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## DEPARTMENT OF NATURAL RESOURCES

### Division of Wildlife

#### Hunting and fishing

- Increases, from \$74 to \$210, the fee for each nonresident deer permit.
- Increases various fishing license fees charged to a nonresident who is not a resident of a reciprocal state.
- Expands the allowable uses for hunting and fishing related gift certificates.
- Makes permissive, instead of mandatory, the Chief of the Division of Wildlife's authority to adopt rules governing hunting and fishing related gift certificates.
- Eliminates the requirement that the Chief establish fees for gift certificates that equal the total fee for the applicable license, permit, or stamp.
- Eliminates the requirement that a gift certificate expire one year after the date of purchase.

### Division of Oil and Gas Resources Management

#### Oil and gas severance tax allocation

- Increases the percentage of oil and gas severance taxes allocated to the Division of Geological Survey, from 10% to 14%, and decreases the percentage to the Division of Oil and Gas Resources Management, from 90% to 86%.

#### Oil and gas orders – appeals and procedures

- Requires the Chief of the Division of Oil and Gas Resources Management to adopt rules to establish procedures for providing notice and serving orders and compliance notices, instead of requiring those actions to be conducted in accordance with the Administrative Procedure Act as in current law.
- Requires a person appealing an order of the Chief or a rule adopted by the Chief to appeal first to the Oil and Gas Commission instead of having the choice between appealing to either the Commission or a court as in current law.

### Division of Water Resources

#### Water withdrawals

- Establishes annual fees for a facility required to register to withdraw waters of the state in an amount greater than 100,000 gallons per day.
- Bases the fee on the withdrawal capacity of the facility.
- Requires fees to be deposited into the existing Water Management Fund.
- Increases the application fee for a consumptive use permit for a facility withdrawing water in the Ohio River Basin from \$1,000 to \$5,000.

- Increases the application fee for a withdrawal and consumptive use permit for a facility withdrawing water in the Lake Erie Basin from \$1,000 to \$5,000.

## **Division of Parks and Watercraft**

### **Creation of new funds**

- Creates the Park Lodges, Maintenance, and Repair Fund and the Parks and Watercraft Holding Fund, both in the state treasury, and specifies the purposes of each fund.

### **Watercraft registration and fees**

- Increases the additional writing fee for a temporary watercraft registration and for a watercraft registration certificate from \$3 to \$5.
- Applies the current \$12 (numbered craft) or \$17 (unnumbered craft) triennial registration fee for a watercraft to kayaks, inflatable watercraft meeting the definition of paddlecraft, or any other watercraft propelled solely by human muscular effort.
- Applies the current \$30 triennial registration fee for a class A watercraft to e-foils and jetboards.
- Beginning on January 1, 2027, increases the triennial registration fee for a watercraft by an amount not to exceed the percentage increase of the Consumer Price Index since January 1, 1994, rounded to the nearest whole dollar.
- Exempts e-foils and jetboards from the requirement that watercraft operated by power, sail, or other mechanical or electrical means of propulsion be registered by length.
- Specifies that a required watercraft registration certificate may be in physical or digital form.
- Allows a registration certificate to be presented in physical or digital form within 72 hours of when a watercraft that is not numbered is stopped by a law enforcement officer, rather than only in physical form as in current law.
- Applies the 72-hour registration certificate presentment requirement to kayaks and inflatable watercraft meeting the definition of a paddlecraft.
- Creates definitions for “e-foil,” “jetboard,” and “racing shell.”
- Removes a “rowing skull” from the definition of rowboat.
- Specifies that the above provisions take effect January 1, 2027.

## **Division of Natural Areas and Preserves: merchandise sales**

- Allows the Chief of the Division of Natural Areas and Preserves to sell merchandise and other items related to, or that promote, the state’s wildlife and unique environment, and general ecological preservation and conservation.
- Requires the money received from the sale of merchandise to be paid into the state treasury to the credit of the Natural Areas and Preserves Fund.

