



## Ohio Revised Code

### Section 1510.04 Petition for referendum to establish a marketing program for oil and natural gas or to amend an existing program.

Effective: December 19, 2016

Legislation: House Bill 471 - 131st General Assembly

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(A) (1) Producers in this state may present the technical advisory council with a petition signed by the lesser of one hundred or ten per cent of all such producers requesting that the council hold a referendum in accordance with section 1510.05 of the Revised Code to establish a marketing program for oil and natural gas.

(2) Producers in this state also may present the operating committee appointed under section 1510.06 of the Revised Code or the council with a petition signed by the lesser of one hundred or ten per cent of all such producers requesting that the council hold a referendum in accordance with section 1510.05 of the Revised Code to amend an existing marketing program. The council may request the operating committee to perform any administrative duty during the amendment process provided for under this chapter and the operating committee shall perform any such administrative duty.

(B) At the time of presentation of the petition to the council or committee under division (A) of this section, the petitioners also shall present the proposed program or amendment, which shall include all of the following:

- (1) The rate of assessment to be made on the production of oil and natural gas in this state, which shall not exceed five cents per each gross barrel of oil and one cent per thousand cubic feet of natural gas;
- (2) Terms, conditions, limitations, and other qualifications for assessment;
- (3) Procedures to refund the assessment.

(C) Before the council makes a decision under this division to approve or disapprove a proposed program or amendment, the council or committee, as applicable, shall publish in at least two appropriate periodicals designated by the council a notice that the program or amendment has been



proposed and informing interested persons of the procedures for submitting comments regarding the proposal. After publishing the notice, the council or committee shall provide interested persons with a copy of the proposed program or amendment and an opportunity to comment on the proposed program or amendment for thirty days after the publication of the notice. The petitioners may make changes to the proposed program or amendment based upon the comments received. The council or committee may make technical changes to the proposal to ensure compliance with this chapter. Subsequent to any changes made by the petitioners or any technical changes made by the council or committee to a proposed program or amendment, the council may approve or disapprove the proposed program or amendment.

(D) If the council approves the proposed program or amendment, with any changes made under division (C) of this section, the council shall hold a referendum in accordance with section 1510.05 of the Revised Code to establish a marketing program for oil and natural gas or to amend an existing program.