

**As Introduced**

**129th General Assembly  
Regular Session  
2011-2012**

**H. B. No. 500**

**Representative Gerberry**

**Cosponsors: Representatives Murray, Gonzales, Boyd, Hagan, R.**

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**A B I L L**

To enact section 1509.39 of the Revised Code to 1  
authorize a fee on the recycling of brine from oil 2  
and gas operations to benefit local governments. 3

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

**Section 1.** That section 1509.39 of the Revised Code be 4  
enacted to read as follows: 5

**Sec. 1509.39.** (A) For the purposes of defraying the added 6  
costs to a county and to a municipal corporation or township 7  
resulting from the location and operation of a facility that 8  
recycles brine from oil and gas operations within the county and 9  
the municipal corporation or township, a county and the municipal 10  
corporation or township in which such a facility is located each 11  
may levy a fee of seventeen and one-half cents per barrel of brine 12  
recycled at the facility. 13

(B) The legislative authority of a county, municipal 14  
corporation, or township may levy a fee under this section by 15  
enacting an ordinance or adopting a resolution establishing the 16  
fee. Upon doing so, the legislative authority shall mail a 17  
certified copy of the ordinance or resolution to the owner or 18  
operator of the facility that is required to collect the fee and 19  
to the chief of the division of oil and gas resources management. 20

(C) Collection of a fee levied under this section shall 21  
commence on the first day of the second month following the month 22  
in which notification is sent to the owner or operator. The owner 23  
or operator of a brine recycling facility shall collect the fee 24  
levied under this section on behalf of the county, municipal 25  
corporation, or township and forward the proceeds of the fee to 26  
the county, municipal corporation, or township, as applicable, on 27  
a monthly basis. 28

(D) A county, municipal corporation, or township that levies 29  
a fee under this section shall deposit the proceeds of the fee in 30  
the general fund of the county, municipal corporation, or 31  
township, as applicable. 32