



Ohio Legislative Service Commission

Bill Analysis

Jeffery A. Bernard

S.B. 45

128th General Assembly
(As Introduced)

Sen. Kearney

BILL SUMMARY

- Requires the owner of an apartment building containing more than 30 dwelling units to eradicate vermin infestation from the building.
- Authorizes the Director of Health to enforce the bill by issuing warning letters or fining violators.

CONTENT AND OPERATION

Eradication of vermin infestation

(R.C. 3701.67(A) and (B))

The bill requires the owner of an apartment building containing more than 30 dwelling units to eradicate vermin infestation from the building. "Vermin" is any noxious, objectionable, or disgusting insect or animal, including lice, bedbugs, cockroaches, mice, and rats. "Apartment building" is one or more buildings where at least 75% of the units are residential-dwelling units leased to tenants on a non-transient basis. Hotels and college dormitories are specifically excluded from the bill's provisions.

Complaints

(R.C. 3701.67(C))

The bill permits any person to file a complaint with the Director of Health alleging a violation of the requirement that vermin infestation be eradicated. The Director must promptly investigate each complaint.

Penalties

(R.C. 3701.67(D))

The bill permits the Director to take action against an owner found to be in violation of the vermin eradication requirement. For a first violation, the Director may issue a warning letter. For each subsequent violation, the Director may impose a fine. For the second violation, the bill specifies a \$500 fine. For each subsequent violation, the amount of the fine is twice the amount of the most recently imposed fine.

Delegation of the Director's duties

(R.C. 3701.67(A))

Under the bill, the duties of the Director of Health may, at the Director's direction, be performed by any person or entity charged with enforcing the Department of Health's rules under current law (R.C. 3701.56). Current law requires local boards of health, health authorities and officials, officers of state institutions, law enforcement officers, and other government officials to enforce the Department's rules.

HISTORY

ACTION	DATE
Introduced	02-10-09

s0045-i-128.docx/kl