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# OHIO LEGISLATIVE SERVICE COMMISSION

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## Synopsis of House Committee Amendments

(This synopsis does not address amendments that may have been adopted on the House Floor.)

### S.B. 147 of the 136<sup>th</sup> General Assembly

#### House Community Revitalization

Amanda Goodman, Attorney

### New permissive C&DD fee

Does all of the following regarding the bill's permissive fee that a solid waste management district (SWMD) may levy on the disposal of construction and demolition debris (C&DD) disposed of in the district:

- Allows a SWMD to levy the new C&DD disposal fee only at a facility located in an authorized county, which is a county that has a population between 53,000 and 58,000 according to the most recent decennial census, instead of in every county;
- Instead of 100% of the proceeds from the new fee going to the board of health of the health district in which the C&DD or solid waste facility that collected the fee is located, requires the SWMD to forward 25% of the fee to the Ohio Environmental Protection Agency and allows the SWMD to either keep the remaining 75% of the fee for SWMD purposes or forward the amount to the board of health; and
- Instead of imposing the new C&DD disposal fee at a rate of \$1-\$2 per ton for the disposal of C&DD generated within the SWMD or out-of-state and at a rate of \$2-\$4 per ton for the disposal of C&DD generated outside of the SWMD, but in state, beginning on the bill's effective date, phases-in the new fee over a three-year period as follows:

Phase-in of C&DD disposal fee in an authorized county		
Year	Fee on the disposal of C&DD generated within the district or generated out-of-state	Fee on the disposal of C&DD generated outside the district, but in state
1 <sup>st</sup> year after the bill's effective date	Between 35¢ and 70¢ per ton	Between 70¢ and \$1.40 per ton

Phase-in of C&DD disposal fee in an authorized county		
Year	Fee on the disposal of C&DD generated within the district or generated out-of-state	Fee on the disposal of C&DD generated outside the district, but in state
2 <sup>nd</sup> year after the bill's effective date	Between 70¢ and \$1.40 per ton	Between \$1.40 and \$2.80 per ton
Beginning the 3 <sup>rd</sup> year and all subsequent years after the bill's effective date	Between \$1.00 and \$2.00 per ton	Between \$2.00 and \$4.00 per ton

## Withdrawal: regional solid waste management authorities

Creates an exception to the new procedures for the withdrawal of a county from a joint SWMD in the case of a joint SWMD that is managed by a regional solid waste management authority.

Accordingly, specifies that if a regional solid waste management authority manages the joint SWMD in accordance with an agreement and the agreement governs the withdrawal of a county from the joint SWMD, the bill's withdrawal procedures do not apply and instead the agreement's withdrawal procedures apply.

However, if a regional solid waste management authority manages the joint SWMD in accordance with an agreement that does not have terms governing a county's withdrawal from the joint SWMD, imposes specified preliminary requirements that apply before a county may proceed to withdraw from a joint SWMD in accordance with the bill.

## Memorandum of Understanding

Regarding a memorandum of understanding (MOU) that specifies the terms of how one or more counties will withdraw from a joint SWMD, authorizes the counties that are parties to the MOU to allocate, via the MOU, funding for the solid waste management planning process for each newly formed SWMD that results from the withdrawal.

In the alternative, if a court is determining the terms of the MOU, authorizes the court to allocate, via the MOU, funding for the solid waste management planning process for each newly formed SWMD that results from the withdrawal.