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OHIO LEGISLATIVE SERVICE COMMISSION

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H.B. 59 1_136_0307-2 136th General Assembly	Bill Analysis Click here for H.B. 59's Fiscal Note
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Version: As Pending in House General Government

Primary Sponsors: Reps. Fowler Arthur and Hiner

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SUMMARY

This analysis is arranged by the general provisions affecting occupational review followed by the state agencies subject to review this biennium.

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GENERAL PROVISIONS

Occupational regulation review

- Expands, beginning with the biennium that starts in 2027, the scope of the Legislative Service Commission's (LSC) statutorily required review of occupational regulations to include the factors that the standing committee of the General Assembly must consider when conducting its review of the board that regulates the occupation.
- Requires, beginning with the biennium that starts in 2027, the LSC Director to require any department or board that regulates an occupation to provide additional specified information to be included in LSC's report.
- Allows a standing committee conducting the General Assembly's statutorily required review of occupational licensing boards to accept the report issued by LSC in the immediately preceding biennium in lieu of receiving testimony from the chief executive officer of an occupational licensing board or requiring the board to submit a report containing specified information to the committee.
- Expands the information an occupational licensing board must include in the report required to be submitted to the standing committee to include any experience or other requirements an individual must meet to serve as a member of the governing board or governing entity.
- Renews for six years the occupational licensing boards reviewed this biennium by the House State and Local Government committee.

LSC report

Beginning with the biennium that starts in 2027, the bill expands the scope of the Legislative Service Commission's (LSC) statutorily required report on occupational regulations to include the factors that the standing committee of the General Assembly must consider when conducting its review of the board that regulates the occupation. LSC's report generally covers the occupational regulations issued by the boards that the General Assembly will review in the following biennium.¹

Beginning with the biennium that starts in 2027, the LSC Director must require any department or board that regulates an occupation to provide the following information to be included in LSC's report:

- Quantitative data on the following information, if applicable, for the period since the occupation was last reported on by the LSC Director:
 - The number of applicants;
 - Application approvals and denials;

¹ R.C. 103.27(B).

- New approvals;
 - Renewals, including approval of applicants who previously had approval to practice the occupation;
 - Data regarding discipline;
 - Revenue and costs;
 - Changes in revenue and costs since the occupation was last reported on by the LSC Director;
 - Changes in caseload since the occupation was last included in the report issued by the LSC Director.
- An impact statement, including studies or data points, on any changes made to the occupation by the General Assembly during the period since the occupation was last reported on by the LSC Director. The impact statement must detail the impact of such a change on the board or department, the regulated occupation, and the public.
 - Additional documentation to support any response made to the LSC Director for inclusion in the report that is quantitative in nature, including responses related to fee structure and expenses of the department or board.²

Continuing law requires LSC to publish a biennial report comparing one-third of the state's occupational regulations with the general state policy outlined in continuing law every six years.³ Under continuing law, the House of Representatives and the Senate must review one-third of the state's occupational licensing boards each biennium – including all boards that are scheduled to expire at the end of the biennium. An occupational licensing board is triggered for expiration following the sixth year after it was created or last renewed by an act of the General Assembly.⁴

General Assembly review

The bill allows a standing committee tasked with the General Assembly's statutorily required review of occupational licensing boards to accept the report issued by LSC in the immediately preceding biennium in lieu of either of the following current law requirements:

- The requirement that the standing committee receive testimony from the chief executive officer of an occupational licensing board under review;
- The requirement that an occupational licensing board scheduled to be reviewed submit a report containing specified information to the standing committee.⁵

² R.C. 103.27(E).

³ R.C. 103.27.

⁴ R.C. 101.62, not in the bill; R.C. 101.63.

⁵ R.C. 101.63(E).

