



Ohio Legislative Service Commission

Bill Analysis

Max Gakh

S.B. 18

128th General Assembly
(As Introduced)

Sens. Gibbs, Schuler, Grendell, Schaffer

BILL SUMMARY

- Requires all money collected by the Environmental Protection Agency as a result of the imposition of a fine against a private entity under an environmental law to be credited to the General Revenue Fund and requires actions and policies to ensure compliance with this requirement.
- Requires the proceeds of a fine paid by a county, municipal corporation, or township under an environmental law to be expended by the state in the county that incurred the fine or in which the municipal corporation or township that incurred the fine is located.

CONTENT AND OPERATION

Diversion into the General Revenue Fund of fines against private entities for environmental law violations

(R.C. 3745.25(C))

The bill requires that all money collected by the Environmental Protection Agency as a result of the imposition of a fine against a private entity under any environmental law must be credited to the General Revenue Fund rather than to the fund the fine is credited to under current law. The bill also requires the Director of Environmental Protection, in consultation with the Director of Budget and Management, to take actions and adopt policies necessary to ensure compliance with this requirement.

Local expenditure of fines against certain political subdivisions for environmental law violations

(R.C. 3745.25(B))

The bill requires the Director of Environmental Protection, notwithstanding any provision of law to the contrary and in consultation with the Director of Budget and Management, to ensure that money collected as the result of the imposition of a fine levied against a county, municipal corporation, or township under any environmental law is expended by the state in the county that incurred the fine or in the county in which the municipal corporation or township that incurred the fine is located. The Director of Environmental Protection and the Director of Budget and Management jointly must take actions and may adopt policies that are necessary to ensure that state expenditures comply with the bill.

Definition of "environmental law"

(R.C. 3745.25(A))

The bill defines "environmental law" to mean the Air Pollution Control Law, Construction and Demolition Debris Law, Solid, Hazardous, and Infectious Waste Law, general law governing the Environmental Protection Agency, Voluntary Action Program Law, Emergency Planning Law, Hazardous Substances Law, Cessation of Regulated Operations Law, Risk Management Program Law, Safe Drinking Water Law, and Water Pollution Control Law; any federal counterparts of those laws; rules adopted under those laws or federal counterparts; and terms and conditions of orders, permits, permit renewals, licenses, license renewals, variances, exemptions, or plan approvals issued under those laws or federal counterparts.

HISTORY

ACTION	DATE
Introduced	02-10-09

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