



Ohio Legislative Service Commission

Bill Analysis

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H.B. 420

129th General Assembly
(As Introduced)

Reps. Peterson and Stinziano, McClain, Grossman, Henne, McGregor, Ruhl, Combs, C. Hagan, Hill, Stebelton, Garland, Roegner, Clyde, Buchy

BILL SUMMARY

- Requires the owner or operator of a nuisance wild animal control company to obtain an annual license from the Director of Natural Resources.
- Requires an individual providing nuisance wild animal removal or control services for hire to obtain an annual license from the Director.
- Requires a company and an individual to be licensed under the Pesticides Law if a pesticide is used in the removal or control of a nuisance wild animal.
- Requires the Director to adopt rules necessary to implement the bill.
- Creates the Nuisance Wild Animal Control Fund, and requires money collected under the bill to be credited to it and used for the bill's administration and enforcement.

CONTENT AND OPERATION

Licensing of nuisance wild animal control company

The bill requires a person who owns or operates a nuisance wild animal control company to obtain a license from the Director of Natural Resources for each location that the person owns or operates in Ohio.¹ Under the bill, a nuisance wild animal is a wild animal that is causing a threat to public safety or that may cause damage or harm to a structure, property, or person. A nuisance wild animal control company is a business that provides nuisance wild animal removal or control services for hire to the

¹ R.C. 1531.41(A).

owner or operator of property or a structure.² A license must be renewed annually prior to March 1 each year and expires on the last day of February each year. An applicant must pay a \$100 license fee for each license obtained. The bill specifies that the owner or operator of the company is responsible for the acts of each of the company's employees in the removal or control of a nuisance wild animal and must employ only individuals who are licensed under the bill to provide nuisance wild animal removal or control services for hire.³

Licensing of individual who provides nuisance wild animal removal or control services for hire

The bill also requires an individual who provides nuisance wild animal removal or control services for hire to obtain a license to do so from the Director. The license must be renewed annually prior to March 1 and expires on the last day of February. An applicant must pay a license fee of \$15.⁴

Use of pesticides by individual or company in control or removal of nuisance wild animal

Under the bill, if a pesticide is used by a nuisance wild animal control company or an individual in the removal or control of a nuisance wild animal, the company or the individual, as applicable, must obtain the appropriate license under the Pesticides Law. Upon obtaining a license under that Law, the company or the individual must notify the Director of Natural Resources.⁵

Rule making authority

The bill requires the Director to adopt rules in accordance with the Administrative Procedure Act establishing license application procedures and requirements, enforcement procedures, and any other procedures and requirements that are necessary to implement the bill.⁶

² R.C. 1531.40.

³ R.C. 1531.41(A) and (B).

⁴ R.C. 1531.42.

⁵ R.C. 1531.41(C) and 1531.42.

⁶ R.C. 1531.43.

Nuisance Wild Animal Control Fund

The bill creates the Nuisance Wild Animal Control Fund and requires that money collected under the bill be credited to it. Money in the Fund must be used by the Director for the administration and enforcement of the bill.⁷

HISTORY

ACTION	DATE
Introduced	01-24-12

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⁷ R.C. 1531.44.