The bill expands the information an occupational licensing board must include in the report required to be submitted to the standing committee to include any experience or other requirements an individual must meet to serve as a member of the governing board or governing entity. In addition to other specified information, continuing law requires an occupational licensing board to include the number of members of its governing board or other governing entity and their compensation in the report.⁶

Renewal of occupational licensing boards

The bill renews until December 31 of the sixth year following the bill's enactment, the occupational licensing boards that were reviewed by the House General Government Committee during the 136th General Assembly.⁷ Those boards are as follows:

- The Ohio Athletic Commission;
- The following divisions and boards within the Department of Commerce:
 - Ohio Construction Industry Licensing Board;
 - Historical Boilers Licensing Board;
 - Ohio Home Inspector Licensing Board;
 - Division of Securities;
- The State Board of Education;
- The Ohio Environmental Protection Agency;
- The Ohio Department of Health;
- The State Medical Board;
- The Ohio Department of Natural Resources.⁸

⁶ R.C. 101.63(B)(4).

⁷ Section 4.

⁸ See the House General Government Committee's [Occupational License Review Committee Report](#), which can be found by on the House General Government Committee's October 22, 2025, meeting page on the General Assembly's website: legislature.ohio.gov.

OHIO ATHLETIC COMMISSION

Tough man and tough guy contests

- Requires the Ohio Athletic Commission to regulate tough man and tough guy contests as mixed martial arts (MMA) competitions.
- Prohibits the Commission from requiring a person seeking to participate in or conduct a tough man or tough guy contest to hold a license or permit that is separate from a license or permit required for an MMA competition.

Athletic agent fees

- Changes the fee for an initial and renewed athlete agent registration to \$400 from an amount necessary to administer the Athlete Agent Law as determined by the Commission (currently, the fee is \$500).

Tough man and tough guy contests

The bill requires the Ohio Athletic Commission to regulate tough man and tough guy contests as mixed martial arts (MMA) competitions. Under the bill, a person seeking to participate in these contests as a referee, judge, matchmaker, timekeeper, manager, trainer, contestant, or second must be licensed in the same manner as a participant in an MMA competition. Additionally, a person who holds a promoter's license seeking to conduct a tough man or tough guy contest must obtain a permit in the same manner as for any other contest regulated by the Commission. The Commission cannot require a separate license or permit for either of those purposes. Under continuing law, a tough man or tough guy contest is any competition that involves any physical contact bout between individuals attempting to knock out the opponent with boxing, kicking, or choking techniques, martial arts tactics, or any combination of these activities.⁹ It appears the bill codifies the Commission's current practice of regulating tough man and tough guy contests as MMA competitions.¹⁰

Athlete agent registration fee

The bill changes the fee for an initial and renewed athlete agent registration to \$400. Currently, the Commission must establish the fee in an amount necessary to generate sufficient funds to administer and enforce the Athlete Agent Law.¹¹ Under continuing law, the registration is valid for two years. Currently, the fee for an initial and renewed registration is \$500.¹²

⁹ R.C. 3773.341, with conforming changes in R.C. 3773.31, 3773.35, 3773.36, 3773.43, 3773.45, and 3773.54.

¹⁰ See pages 50 to 60 of LSC's [Occupational Regulation Report for the 135th General Assembly \(PDF\)](#), available at lsc.ohio.gov.

¹¹ R.C. Chapter 4771.

¹² R.C. 4771.05, 4771.07, and 4771.08 and Ohio Administrative Code (O.A.C.) 3773-1-05.

DEPARTMENT OF COMMERCE – OHIO HOME INSPECTOR BOARD

Continuing education and renewal fees

- Modifies the deadline by which a licensed home inspector must complete continuing education hours by requiring 42 hours to be completed every three years, rather than 14 hours annually as under current law.

Decreases the maximum fee that can be set for an initial home inspector license or license renewal from \$250 to \$200 (currently the fees are \$235 each).

Continuing education and renewal fees

The bill expands the deadline by which a licensed home inspector must fulfill the continuing education requirements. The bill allows the licensed home inspector to complete 42 hours over the three-year licensing term. Under current law, a licensed home inspector must complete at least 14 hours annually during each three-year period the home inspector's license is valid.¹³

The bill also decreases the initial licensing fee and renewal fee to \$200. Under current law, the Ohio Home Inspector Board must adopt a rule establishing these fees, which could be set up to \$250. This bill lowers the maximum licensing fee amount the Board can set to \$200. Currently, the license fee and renewal fee are \$235 each.¹⁴

¹³ R.C. 4768.08.

¹⁴ R.C. 4764.05(A)(2) and O.A.C. 1301:17-1-03.

