

The Construction Conversation

Ohio's Legislative, Administrative, and Judicial Two-Way Newsletter

July 2026

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Legislative: Summer Recess

The Ohio General Assembly is on recess until the November 3, 2026 General Election, with all State Representatives and half of the Senators campaigning in their home districts. (Cont'd p. 2).

Administrative: OCILB Ross Retiring

On October 30, 2026, Carol Ross will retire as Executive Secretary of the Ohio Construction Industry Licensing Board. Michael Baisden, the current Board Supervisor, will take Carol's place. (Cont'd p. 3).

Judicial: Contractor Cannot Sue Lender

A federal Court dismissed a suit by a contractor against a bank for failing to pay construction draws, alleging violations of federal law in an ordinary state breach of construction contract case. (Cont'd p. 3).

Administrative: Brownfield Remediation

The Ohio Department of Development awarded \$15.5 million in grants for brownfield remediation in 35 counties, to clean up contaminated lands to make the properties available for redevelopment. (Cont'd p. 3).

Administrative: New Aircraft Manufacturing Plant

Hybrid-electric aircraft startup Electra of Farnborough, England announced that it will invest \$850 million to build a

production facility in Springfield, Ohio, to assemble its nine-passenger hybrid-electric aircraft. (Cont'd p. 4).

Administrative: "Little Switzerland" Generating Facility

Belden Brick Company of Canton, Ohio announced that the Public Utilities Commission of Ohio awarded ratepayer subsidies to fund the construction of a 2.4 megawatt generating facility in Sugarcreek, Tuscarawas County. (Cont'd p. 4).

Administrative: 2-Year Community College Construction

Ohio's 38 universities, community colleges and technical colleges received \$560 million in Senate Bill 450, to fund construction of projects in every county and campus. (Cont'd p. 5).

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Legislative: Summer Recess (Cont'd)

The Senate has two Senate Session days scheduled in September, and one day in October, with the House not scheduled before election.

In November, the General Assembly will return for only two days in November, and three days in December, after which all legislation expires.

Construction legislation still pending will need to be re-introduced in January if not passed by year end.

HB 147 Tax Exemption To require the Tax Credit Authority to grant a sales and use tax exemption to construction contractors for certain projects. 2/25/2026 House Development, (Third Hearing).

HB 288 Private Prompt Pay To require owners of private construction projects to timely pay contractors. 6/17/2025 Reported Out, House Small Business, (Fourth Hearing)

HB 361 Building Inspections, Zoning To specify the elements of a comprehensive plan, and to make other changes regarding building inspections, local regulations, and zoning. 6/8/2026 Bill Amended House Local Government, (Sixth Hearing)

HB 568 Limit Private Retainage To limit retainage in certain private construction projects. 2/17/2026 House Small Business, (Third Hearing)

HB6467 Data Centers Regarding data centers. 6/10/2026 Re-Referred to Committee

HB 769 Regulate Roofing Contractors To regulate the practices of roofing contractors and the terms of their contracts. 6/3/2026 House Commerce and Labor, (Second Hearing)

HB 957 Prohibit Data Center Tax Exemptions To prohibit new data center sales tax exemptions from being granted. 6/3/2026 Referred to Committee House Ways and Means

SB 54 Certify Specialty Residential Contractors To establish a certification for specialty residential construction contractors. 4/14/2026 Senate Workforce Development, (Fourth Hearing)

SB 396 Medical Leave To establish family and medical leave insurance benefits. 6/2/2026 Senate Financial Institutions, Insurance and Technology, (First Hearing)

SB 428 Building Code Changes To apply the residential building code and various other laws to four-family dwellings, to permit certain buildings to have a single stairway exit, and to name this act the Build Smart Act. 6/9/2026 Senate Housing, (Second Hearing)

Administrative: OCILB Ross Retiring (Cont'd)

The OCILB became effective as a matter of law on July 31, 1992 as a voluntary certificate. In 2000, the legislature amended the law to become a mandatory license. Today, in April, May, and June, 2026, the Board issued 2,686 contractor licenses.

Carol's service began in 1996, the second person to serve as Board Executive Secretary. She served a total of 30 years in that office, with 27 prior years working at

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the State Building Department.

Under Carol's guidance, the Board entered into 12 Reciprocity Agreements with other states, more than any other state.

In 2024, Carol worked with the legislature to broaden testing eligibility, to include a journeyman's certificate, or minimum educational hours completed.

We look to see Carol driving off into retirement in one of her three yellow coupes, top down!

Judicial: Contractor Cannot Sue Lender (Cont'd)

After filing two lawsuits in state court against the homeowners personally, the contractor brought this third suit in federal court against the bank which funded the residential construction.