## **Division of Mineral Resources Management**

### **Long-term Abandoned Mine Reclamation Fund**

- Creates in the state treasury the Long-Term Abandoned Mine Reclamation Fund to be administered by the Chief of the Division of Mineral Resources Management.
- Specifies that the fund must consist of grants awarded by the U.S. Secretary of the Interior from the federal Abandoned Mine Reclamation Fund and be used for the abatement of the causes and the treatment of the effects of acid mine drainage resulting from coal mine practices.

### **Qualifications/exams for certain mining industry positions**

- Repeals provisions of Ohio's mine and quarry law specifying the qualifications for (1) fire bosses, (2) shot firers, and (3) forepersons of surface maintenance facilities, and repeals the requirement that the Chief must conduct examinations for these positions.
- Retains the requirement that the Chief conduct examinations for other mining-related positions, but specifies that for mine forepersons, forepersons, mine electricians, and surface mine blasters, the Chief must provide examinations "as needed" instead of "quarterly or more often as required" in current law.
- Repeals the requirement that public notice be given announcing the time and place for upcoming examinations.

### **Program Support Fund**

- Codifies the Program Support Fund, which supports centralized service support offices of the Department of Natural Resources (DNR) using payments from divisions within DNR and other payments received for purposes of the fund.

## **Division of Wildlife**

### **Hunting and fishing**

(R.C. 1533.11, 1533.32, and 1533.131)

#### **Nonresident permit and license fees**

The bill increases, from \$74 to \$210, the fee for each nonresident deer permit. It also increases fishing license fees charged to a nonresident who is not a resident of a reciprocal state as follows:

1. Annual fishing license fee, from \$49 to \$74;
2. Three-day tourist fishing license fee, from \$24 to \$50; and
3. One-day fishing license fee, from \$13 to \$26.

## **Gift certificates**

The bill expands the allowable uses for hunting and fishing related gift certificates to allow a person to obtain, pay for, or purchase both of the following:

1. Any license, permit, or stamp that the Chief of the Division of Wildlife so designates as gift certificate eligible; and
2. Any user fee or conservation-related item, such as a magazine subscription, that the Chief so designates as gift certificate eligible.

Current law allows gift certificates to be used only for hunting and fishing licenses; fur taker, deer, and wild turkey permits; and wetlands habitat stamps.

The bill also allows, instead of requires, the Chief to adopt rules governing hunting and fishing related gift certificates. Further, it eliminates current law's requirement that the Chief establish fees for gift certificates that equal the total fee for the applicable license, permit, or stamp. Finally, it eliminates the requirement that a gift certificate expire one year after the date of purchase.

## **Division of Oil and Gas Resources Management**

### **Oil and gas severance tax allocation**

(R.C. 5749.02)

The bill increases the percentage of oil and gas severance taxes credited to the Geological Mapping Fund, from 10% to 14%, and decreases the percentage to the Oil and Gas Well Fund, from 90% to 86%. The Geological Mapping Fund funds the activities of DNR's Division of Geological Survey. The Oil and Gas Well Fund funds the activities of DNR's Division of Oil and Gas Resources Management.

Severance tax is levied upon the extraction or severance of natural resources from the soil or waters of Ohio. Under continuing law, the rate of severance tax imposed on oil is 10¢ per barrel and the rate on natural gas is 2.5¢ per 1,000 cubic feet (MCF). The bill leaves unchanged the distribution of a separate cost recovery assessment that equals 10¢ per barrel of oil and 0.5¢ per MCF of gas, all of which is credited to the Oil and Gas Well Fund.<sup>92</sup>

### **Oil and gas orders – appeals and procedures**

(R.C. 1509.03 and 1509.36, conforming change in R.C. 1509.221)

The bill eliminates the requirement that all orders issued and notices given by the Chief of the Division of Oil and Gas Resources Management be done in accordance with the Administrative Procedure Act. Instead, it requires the Chief to adopt rules that establish procedures for both of the following:

1. Notice required to be provided to any person under the Oil and Gas Law; and

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<sup>92</sup> R.C. 1509.50, not in the bill.

