

Fiscal Note & Local Impact Statement

127th General Assembly of Ohio

Ohio Legislative Service Commission
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BILL: **H.B. 38** DATE: **March 21, 2007**
STATUS: **As Introduced** SPONSOR: **Rep. Skindell**
LOCAL IMPACT STATEMENT REQUIRED: **No — Minimal cost**
CONTENTS: **Requires the inclusion of a bittering agent in engine coolant and antifreeze**

State Fiscal Highlights

STATE FUND	FY 2007	FY 2008	FUTURE YEARS
General Revenue Fund – Department of Agriculture			
Revenues	- 0 -	- 0 -	- 0 -
Expenditures	Potential increase of around \$68,400 per year	Potential increase of around \$68,400 per year	Potential increase of around \$68,400 per year

Note: The state fiscal year is July 1 through June 30. For example, FY 2007 is July 1, 2006 – June 30, 2007.

- The bill permits the Director of the Department of Agriculture to conduct investigations and inspections and take other actions necessary to enforce the bittering agent requirements. According to staff at the Department of Agriculture, the Weights and Measures Division would experience an annual increase of approximately \$68,400 in expenditures due to extra workload, lab costs, and violation enforcement.

Local Fiscal Highlights

LOCAL GOVERNMENT	FY 2007	FY 2008	FUTURE YEARS
Counties			
Revenues	Potential minimal gain	Potential minimal gain	Potential minimal gain
Expenditures	Minimal effect	Minimal effect	Minimal effect

Note: For most local governments, the fiscal year is the calendar year. The school district fiscal year is July 1 through June 30.

- The bill requires violators to be fined not more than \$1,000 and to be guilty of a misdemeanor.
- It appears that the number of offenders that could be affected by the bill in any given county or municipal criminal justice system annually will likely be relatively small. Assuming that were true, and given the likelihood that a court rarely imposes, or if imposed rarely collects, the maximum possible fine for an offense, a given county or municipality seems unlikely to gain more than a minimal amount of additional court cost and fine revenue annually, if that, from offenders convicted of criminal offenses.



Detailed Fiscal Analysis

Requirements of the bill

Beginning July 1, 2007, the bill requires manufacturers, packagers, distributors, recyclers, and sellers of engine coolant or antifreeze, in Ohio, to include a bittering agent in engine coolant or antifreeze that contains more than 10% ethylene glycol and was manufactured after December 1, 2006. The bill also requires a manufacturer or packager of engine coolant or antifreeze to maintain a record of the trade name, scientific name, and active ingredients of the bittering agent.

Exceptions. The bill does not apply to the sale of a motor vehicle that contains engine coolant or antifreeze, or to a wholesale container of engine coolant or antifreeze containing 55 gallons or more of antifreeze.

Department of Agriculture

The bill authorizes the Director of the Department of Agriculture to investigate and inspect in order to enforce the requirements as laid out in the bill. The Department of Agriculture's Weights and Measures Division would likely experience an increase in expenditures of around \$68,400 per year to cover staffing, lab costs, and violation enforcement.

Local fiscal effects

Municipal courts

The bill prohibits manufacturers, packagers, distributors, recyclers, and sellers of engine coolant or antifreeze from failing to comply with its requirements by either offering or distributing engine coolant or antifreeze that does not include a bittering agent or failing to comply with record keeping requirements. Persons violating the bill are guilty of a misdemeanor and must be fined not more than \$1,000.

It appears that the number of offenders that could be affected by the bill in any given county or municipal criminal justice system annually will likely be relatively small. Assuming that were true, and given the likelihood that a court rarely imposes, or if imposed rarely collects, the maximum possible fine for an offense, a given county or municipality seems unlikely to gain more than a minimal amount of additional court cost and fine revenue annually, if that, from offenders convicted of criminal offenses

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