The contractor named both himself personally and his Ohio limited liability company as plaintiffs against the lender for a racketeering claim ("RICO") based on alleged bank fraud, when the bank failed to pay the contractor's draws.

The court held that "The bank cannot be both the perpetrator and the victim" of the alleged bank fraud, and dismissed the claim.

The court also held that the contractor corporation cannot appear pro se, and must have an attorney. So, the owner attempted to transfer the corporation's claims for breach of contract by assignment to himself personally.

The court held the assignment invalid, as the contract language merely allowed assignment to a subcontractor for

construction work performance, which the owner did not perform.

Barnhart Builders LLC v. Rural 1st,
U.S.D.C. Northern Ohio, Case No. 3:26 CV
118, 2026 U.S. Dist. LEXIS 107768 (May
15, 2026).

Administrative: Brownfield Remediation (Cont'd)

Since 2021, the Brownfield Remediation Program helped to fund 904 projects worth \$800 million across the state.

The new funding supports 22 cleanup and remediation projects with \$8.4 million, and 41 assessment projects funded with \$7.1 million.

The largest grant is \$999,829.00 to Licking County for the remediation of an 8.84-acre former industrial site, primarily used for the cleaning of tanker trucks and disposal of solvent rinse and residual petroleum. Remediation will allow for multi-family housing units to be constructed.

The smallest grant is \$8,000.00 to Marion County for a Phase I environmental assessment, with plans to conduct a Phase II assessment and demolition at a former Frontier Communications site. After completion, the property will be utilized by the county as a township maintenance building.

A full list of grant recipients accompanies this Newsletter.

Administrative: New Aircraft Manufacturing Plant (Cont'd)

Backed by Honeywell Aerospace, Safran and other major investors, the company estimates that the move will help

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get the EL9 Ultra Short from development into significant commercial production and create 1,975 jobs.

The new facility will be at AirPark Ohio, adjacent to the Springfield-Beckley Municipal Airport, home of the National Advanced Air Mobility Center of Excellence.

The 96-acre sitework begins immediately, with construction in 2027. The EL9 Ultra Short aircraft uses hybrid electric propulsion to take off and land in distances as short as 150 feet. The aircraft carries nine passengers, using access points such as parking lots, barges and sports fields.

The idea for Ultra Short aircraft was born out of the collaboration of Electra's founder, John Langford, and a team of researchers at MIT led by Prof. John Hansman and Prof. Mark Drela, in search of an electric aircraft design that would be much more affordable to build and to operate.

Electra is working to allow the EL9 aircraft to enter service in 2030. Electra has 2,200 aircraft ordered by 63 customers awaiting deliveries.

Administrative: "Little Switzerland" Generating Facility (Cont'd)

Construction is estimated at \$8 million. The behind-the-meter system will help prevent overload conditions in periods of limited electricity supply by reducing demand on the traditional generating utilities. The special transmission rates are set to run for 20 years.

Founded in 1885, the Belden Brick Company is the largest family-owned brick

manufacturer in the United States.

Sugarcreek, Ohio is home to a highly skilled brickmaking community whose craftsmanship dates back to the 19th century. Belden Brick operates five state-of-the-art manufacturing plants and one thin brick sawing facility, employing approximately 500 team members and producing more than 200 million standard brick equivalents annually.

Administrative: 2-Year Community College Construction (Cont'd)

Columbus State Community College received \$16.9 million for "student success renovations" on its downtown Columbus campus. CSCC also received \$1.5 million for the Ohio Life Science Training Center.

Sinclair Community College received over \$20 million for 11 projects at its Dayton campus, including \$6 million for Fire System Upgrades, and \$2.5 million for HVAC Replacements and upgrades.

Cuyahoga County Community College received over \$11 million for Basic Renovations, and \$1.2 million for Public Safety IT and Media System Upgrades.

As public institutions, all details of these projects are public information, available through the College or through the Ohio Department of Higher Education.

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The Construction Conversation Call-In

on

**Wednesday, August 12, 2026
3:30 pm**

Luther L Liggett is inviting you to a scheduled Zoom meeting.

Topic: July Construction Conversation Time: Wednesday, August 12, 2026 03:30 PM Eastern
Time (US and Canada)
Join Zoom Meeting

<https://us02web.zoom.us/j/84826516758?pwd=mBdCfrtYMOOEa3BqDTnYuplEgPyjaA.1>

Meeting chat link

<https://us02web.zoom.us/jc/84826516758>

Meeting ID: 848 2651 6758

Passcode: 869492

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