STATE BOARD OF EDUCATION

School counselor training in building and construction trades

- Requires a licensed school counselor serving students in any of grades 7-12 to complete the four hours of training in building and construction trades required under continuing law within five years of initial licensure or, for those already licensed, five years of the bill's effective date.
- Permits a counselor, in lieu of repeating the training in building and construction trades as otherwise required under continuing law, to certify every five years to a local professional development committee that the counselor spent a minimum of four hours completing certain workforce-related activities.

Professional administrator licensure fees

- Establishes a fee of \$150 to obtain or renew a professional administrator license for individuals who complete the Bright New Leaders for Ohio Schools Program.

School counselor training in building and construction trades

The bill revises the requirement that school counselors serving students in any of grades 7-12 complete four hours of training in building and construction trades career pathways every five years. Instead, under the bill, a school counselor serving those grades who was licensed prior to the bill's effective date must complete that training within five years of that date and a newly licensed school counselor must complete it within five years of initial licensure.

Within five years of completing the initial training at a building and construction trades training facility, and every five years thereafter, a school counselor must either repeat that training or certify to a local professional development committee that the counselor has spent a minimum of four hours doing one or more of the following:

1. Touring local career-technical education facilities and investigating program offerings, as well as possible student apprenticeship, internship, and employment opportunities for each program;
2. Meeting with local JobsOhio staff and reviewing local business needs; in-demand job fields; and apprenticeship, internship, and employment opportunities for each local in-demand field;
3. Participating in or helping host a career exploration opportunity for students with local businesses, including local employers of in-demand jobs.

The bill clarifies that those training alternatives count toward meeting professional development activity requirements for renewal of a school counselor license in the same way as the training at a building and construction trades training facility does under continuing law.

Finally, the bill eliminates the exemption that permits a school counselor who begins working with students in any of grades 7-12 in the last two years of the counselor's five-year license renewal cycle to complete the training during the following renewal cycle.¹⁵

Professional administrator licensure fees

The bill establishes a fee of \$150 to obtain or renew a professional administrator license for individuals who complete the Bright New Leaders for Ohio Schools Program. Under continuing law, the State Board of Education generally has the authority to establish the fees for each type of educator license.¹⁶ In the most recent year, the State Board set the fee for a professional administrator license at \$200.¹⁷

¹⁵ R.C. 3319.2213.

¹⁶ R.C. 3319.51(B). See also R.C. 3319.272, not in the bill.

¹⁷ See the State Board of Education's [Licensure Fees](http://sboe.ohio.gov/educator-licensure) page, which is available on the State Board's website: sboe.ohio.gov/educator-licensure.

ENVIRONMENTAL PROTECTION AGENCY

- Specifies that if the Director of Environmental Protection discontinues the E-Check Program as authorized under current law, the Director must immediately rescind any rule associated with the program, including rules that govern the certification of inspectors and repair technicians.

E-Check inspectors and repair technicians

The bill specifies that if the Director of Environmental Protection discontinues the E-Check Program, as authorized under current law, the Director must immediately rescind any rule associated with the program, including rules that govern both of the following:

1. The certification of inspectors under the program; and
2. The certification of repair technicians, including waiver repair technicians, under the program.

Currently, the E-Check program is a motor vehicle emissions testing program that operates in seven counties in Northeast Ohio. The Director is required to immediately discontinue the program if the U.S. EPA determines that it is not necessary for Ohio or any area of Ohio to comply with the federal Clean Air Act.¹⁸

¹⁸ R.C. 3704.14.

DEPARTMENT OF HEALTH

Environmental health special requirements

- Modifies the educational and employment requirements that an applicant must meet to apply to register as an environmental health specialist (EHS)
- Increases the amount of time, from four years to five years, within which an EHS in training must register as an EHS.

Radon testing and mitigation licenses

- Eliminates the radon tester and radon mitigation contractor licenses but permits the Director of Health to issue initial licenses until December 31, 2026, and allows an individual or business or government entity holding a license to maintain and renew the license until that date.
- Allows an individual licensed as a radon mitigation specialist to perform radon mitigation.

Radiation experts

- Eliminates the radiation expert certificate issued by the Director for an individual to conduct oversight and maintenance of a hospital's quality assurance program, but requires individuals engaged in the profession to hold a valid, unexpired national certification.

