

As Reported by the House Commerce and Labor Committee

133rd General Assembly

Regular Session

2019-2020

Sub. H. B. No. 360

Representatives Crawley, Hillyer

Cosponsors: Representatives Howse, Galonski, Brent, Smith, K., Liston, Lepore-Hagan, Sobecki, Russo, Miller, J., Weinstein, Carruthers, West, Manning, G., Abrams, Jones

A BILL

To enact sections 3318.038 and 3781.1011 of the 1
Revised Code to require water bottle filling 2
stations and drinking fountains in certain 3
public school buildings and to establish 4
requirements for battery-charged fences in 5
nonresidential properties for the state and for 6
political subdivisions. 7

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 3318.038 and 3781.1011 of the 8
Revised Code be enacted to read as follows: 9

Sec. 3318.038. (A) As used in this section: 10

(1) "Drinking fountain" means a fountain to which all of 11
the following apply: 12

(a) The fountain is designed to allow an individual to 13
drink from the fountain. 14

(b) The fountain dispenses filtered, clean drinking water. 15

<u>(c) The fountain is equipped with a protective cowl.</u>	16
<u>(d) The fountain is equipped with a water spout at least one inch above the overflow rim of the fountain.</u>	17 18
<u>(2) "Water bottle filling station" means a station to which both of the following apply:</u>	19 20
<u>(a) The station is designed to fill a bottle with water.</u>	21
<u>(b) The station dispenses filtered, clean drinking water.</u>	22
<u>(B) When reviewing design plans for a classroom facility construction project proposed under this chapter, the Ohio facilities construction commission shall require that each classroom facility included in the project shall contain, or provide for in the design plans, all of the following as a condition of approval of the project:</u>	23 24 25 26 27 28
<u>(1) A minimum of two water bottle filling stations in each building;</u>	29 30
<u>(2) A minimum of one drinking fountain or water bottle filling station on each floor and wing of each building;</u>	31 32
<u>(3) A minimum of one drinking fountain or water bottle filling station for every one hundred students projected to attend the building upon completion of the project.</u>	33 34 35
<u>(C) Each school district board or school governing body shall ensure that each drinking fountain and water bottle filling station installed in a classroom facility included in a project under this chapter is regularly cleaned and maintained.</u>	36 37 38 39
<u>(D) The requirements of this section are in addition to the requirements of Chapters 3781. and 3791. of the Revised Code and any rule adopted pursuant to those chapters.</u>	40 41 42

Sec. 3781.1011. (A) As used in this section: 43

(1) "Alarm system" means a device or system that transmits 44
a signal intended to summon law enforcement to a county, 45
township, or municipal corporation in response to an alleged 46
violation of an offense under Chapter 2911. of the Revised Code 47
occurring in a nonresidential zone of the applicable county, 48
township, or municipal corporation. The term includes an alarm 49
that emits an audible signal on the exterior of a structure. The 50
term does not include an alarm installed on a vehicle or an 51
alarm designed to alert only the inhabitants within the 52
premises. The term includes an alarm system for which a permit 53
may be issued under any applicable section of the Revised Code 54
or Ohio Constitution. 55

(2) "Battery-charged fence" means a fence connected to a 56
battery-operated energizer that is intended periodically to 57
deliver voltage impulses to the fence, a battery charging device 58
used exclusively to charge the battery, and any other ancillary 59
components or equipment attached to such a system. 60

(3) "Permit" means a certificate, license, permit, or 61
other form of permission that authorizes a person to engage in 62
an action. 63

(B) A battery-charged fence installed on private, 64
nonresidential property within a county, township, or municipal 65
corporation shall satisfy all of the following: 66

(1) Interface with a monitored alarm system; 67

(2) Have a battery-operated energizer that is powered by a 68
commercial storage battery that is not more than twelve volts of 69
direct current, and that meets the standards set forth by the 70
international electrotechnical commission 60335-02-76 current 71

<u>edition;</u>	72
<u>(3) Be completely surrounded by a nonelectric perimeter fence or wall that is not less than five feet in height;</u>	73 74
<u>(4) Be not more than the higher of ten feet in height, or two feet higher than the height of the nonelectric perimeter fence or wall; and</u>	75 76 77
<u>(5) Be marked with conspicuous warning signs that are located on the battery-charged fence at not more than forty-foot intervals and that read: "WARNING--ELECTRIC FENCE."</u>	78 79 80
<u>(C) Division (B) of this section does not apply to any of the following:</u>	81 82
<u>(1) Fences that are required to be constructed by persons or corporations owning, controlling, or managing a railroad pursuant to Chapter 4959. of the Revised Code;</u>	83 84 85
<u>(2) Preferred partition fences under Chapter 971. of the Revised Code;</u>	86 87
<u>(3) Fences constructed or installed by the state or a political subdivision, or by the federal government;</u>	88 89
<u>(4) Fences installed at a facility that is an accredited member of the association of zoos and aquariums or the zoological association of America and that is licensed by the United States department of agriculture under the federal animal welfare act;</u>	90 91 92 93 94
<u>(5) Fences installed at a wildlife sanctuary.</u>	95
<u>(D) Notwithstanding any other section of the Revised Code, a county, township, or municipal corporation may adopt and enforce an ordinance, order, resolution, or regulation that does</u>	96 97 98

<u>any of the following:</u>	99
<u>(1) Imposes installation or operational requirements for</u>	100
<u>battery-charged fences in nonresidential properties that are not</u>	101
<u>in conflict with the requirements and standards set forth in</u>	102
<u>division (B) of this section;</u>	103
<u>(2) Requires a permit or fee for the installation or use</u>	104
<u>of a battery-charged fence to which this section applies in</u>	105
<u>accordance with a permit or fee for an alarm system issued or</u>	106
<u>charged by the county, township, or municipal corporation;</u>	107
<u>(3) Prohibits the installation or use of a battery-charged</u>	108
<u>fence in a nonresidential zone that does not meet the</u>	109
<u>requirements and standards set forth in division (B) of this</u>	110
<u>section.</u>	111