## 2. Serving the Chief's orders and compliance notices.

It also eliminates a person's choice between appealing an order of the Chief or a rule adopted by the Chief to a court of common pleas or the Oil and Gas Commission. Instead, the bill requires such appeals to be made only to the Oil and Gas Commission. However, the bill retains the person's right to appeal the Commission's decision to the Franklin County Court of Common Pleas.

## **Division of Water Resources**

### **Water withdrawals: facility registration fee**

(R.C. 1521.16)

Current law requires the owner of a facility that has a capacity to withdraw an amount of water greater than 100,000 gallons per day to register the facility with the Chief of the Division of Water Resources. The bill establishes annual fees for a facility required to so register. The fees are based on the registered withdrawal capacity of the facility as follows:

- For a facility with a registered withdrawal capacity of 100,000 to 249,999 gallons per day, \$75.
- For a facility with a registered withdrawal capacity of 250,000 to 499,999 gallons per day, \$100.
- For a facility with a registered withdrawal capacity of 500,000 to 999,999 gallons per day, \$150.
- For a facility with a registered withdrawal capacity of 1,000,000 to 9,999,999 gallons per day, \$250.
- For a facility with a registered withdrawal capacity of 10,000,000 to 49,999,999 gallons per day, \$550.
- For a facility with a registered capacity of 50,000,000 gallons per day or greater, \$1,050.

The bill requires the fees to be deposited into the existing Water Management Fund, which is administered by the Division of Water Resources and used for a variety of purposes, including to administer the law related to the Division of Water Resources, to make loans and grants to government agencies for water management, and to perform watershed and water resources studies.

### **Withdrawal and consumptive use permit application fee**

(R.C. 1521.23 and 1522.12)

The bill increases the application fee for a consumptive use permit for a facility withdrawing water in the Ohio River Basin from \$1,000 to \$5,000. The bill also increases the application fee for a withdrawal and consumptive use permit for a facility withdrawing water in the Lake Erie Basin from \$1,000 to \$5,000.

## Division of Parks and Watercraft

### Creation of new funds

(R.C. 1546.25 and 1546.26)

The bill creates the Park Lodges, Maintenance, and Repair Fund and the Parks and Watercraft Holding Fund, both in the state treasury as follows:

DNR fund creation		
Fund	Money credited to fund	Allowable fund uses
Park Lodges, Maintenance, and Repair Fund	Money that DNR's Division of Parks and Watercraft receives from contractual agreements with service providers and concessionaires for state park lodges, restaurants, and marinas.	To pay maintenance and repair costs for facilities operated by concessionaires and service providers at state park lodges, restaurants, and marinas.
Parks and Watercraft Holding Fund	Money received by the Division of Parks and Watercraft from gift card sales, credit card sales, and sales conducted at field locations.	Funds are transferred to the appropriate DNR fund.  For gift card sales, the Division Chief must transfer money in the fund to the appropriate fund after gift certificates and gift cards are redeemed.

### Watercraft registration and fees

(R.C. 1546.01, 1547.531, and 1547.54)

The bill makes numerous changes to the law governing watercraft registration and the fees for registration. It also establishes a special effective date for these changes – January, 1 2027.

#### Registration fees

Under the bill, the following changes are made to the registration fees for watercraft:

- The additional writing fee for a temporary watercraft registration is increased from \$3 to \$5.
- The additional writing fee for a watercraft registration certificate is increased from \$3 to \$5.
- The triennial watercraft registration fee of \$12 (numbered watercraft) or \$17 (unnumbered watercraft) is applied to kayaks, inflatable watercraft meeting the definition of paddlecraft, and any other watercraft propelled solely by human muscular effort.