Lead abatement license fees

- Reduces the initial license fees and renewal fees for lead inspector, lead risk assessor, lead abatement contractor, lead abatement project designer, and clearance technician licenses that are set by administrative rule by \$50 to \$250, depending on the license.
- Reduces the initial license fee and renewal fee for a radon mitigation specialist license that are set by administrative rule from \$600 to \$200.

Environmental health specialist requirements

The bill modifies the educational and employment requirements that an applicant must meet to apply to register as an environmental health specialist (EHS) as follows:

1. For an applicant who qualifies by virtue of graduating from an accredited college or university with a baccalaureate degree:
 - a. Clarifies that the required amount of science course units (at least 45 quarter units or 30 semester units) may include ODH Director-approved courses in life sciences, natural sciences, physical sciences, health sciences, or public health sciences; and
 - b. Decreases the number of years of full-time employment as an EHS that must be completed from two to one years.

2. For an applicant who qualifies by virtue of graduating from an accredited college or university with at least a baccalaureate degree, completed a major in environmental health science that included an approved internship program, decreases the amount of time of full-time employment as an EHS that must be completed from one year to six months.
3. For an applicant who qualifies by virtue of graduating from an accredited college or university with a degree higher than a baccalaureate degree, clarifies that the required amount of science course units (at least 45 quarter units or 30 semester units) may include ODH Director-approved courses in life sciences, natural sciences, physical sciences, health sciences, or public health sciences.¹⁹

The bill also increases the amount of time, from four years to five years, within which an EHS in training must register as an EHS.²⁰

Radon testing and mitigation licenses

Elimination of radon tester and radon mitigation contractor licenses

The bill eliminates the radon tester license and radon mitigation contractor license. Under current law, a business entity or government entity must hold a radon mitigation contractor license to perform radon mitigation. Additionally, the Director of Health must issue a radon mitigation contractor license to an individual holding a radon mitigation specialist license who is the owner or chief stockholder of a business entity. Under the bill, an individual licensed as a radon mitigation specialist may perform radon mitigation. A licensed radon mitigation specialist may perform radon testing under continuing law.²¹

After the bill's effective date, existing radon tester and radon mitigation contractor licenses are valid until they expire. The bill allows an individual who holds a valid radon tester license or a business or government entity that holds a valid radon mitigation contractor license, on the bill's effective date, to maintain and renew the license in accordance with rules adopted by the Director under current law until December 31, 2026. It also allows the Director to issue initial radon tester licenses and radon mitigation contractor licenses until that date.²²

Radon mitigation specialist license fees

The bill reduces the initial license fee and renewal fee for a radon mitigation specialist license. Currently, these fees are established by administrative rule. The bill statutorily codifies these fees and reduces the initial license fee and biennial renewal fee from \$600 to \$200.²³

¹⁹ R.C. 3776.05(B).

²⁰ R.C. 3776.05(C)(2).

²¹ R.C. 3723.02 and 3723.06, with conforming changes in multiple R.C. sections.

²² Section 5.

²³ R.C. 3723.06(B) and (C) and 3723.09(E), with conforming changes in R.C. 3723.08, and O.A.C. 3701-69-04.

Radiation experts

The bill repeals the requirement that the Director issue a certificate as a radiation expert to an individual who meets the minimum education and experience requirements established by administrative rule. The bill Instead requires an individual to possess a valid, unexpired certification from the American Board of Radiology (ABR) or American Board of Medical Physics (ABMP) that qualifies the individual to develop, provide periodic review of, and conduct audits of a quality assurance program.²⁴ Under the administrative rule, to oversee a quality assurance program, an individual must have either (1) a certification from the ABR or ABMP (as in the bill), or the Canadian College of Physicists in Medicine, or (2) an appropriate master's or doctorate degree, training, and work experience.²⁵

Continuing law requires hospitals to develop a quality assurance program for all sources of radiation-generating equipment. A radiation expert must conduct oversight and maintenance of a hospital's quality assurance program. The bill requires a hospital to designate the radiation expert who will oversee the hospital's program and maintain a record of that designation.²⁶

Lead abatement license fees

The bill reduces the initial license fees and renewal fees for lead inspector, lead risk assessor, lead abatement contractor, lead abatement project designer, and clearance technician licenses. Currently, initial license fees and renewal fees are established by administrative rule. The bill statutorily codifies these fees and reduces the initial license fees and biennial renewal fees as follows:

- For lead inspectors or lead risk assessors, from \$250 to \$200;
- For lead abatement contractors or lead abatement project designers, from \$500 to \$250;
- For clearance technicians, from \$250 to \$150.

