
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.
- Allows a resident landowner's parents to hunt and trap on the landowner's property without obtaining a hunting license, deer permit, wild turkey permit, or fur taker permit.
- Allows a resident landowner's grandchildren under 18 to hunt and trap on the landowner's property without obtaining a deer permit, wild turkey permit, or fur taker permit.

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%.

Permit to plug and abandon fee

- Eliminates the \$250 permit fee generally required to be paid when applying for a permit to plug and abandon any oil and gas well.

Oil and Gas Resolution and Remediation Fund

- Creates the Oil and Gas Resolution and Remediation Fund (OGRRF) as a custodial fund.
- Requires the Chief of the Division of Oil and Gas Resources Management to use money in the OGRRF to plug orphaned wells in accordance with current law.
- Authorizes the Chief to use the OGRRF for expenses that are critical and necessary for the protection of human health and safety and the environment related to oil and gas production.

- Requires the Treasurer of State, at the beginning of each fiscal year, to transfer the amount of money in the Oil and Gas Well Fund that exceeds the total amount appropriated to it for that fiscal year to the OGRRF.
- Requires the Treasurer to make disbursements, other than interest earnings, from the OGRRF on a quarterly basis, on order of the Chief.
- Requires the \$50 filing fee for an exempt domestic well or exempt Mississippian well (that may be filed in lieu of posting a surety bond) and any funds collected by the Chief from the issuance of corrective action orders to be deposited into the OGRRF instead of the Oil and Gas Well Fund.
- Requires interest earned on the OGRRF to be reserved for use by the ODNR Director for any ODNR-related purpose, subject to the written approval of the Technical Advisory Council on Oil and Gas.

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.

H2Ohio

- Prohibits money in the H2Ohio Fund from being used to purchase land or a conservation easement.

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

- 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.
- Specifies that the above provisions take effect January 1, 2027.

Division of Natural Areas and Preserves

- 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 and issue certificates to applicants who pass their examinations.
- 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.

Dredging operations

- Generally prohibits ODNR, when conducting, or contracting with a third party to conduct, dredging operations in the waters of the state, from requiring a license, registration, or

certification for an individual to operate the dredging equipment or watercraft associated with such operations.

- Prohibits any state agency from imposing licensing, registration, or certification requirements on an individual for the operation of such dredging equipment or watercraft.

Division of Wildlife

Hunting and fishing

(R.C. 1533.10, 1533.11, 1533.111, 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.

Hunting on family land

The bill expands the list of relatives that may hunt and trap on an Ohio landowner's property without purchasing a hunting license, deer or wild turkey permit, or fur taker permit from the Ohio Department of Natural Resource's Division of Wildlife. As used in this context, an Ohio landowner includes:

1. An Ohio resident who owns land in Ohio;

2. An Ohio resident member of an LLC or an Ohio resident partner of an LLP, with three or fewer members or partners, that own land in Ohio; and

3. An Ohio resident trustee or an Ohio resident beneficiary of a trust that has a total of three or fewer trustees and beneficiaries, that own land in Ohio.

Hunting license

The bill allows the parents of an Ohio landowner to hunt on the landowner's property without a hunting license. Under current law, an Ohio landowner's children and the landowner's grandchildren under 18 may do so.

Deer and wild turkey permit

The bill allows an Ohio landowner's parents and grandchildren under 18 to hunt deer and wild turkey on the landowner's property without obtaining a deer or wild turkey permit. Under current law, an Ohio landowner's children may do so.

Fur taker permit

The bill also allows an Ohio landowner's parents and grandchildren under 18 to hunt and trap fur-bearing animals on the landowner's property without obtaining a fur taker permit. Currently, an Ohio landowner's children may hunt or trap fur-bearing animals on the land without obtaining a fur taker permit.

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.¹²¹

Permit to plug and abandon fee

(R.C. 1509.13, conforming change in R.C. 1509.071)

The bill eliminates the \$250 nonrefundable permit fee that is generally required to be paid when a person applies for a permit to plug and abandon any oil and gas well. Under continuing law, a person must apply for and receive a permit from the Chief of the Division of Oil

¹²¹ R.C. 1509.50, not in the bill.

and Gas Resources Management before plugging and abandoning a well. The bill, however, retains the \$500 fee an applicant must pay to receive the permit in an expedited manner, which the Chief must issue within seven days after submission of the request for expedited review, unless the Chief, by order, denies the application.

Oil and Gas Resolution and Remediation Fund

(R.C. 1509.02, 1509.07, 1509.071, 1509.075, and 1509.38)

The bill creates the Oil and Gas Resolution and Remediation Fund (OGRRF) as a custodial fund. It requires the Chief of the Division of Oil and Gas Resources Management to use money in the OGRRF to plug orphaned wells in accordance with current law. The Chief may use the OGRRF for expenses that are critical and necessary for the protection of human health and safety and the environment related to oil and gas production. The Treasurer of State must disburse money, other than interest earnings, from the OGRRF quarterly on order of the Chief.

