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H.B. 282
135th General Assembly

Bill Analysis

Version: As Introduced

Primary Sponsors: Reps. J. Miller and Hillyer

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SUMMARY

- Requires the Director of Commerce to establish a mold information and awareness program to assist the public in understanding the threat of mold in buildings and the importance of the proper removal of that mold.
- Requires the Director, as part of the program, to do both of the following:
 - Every five years, review technology or treatment techniques for mold identification and remediation that provide additional protections to public health and safety.
 - Establish a public awareness campaign on the dangers of mold in accordance with rules adopted under the bill.
- Requires the Director to adopt rules governing the program, including requirements and procedures for the five-year review.
- Exempts any regulatory restrictions contained in rules adopted under the bill from the continuing law regulatory restriction reduction requirements.
- Requires the Department of Commerce, in consultation with medical experts, to study any adverse effects to humans from exposure to mold in damp and water-damaged buildings.

DETAILED ANALYSIS

Mold information and awareness program

The bill requires the Director of Commerce to establish a mold information and awareness program to assist the public in understanding the threat of mold in buildings and the importance of the proper removal of that mold. The bill allows the Director to delegate the authority to administer the program to the Superintendent of Industrial Compliance in the Department of Commerce.

As part of the program, the Director (or Superintendent) must do both of the following:

1. Every five years, review technology or treatment techniques for mold identification and remediation that provide additional protections to public health and safety. The review must be performed in accordance with rules adopted under bill and include an examination of any new scientific evidence that indicates that mold may present a greater health risk to the public than previously determined.
2. Establish a public awareness campaign on the dangers of mold in accordance with rules adopted under the bill. As part of the campaign, the Director must disseminate information via brochures and the Department of Commerce's website.¹

The bill requires the Director to adopt rules in accordance with the Administrative Procedure Act establishing all of the following:

1. Requirements and procedures for the five-year review discussed above.
2. Requirements and procedures for the public awareness campaign. The rules must ensure that the campaign educates the public on the health effects of mold in damp and water-damaged buildings, methods of identification and remediation of mold, and contact information for organizations or government agencies that can assist the public with their concerns.
3. Any other procedures or requirements necessary to implement and administer the program.²

The bill specifies that mold consists of microscopic organisms or fungi that can grow in damp conditions in the interior of a building, including important mycotoxin-producing organisms, such as *stachybotrys chartarum*, *chaetomium globosum*, and *aspergillus versicolor*.

Regulatory restriction reduction requirement exemption

The bill exempts rules adopted by the Director governing mold information and awareness program from continuing law requirements concerning reductions in regulatory restrictions. Currently, the Director must take actions to reduce regulatory restrictions, including, by June 30, 2025, reducing the amount of regulatory restrictions contained in an inventory created in 2019 in accordance with a statutory schedule. A "regulatory restriction" is any part of an administrative rule that requires or prohibits an action.³

Mold study

The bill requires the Department of Commerce to study any adverse effects to humans from exposure to mold in damp and water-damaged buildings. The Department must consult

¹ R.C. 121.083 and 4177.01(A) and (B).

² R.C. 4177.01(C).

³ R.C. 4177.01(D), by reference to R.C. 121.95 to 121.953, not in the bill.

with medical research institutions and organizations with expertise on the adverse health effects from exposure to mold. Not later than one year after the bill’s effective date, the Department must submit its findings to the General Assembly.⁴

HISTORY

Action	Date
Introduced	09-26-23

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⁴ Section 2.