- The current \$30 triennial registration fee for class A watercraft is applied to e-foils and jetboards (see below).
- The triennial registration fees for all watercraft must be increased by an amount not to exceed the percentage by which the Consumer Price Index has changed since January 1, 1994, rounded to the nearest whole dollar.

### **Watercraft registration by length**

E-foils and jetboards are exempted by the bill from the requirement that watercraft operated by means of power, sail, or any other mechanical or electrical means of propulsion be registered by length.

### **Watercraft registration certificate inspection**

Current law generally requires the registration certificate for a watercraft to be on the watercraft and available for inspection at all times the watercraft is in operation. The bill permits the registration certificate to be on the watercraft in either physical or digital form.

Existing law also requires a person operating a canoe, rowboat, or inflatable watercraft on the waters of Ohio that has not been numbered and that is stopped by a law enforcement officer to present a registration certificate to the officer not later than 72 hours after being stopped. The bill allows the registration certificate to be presented to the officer in physical or digital form. It also applies this presentment requirement to kayaks and inflatable watercraft meeting the definition of a paddlecraft.

### **Watercraft definitions**

The bill adds the following terms to the Division of Parks and Watercraft Law:

- “E-foil” means a long, narrow, somewhat rounded, mechanically propelled vessel that is inherently buoyant, has no cockpit, is constructed of a flat, or nearly flat, rigid material, utilizing a hydrofoil that is designed to lift the hull above the surface of the water while being operated by a single person in a standing or kneeling position.
- “Jetboard” means a long, narrow, somewhat rounded, mechanically propelled vessel that is inherently buoyant, has no cockpit, is constructed of a flat, or nearly flat rigid material, and is operated by an individual who is kneeling, standing, or lying on the vessel.
- “Racing shell” means a narrow rowboat designed specifically for racing that is propelled across the water by its occupants utilizing two or more oars, including vessels commonly referred to as rowing shells and sculling shells.

The bill also removes “rowing skulls” from the definition of “rowboat.”

### **Division of Natural Areas and Preserves: merchandise sales**

(R.C. 1517.11)

The bill allows the Chief of the Division of Natural Areas and Preserves to sell any of the following:

- Items related to, or that promote, Ohio’s native plants and animals, unique ecology and geology, and general ecological preservation and conservation such as pins, apparel, stickers, books, bulletins, maps, publications, calendars, and other educational articles and Division-branded merchandise;
- Items pertaining to Ohio’s ecology including native plants.

The bill directs all money received from the sale of merchandise for deposit into the state treasury to the credit of the Natural Areas and Preserves Fund, which is created under current law.

## **Division of Mineral Resources Management**

### **Long-term Abandoned Mine Reclamation Fund**

(R.C. 1513.371)

The bill creates the Long-Term Abandoned Mine Reclamation Fund in the state treasury to be administered by the Chief of the Division of Mineral Resources Management. The fund consists of grants awarded by the U.S. Secretary of the Interior from the federal Abandoned Mine Reclamation Fund under the federal “Infrastructure Investment and Jobs Act” (IIJA).<sup>93</sup> All investment earnings of the fund are also credited to the fund.

As specified in the bill, the fund must be used for abatement of the causes and treatment of the effects of acid mine drainage resulting from coal mine practices. The scope of the fund’s purpose includes the following:

- The costs of building, operating, maintaining, and rehabilitating acid mine drainage treatment systems;
- The prevention, abatement, and control of subsidence; and
- The prevention, abatement, and control of coal mine fires.