Investments

The bill allows the Treasurer of State to invest any portion of the OGRRF not needed for immediate use in the same manner as, and subject to all provisions of law with respect to the investment of, state funds.

Deposits into the OGRRF

Under the bill, the Treasurer of State, at the beginning of each fiscal year, must transfer to the OGRRF the amount of money in the Oil and Gas Well Fund that is in excess of the total amount appropriated to it for that fiscal year. Additionally, instead of the Oil and Gas Well Fund, as under current law, the bill requires the following to be credited to the OGRRF, rather than the Oil and Gas Well Fund as in current law:

1. The \$50 filing fee for an exempt domestic well or exempt Mississippian well (that may be filed in lieu of posting a surety bond); and
2. Any funds collected by the Chief from the issuance of corrective action orders related to the plugging of oil and gas wells.

Interest earned

Under the bill, interest earned on the OGRRF must be credited to the OGRRF and reserved for use by the ODNR Director for any ODNR-related purpose, subject to the written approval of the Technical Advisory Council on Oil and Gas. If the Council receives a request from the ODNR Director to approve an expenditure from the OGRRF, the Council must vote to approve or deny that expenditure. The Council must then notify the Director in writing of the approval or denial. The Director must provide the Treasurer of State with written notice of the Council's approval before the Treasurer of State disburses money from the OGRRF.

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.

H2Ohio

(R.C. 126.60)

The bill prohibits any state agency or any person or entity that receives H2Ohio program money from using it to purchase land or a conservation easement. The H2Ohio program is Ohio's statewide approach to protect and improve water quality. It is administered by the Ohio Lake Erie Commission, the Department of Agriculture, the Department of Natural Resources, and the Environmental Protection Agency. The H2Ohio Fund, under current law, may be used for various types of water projects; awarding or allocating grants or money for projects designed to address

water quality priorities; fund cooperative research; and other purposes that align with a statewide strategic vision and comprehensive periodic water protection and restoration strategy.

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 certificate inspection

(R.C. 1547.54)

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.

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).¹²² 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

¹²² Infrastructure Investment and Jobs Act, Pub. L. No. 177-58, not in the bill.

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.”¹²³

IJA

The IJA 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 reclamation of abandoned coal mining sites. Under the IJA, the coal fee may be collected until the end of federal fiscal year 2034.¹²⁴

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.¹²⁵

Qualifications/exams for certain mining industry positions

(R.C. 1561.13, 1561.18, repealed, 1561.21, repealed, 1561.22, repealed, and 1561.23; 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 and issue certificates to applicants who pass their examinations.

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.

¹²³ U.S. Department of Interior, Office of Surface Mining Reclamation and Enforcement, “[Glossary](#),” available on the Office’s website: [osmre.gov](https://www.osmre.gov).

¹²⁴ Congressional Research Service (CRS), “[In Focus: The Abandoned Mine Reclamation Fund: Issues and Legislation in the 117th Congress](#)” (PDF), updated January 7, 2022, available on the CRS website: [congress.gov/crs-products](https://www.congress.gov/crs-products).

¹²⁵ 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 134th General Assembly in 2021.¹²⁶

Dredging operations

(R.C. 1501.46)

The bill prohibits ODNR, when conducting, or contracting with a third party to conduct, dredging operations in the waters of the state, from requiring a license, registration, or certification for an individual to operate the dredging equipment or watercraft associated with such operations unless otherwise provided in federal law.

It also prohibits any state agency from imposing licensing, registration, or certification requirements on an individual for the operation of such dredging equipment or watercraft. However, ODNR or another state agency still may impose licensing, registration, or certification requirements, in accordance with current law, for the actual dredging operation.

¹²⁶ Section 343.20 of H.B. 110, 134th General Assembly (2021).

BOARD OF NURSING

- Establishes an additional ground upon which the Board of Nursing may impose discipline on the holder of a nursing license or dialysis technician certificate – that the holder failed to cooperate with a Board-conducted investigation.

Disciplinary grounds – failure to cooperate

(R.C. 4723.28)

The bill establishes an additional reason for the Board of Nursing to impose professional discipline on the holder of a nursing license or dialysis technician certificate – that the holder failed to cooperate with an investigation conducted by the Board. Under its existing rulemaking authority, the Board could extend this additional reason for taking disciplinary action to its regulation of medication aides and community health workers.¹²⁷

Failure to cooperate includes (1) failing to comply with a Board-issued subpoena or order or (2) failing to answer truthfully a question presented by the Board in an investigative interview, in an investigative office conference, at a deposition, or in written interrogatories. The bill also clarifies that failure to cooperate does not include failing to comply with a subpoena quashed by a court or, as permitted by court order, withholding evidence or testimony.

¹²⁷ See R.C. 4723.652(A) and 4723.88(F), not in the bill.