Current law also establishes the initial license fee and renewal fee for a lead abatement worker license in administrative rule (currently the fee is \$50). The bill maintains this requirement.²⁷

²⁴ R.C. 3748.01 and 3748.04; R.C. 3748.12 and 3748.121, repealed, with conforming changes in R.C. 3701.83, 3748.05, 3748.11, and 3748.16.

²⁵ O.A.C. 3701:1-66-03.

²⁶ R.C. 3748.13.

²⁷ R.C. 3742.05, with conforming changes in R.C. 3742.03, and O.A.C. 3701-32-04.

STATE MEDICAL BOARD

- Reduces licensure fee amounts for the following practitioners regulated by the State Medical Board: physicians, podiatrists, physician assistants, dietitians, and radiologist assistants.

Licensing fee amounts

The bill reduces licensure fee amounts for several types of practitioners regulated by the State Medical Board. Each practitioner type and reduced fee amounts are described below.

Physicians and podiatrists

The bill reduces to \$200 (from \$305) the fee for an initial license to practice as a medical, osteopathic, or podiatric physician.²⁸ It also reduces each license's biennial renewal fee to \$200 (from \$305).²⁹

Physician special activity certificate

The bill reduces the fee associated with a physician special activity certificate and establishes limits on the number of times a certificate may be sought within a two-year period. Under current law, the Medical Board may issue such a certificate to a nonresident physician seeking to practice medicine in conjunction with a special activity, event, or program taking place in Ohio. As part of applying for a certificate, an applicant must pay a \$125 fee. The certificate entitles the holder to practice for the shorter of 30 days or the duration of the special activity. The certificate may not be renewed.³⁰

The bill reduces the certificate's fee to \$75, requiring an applicant to pay the fee only if the applicant expects to be compensated for practicing medicine in conjunction with the activity, event, or program. It also limits an individual from applying for a special activity certificate to not more than 12 times within a consecutive two-year period. In doing so, the bill eliminates current provisions requiring the Medical Board to adopt rules specifying how often an applicant may be granted a special activity certificate.³¹ Under current rules, an individual may apply for a special activity certificate only six times within a consecutive two-year period.³²

Physician certificate of conceded eminence

The bill reduces to \$300 (from \$1,000) both the initial application and renewal fee for a certificate of conceded eminence.³³ This certificate authorizes a nonresident physician meeting

²⁸ R.C. 4731.09(C) and 4731.52(B).

²⁹ R.C. 4731.281(A)(1).

³⁰ R.C. 4731.294(C) and (E).

³¹ R.C. 4731.294(G).

³² O.A.C. 4731-6-33(E).

³³ R.C. 4731.297(C)(5) and (G)(1).

certain qualifications to practice medicine only within the clinical setting of the academic medical center, or for the affiliated physician group practice, employing the physician.³⁴ Each certificate is valid for the shorter of two years or the duration of the certificate holder's employment with the medical center or group practice. It may be renewed for one additional two-year period.³⁵

Physician assistants

The bill reduces to \$100 (from \$400) the fee for an initial license to practice as a physician assistant.³⁶ It also reduces the license's biennial renewal fee to \$100 (from \$200).³⁷

Dietitians

The bill reduces to \$95 (from \$225) the fee for an initial license to practice as a dietitian and lowers to \$95 (from \$180) its renewal fee.³⁸ Ohio law also recognizes a limited permit, authorizing practice for an individual who has the met academic and pre-professional requirements for dietitian licensure and is planning to sit for the next available examination.³⁹ The bill reduces to \$50 (from \$65) the fee for an initial permit and for its renewal.⁴⁰

Radiologist assistants

For a license to practice as a radiologist assistant, the bill sets an initial application fee of \$100 and a renewal fee of \$100.⁴¹ In establishing those fees, the bill eliminates the current law requirement that fees be specified in Medical Board rule.⁴² Under existing rules, licensure fees are set at the following amounts: \$200 for an initial application and \$200 for a renewal.⁴³

³⁴ R.C. 4731.297(D)(1).