According to the Office of Surface Mining Reclamation and Enforcement within the U.S. Department of the Interior, “acid mine drainage” (also referred to as “acid drainage” or “AMD”) is “[w]ater with a pH of less than 6.0 and in which total acidity exceeds total alkalinity, discharged from an active, inactive, or abandoned surface coal mine and reclamation operation or from an area affected by surface coal mining and reclamation operations.” “Subsidence” is “[s]urface caving or sinking of a part of the earth’s crust due to underground mining excavations.”<sup>94</sup>

### **IIJA**

The IIJA reauthorized the coal reclamation fee from coal mine operators under the “Surface Mining Control and Reclamation Act of 1977,” and provided emergency appropriations to the Abandoned Mine Reclamation Fund for grants to eligible states and tribes for the

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<sup>93</sup> Infrastructure Investment and Jobs Act, Pub. L. No. 117-58, not in the bill.

<sup>94</sup> U.S. Department of Interior, Office of Surface Mining Reclamation and Enforcement, “Glossary,” available at: [osmre.gov/resources/glossary](https://osmre.gov/resources/glossary), accessed on January 27, 2025.



reclamation of abandoned coal mining sites. Under the IJA, the coal fee may be collected until the end of federal fiscal year 2034.<sup>95</sup>

### **Other mine reclamation and abatement funds**

The bill makes no changes to the ongoing law regarding the Abandoned Mine Reclamation Fund and the Acid Mine Drainage Abatement and Treatment Fund. Both funds are administered by the Chief and are funded by grants from the U.S. Secretary of the Interior.

Current law requires expenditures from the Abandoned Mine Reclamation Fund for certain specified purposes, including reclamation and restoration of land and water resources adversely affected by past coal mining; prevention, abatement, treatment, and control of water pollution created by coal mine drainage; and prevention, abatement, and control of coal mine subsidence. The law establishing the Acid Mine Drainage Abatement and Treatment Fund provides for the comprehensive abatement of the causes and treatment of the effects of acid mine drainage within qualified hydrologic units affected by coal mining practices.<sup>96</sup>

### **Qualifications/exams for certain mining industry positions**

(R.C. 1561.13, 1561.18, repealed, 1561.21, repealed, and 1561.22, repealed; R.C. 1561.16, 1561.46, and 1561.48 (conforming changes))

The bill repeals Ohio mining and quarry law provisions that specify the qualifications for the mining industry positions of forepersons of surface maintenance facilities, fire bosses, and shot firers. Consequently, the bill also repeals the requirement that the Chief conduct examinations for these positions. However, it does not similarly remove these positions in the law requiring the Chief to issue certificates to applicants who pass their examinations. Current law specifies that persons seeking these positions meet certain qualifications. All must be able to read and write the English language and must have a certain number of years of practical experience or the equivalent in the judgment of the Chief.

Under continuing law, the Chief must conduct examinations for several other mining-related positions. The bill specifies that for persons seeking certificates as mine forepersons, forepersons, mine electricians, and surface mine blasters, the Chief must provide examinations “as needed,” instead of providing them “quarterly or more often as required” as under current law. Finally, the bill also repeals the requirement that public notice, through the press or otherwise, be given announcing the time and place at which examinations are to be held.

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<sup>95</sup> Congressional Research Service, “In Focus: The Abandoned Mine Reclamation Fund: Issues and Legislation in the 117<sup>th</sup> Congress,” Updated on January 7, 2022. Available at: [crsreports.congress.gov/product/pdf/if/if11352](https://www.crsreports.congress.gov/product/pdf/if/if11352), accessed on January 24, 2025.

<sup>96</sup> R.C. 1513.37(A) and (E), not in the bill.

## Program Support Fund

(R.C. 1501.47)

The bill codifies the Program Support Fund, which is used by the Director to support centralized service support offices of DNR. The fund consists of payments from divisions within DNR and any other payments received by DNR related to the purposes of the fund.

The Program Support Fund was created in uncodified law by H.B. 110 of the 134<sup>th</sup> General Assembly in 2021.<sup>97</sup>

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<sup>97</sup> Section 343.20 of H.B. 110, 134<sup>th</sup> General Assembly (2021).