



Ohio Revised Code

Section 3318.038 Water bottle filling stations and drinking fountains.

Effective: September 30, 2021

Legislation: House Bill 110

(A) As used in this section:

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

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

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

(c) The fountain is equipped with a protective cowl.

(d) The fountain is equipped with a water spout at least one inch above the overflow rim of the fountain.

(2) "Water bottle filling station" means a station to which all of the following apply:

(a) The station is designed to fill a bottle with water.

(b) The station dispenses filtered, clean drinking water.

(c) The station is accessible to all people in compliance with the "Americans With Disabilities Act of 1990," 42 U.S.C. 12101 et seq.

(d) The station may be integrated into a drinking fountain as a combination unit.

(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:



- (1) A minimum of two water bottle filling stations in each building;
 - (2) A minimum of one water bottle filling station or combination unit on each floor and wing of each building;
 - (3) A minimum of one water bottle filling station or combination unit for every one hundred students projected to attend the building upon completion of the project;
 - (4) A minimum of one water bottle filling station in or near each cafeteria, gymnasium, outdoor recreation space, or other high-traffic area.
- (C) Each school district board of education or school governing body shall ensure that each drinking fountain, water bottle filling station, or combination unit installed in a classroom facility included in a project under this chapter is regularly cleaned and maintained.
- (D) Each district board or school governing body shall permit students, teachers, and other school staff to carry and use water bottles that are made of material that is not easily breakable, have lids to prevent spills, and are filled exclusively with water. However, a district board or school governing body may prohibit water bottles from a library, computer lab, science lab, or other location where the district board or school governing body determines it is dangerous to have drinking water. A district board or school governing body may issue a disciplinary action for misuse of a water bottle.
- (E) 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.