



Ohio Legislative Service Commission

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Fiscal Note & Local Impact Statement

Bill: [S.B. 359 of the 130th G.A.](#)

Date: December 3, 2014

Status: As Introduced

Sponsor: Sens. Beagle and Lehner

Local Impact Statement Procedure Required: Yes

Contents: Requires exterior means of egress for dwelling areas above the second story of certain residential rental properties

State Fiscal Highlights

- No direct fiscal effect on the state.

Local Fiscal Highlights

- Counties, municipalities, and townships may incur new costs to identify and inspect certain residential rental properties that would be required to have an exterior means of egress under the bill. The cost will depend on the number of affected properties in each jurisdiction and whether or not the local government assesses a fee for the inspection.
- Adjudication costs for counties and municipalities may increase as code violations under the bill are identified. However, the cost will at least be partially offset by revenues collected from citations being issued for such violations.

Detailed Fiscal Analysis

The bill establishes a general requirement that every existing residential rental property have an exterior means of egress from any living space that is above the second floor unless the property has a fire suppression system. The requirement applies to buildings that were originally designed as a single-family dwelling, but have been converted to a multi-family dwelling. The bill also requires that the State Fire Code, Residential Building Code (RBC), and Nonresidential Building Code (NBC) each include the new requirement.

As a result of the bill, counties, municipalities, and townships could incur new costs for identifying and inspecting properties that would now be required to have an exterior means of egress. Inspections are conducted either by local building departments or certified local fire safety inspectors. However, as noted in the LSC Bill Analysis, a local government may choose to enforce no residential building code, either the RBC or a local code. However, the State Fire Code applies to all buildings and is enforced by specified officers within municipal or township fire departments. The fiscal effect on local governments will depend on the number of affected properties in their jurisdiction and whether or not they will assess a fee for the inspection. It is unclear how local governments will identify affected properties in their jurisdiction. This may increase administrative costs for local governments. Presumably, the number of residential rental properties to which the bill's requirements apply could be quite numerous statewide.

The bill may also result in more individuals being prosecuted for violating the general requirement and State Fire Code. If this occurs, adjudication costs for counties and municipalities may increase. However, the cost will at least be partially offset by fine revenues collected from citations being issued. Any person violating the general requirement is guilty of a minor misdemeanor and is subject to a fine of up to \$150. A person who violates the State Fire Code may receive a civil penalty up to \$1,000. If a person knowingly violates the State Fire Code, they are guilty of a first degree misdemeanor, the penalties which include a fine of up to \$1,000 and a jail term of up to 180 days.