³⁵ R.C. 4731.297(F) and (G).

³⁶ R.C. 4730.10(B).

³⁷ R.C. 4730.14(A).

³⁸ R.C. 4759.08(A)(1).

³⁹ R.C. 4759.06(G).

⁴⁰ R.C. 4759.08(A)(2).

⁴¹ R.C. 4774.03(A) and 4774.06(A).

⁴² R.C. 4774.11(B).

⁴³ See O.A.C. 4774-1-02(B) and 4774-1-03(A)(2).

DEPARTMENT OF NATURAL RESOURCES

Nuisance wild animal control services license

- Eliminates the requirement that an employee of a commercial nuisance wild animal control operator obtain a certificate for completing a course on appropriate methods for controlling nuisance wild animals.

Fish wholesaler permit fee

- Lowers the fee for the issuance of an annual permit to handle commercial fish at wholesale from \$65 to \$50.

Commercial bird shooting preserve license fee

- Lowers the fee for the issuance of an annual commercial bird shooting preserve license from \$200 to \$150.

Wild animal hunting preserve license fee

- Lowers the fee for an initial wild animal hunting preserve license and the fee for the annual renewal of that license as follows:
 - From \$1,000 to \$300 for the initial fee; and
 - From \$200 to \$250 for the renewal fee.

Mine foreperson of nongaseous mines certification

- Eliminates the mine foreperson of nongaseous mines certification issued by the Chief of the Division of Mineral Resources Management and the requirement to successfully pass the accompanying examination.

Nuisance wild animal control services license

Current law generally requires a commercial nuisance wild animal control operator and any employee that is engaged in activities that are related to the removal or control of nuisance wild animals to obtain a certificate for completing a course on appropriate methods for controlling nuisance wild animals. The course must comply with rules adopted by the Chief of the Division of Wildlife. The Chief must include in the rules minimum contents of the course and a requirement that an operator and employee must pass an examination to receive a certificate.

The bill eliminates the requirement that an employee of a commercial nuisance wild animal control operator obtain the certificate.⁴⁴

⁴⁴ R.C. 1531.40(C).

Fish wholesaler permit fee

The bill lowers the fee for the issuance of an annual permit to handle commercial fish at wholesale from \$65 to \$50. Current law requires any person who handles commercial fish, or other fish that may be bought or sold, at wholesale, to obtain a permit to handle such fish from the Chief of the Division of Wildlife.⁴⁵

Commercial bird shooting preserve license fee

The bill lowers the fee for the issuance of an annual commercial bird shooting preserve license from \$200 to \$150. Current law requires a person who owns or operates a commercial bird shooting preserve to obtain a commercial bird shooting preserve license from the Chief of the Division of Wildlife.⁴⁶

Wild animal hunting preserve license fee

The bill lowers the fee for issuance of an initial wild animal hunting preserve license from \$1,000 to \$300. It also lowers the fee from \$200 to \$150 for an annual renewal of that license. Current law requires a person who owns or operates a wild animal hunting preserve for nonnative wildlife to obtain a wild animal hunting preserve license from the Chief of the Division of Wildlife.⁴⁷

Mine foreperson of nongaseous mines certification

The bill eliminates the mine foreperson of nongaseous mines certification and the requirement to successfully pass the accompanying examination. Current law requires an individual who desires to be a mine foreperson of nongaseous mines to apply for a certificate to do so. It establishes requirements and procedures governing the application and the issuance of a certificate. According to those requirements, an applicant must have at least three years' actual experience in mines or an equivalent and have knowledge of the dangers and nature of noxious gases. An applicant must pass an examination to be certified and pay a fee in an amount determined by the Chief of the Division of Mineral Resources Management.⁴⁸

HISTORY

Action	Date
Introduced	02-04-25

ANHB0059IN-136/ts

⁴⁵ R.C. 1533.631.

⁴⁶ R.C. 1533.72.

⁴⁷ R.C. 1533.721.

⁴⁸ R.C. 1561.13, 1561.17, and 1565.04.