conditions of a registration certificate issued under division (E) of section 1509.222 of the Revised Code shall be fined ten thousand dollars or imprisoned for six months, or both for a first offense; for each subsequent offense the person shall be fined twenty thousand dollars or imprisoned for two years, or both. Whoever negligently violates those divisions, sections, rules, orders, or terms or conditions of a registration certificate shall be fined not more than five thousand dollars.

(D) Whoever violates division (C) of section 1509.223 of the Revised Code shall be fined not more than five hundred dollars for a first offense and not more than one thousand dollars for a subsequent offense.

(E) The prosecuting attorney of the county in which the offense was committed or the attorney general may prosecute an action under this section.

(F) For purposes of this section, each day of violation constitutes a separate offense.

Section 2. That existing sections 1509.03, 1509.22, 1509.222, 1509.223, 1509.224, 1509.33, and 1509.99 of the Revised Code are hereby repealed.
Section 3. That section 1509.226 of the Revised Code is hereby repealed.