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OHIO LEGISLATIVE SERVICE COMMISSION

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S.B. 6

136th General Assembly

Final Analysis

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Primary Sponsor: Sen. Roegner

Effective date: *

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SUMMARY

- Allows for expedited appeals to the Ohio Board of Building Appeals and county and municipal boards of building appeals.

DETAILED ANALYSIS

The Ohio Board of Building Appeals hears appeals to orders enforcing the Ohio Building Code, the Ohio Residential Building Code, the Ohio Fire Code, the Ohio Elevator Code, and the Ohio Boiler Pressure and Vessel Code. The Board of Building Appeals may also certify county and municipal boards of building appeals to hear appeals to orders enforcing the Ohio Building Code and the Residential Code of Ohio.¹ The act provides for expedited appeals to these boards.

Requests and scheduling for expedited appeals

When a party appeals an order, the Board of Building Appeals, or the relevant county or municipal board, must schedule a hearing no sooner than seven days and no later than 15 days after the appeal is requested.² The act allows appellants to request expedited appeals. If an expedited appeal is requested when the appeal is made, the act requires the board to both:

- Commence the appeal within one day after the request is made, excluding Saturdays, Sundays, and legal holidays; and
- Hold a hearing within five days after the request is made, excluding Saturdays, Sundays, and legal holidays.

* The Legislative Service Commission had not received formal notification of the effective date at the time this analysis was prepared. Additionally, the analysis may not reflect action taken by the Governor.

¹ R.C. 3781.19 and 3781.20; Ohio Administrative Code (O.A.C.) 4101:13-1-04, not in the act.

² R.C. 119.07, not in the act.

If an expedited appeal is not requested at the outset, the person who requested the appeal may later request that the remainder of the appeal be expedited if, during the course of the appeal, the board issues a continuance of the hearing, such that no decision is made and additional evidence is requested in order to continue the proceeding. In those circumstances, the person may request that any follow-up hearing be expedited within five days after the issue of the continuance, excluding Saturdays, Sundays, and legal holidays. The follow-up hearing then must be held within five days after the request.

Generally, the Board of Building Appeals, and a county or municipal board, must issue its decision within 30 days after an appeal hearing. The act states that this deadline does not apply to expedited appeals, but does not provide an alternative deadline.³

Under the act, the board conducting an expedited hearing must provide all parties with notice before conducting the hearing. The board may hold the hearing electronically.⁴

Fees for expedited appeals

The Board of Building Appeals is permitted to establish reasonable fees for appeals, based on actual costs for administration of filing and processing and not exceeding \$200. County and municipal boards of building appeals are also permitted to establish reasonable, cost-based, fees for appeals that do not exceed \$100. The act allows the Board of Building Appeals, and county and municipal boards, to establish additional fees for expedited appeals. Those fees cannot exceed \$500 for each day the appeal is pending or \$1,000 in total.⁵

Rules

The Board of Building Standards is authorized to adopt rules implementing the act's expedited appeal process.⁶

HISTORY

Action	Date
Introduced	01-22-25
Reported, S. Government Oversight and Reform	02-12-25
Passed Senate (32-0)	02-19-25
Reported, H. Development	06-04-25
Passed House (92-0)	06-11-25

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³ R.C. 3781.19.

⁴ R.C. 3781.21(A) and (C).

⁵ R.C. 3781.19, 3781.20(B), 3781.21(B); O.A.C. 4101:13-1-13, not in the act.

⁶ R.C. 3781.21(D).