



# Ohio Legislative Service Commission

## Bill Analysis

Jeff Grim

### **S.B. 150**

130th General Assembly  
(As Introduced)

**Sens.** Hite and Peterson

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## **BILL SUMMARY**

### **Operation and management plans addressing agricultural pollution**

- Revises the requirement that the Chief of the Division of Soil and Water Resources adopt rules establishing standards to abate wind or water erosion of the soil or abate degradation of the waters of the state from farming by doing both of the following:
  - Requiring that the standards apply to agricultural operations rather than to farming or silvicultural operations as in existing law;
  - Specifying that the standards, in addition to the abatement of wind or water erosion of the soil, are to abate the degradation of the waters of the state by agricultural pollution rather than by animal waste or soil sediment.
- Authorizes the Chief, the supervisors of a soil and water conservation district, or a designee of the Chief to develop an operation and management plan to address agricultural pollution in accordance with the above rules for a person who owns or operates agricultural land or an animal feeding operation (AFO).
- Removes the authority of a person who owns or operates agricultural land or a concentrated animal feeding operation (CAFO) to develop an operation and management plan, and makes other changes regarding the development and approval of operation and management plans.
- Applies the provisions governing operation and management plans to operators of AFOs, rather than operators of CAFOs as in current law, and retains the application of those provisions to operators of agricultural land.
- Also applies other provisions in the Soil and Water Resources and Soil and Water Conservation Commission Laws to AFOs, including a requirement that the Chief

adopt rules establishing procedures for the administration of grants to the owners or operators of agricultural land or AFOs for the implementation of those plans.

- Generally prohibits specified state and local government officials, including the Director of Natural Resources, from disclosing certain information provided by or regarding a person who operates under an operation and management plan.

### **Application of fertilizer for agricultural production**

- Prohibits a person, beginning three years after the bill's effective date, from applying fertilizer for the purposes of agricultural production unless that person has been certified to do so by the Director of Agriculture or is directly supervised by a person who is certified.
- Requires the Director to adopt rules concerning the required certifications, including procedures for the issuance, renewal, and denial of certifications.
- Requires the Director, if a commercial pesticide applicator or private pesticide applicator has been certified to apply fertilizer, to indicate on the applicator's license an agricultural nutrient pesticide-use category.

### **Additional fertilizer law changes**

- Revises the levying of the fee paid by an applicant for a license to manufacture or distribute fertilizer by:
  - Requiring a fee for each location outside of Ohio from which fertilizer is distributed into Ohio rather than for each location outside of Ohio from which fertilizer is distributed in Ohio to nonlicensees; and
  - Adding that the fee applies for each Ohio location from which fertilizer is distributed in Ohio.
- Precludes a fertilizer distributor from being required to obtain a distribution license if the fertilizer is registered with the Director under the fertilizer provisions of the Agricultural Additives, Lime, and Fertilizer Law.
- Makes several changes to the provisions governing the tonnage report submitted to the Director by a fertilizer licensee or registrant, including revising the payment of an inspection fee on fertilizer that is distributed or applied.
- Adds certificates to apply fertilizer for agricultural production to the existing enforcement provisions governing the revocation, suspension, and refusal of fertilizer licenses or registration.

- Exempts specified emergency situations from the revised prohibition against refusing, suspending, or revoking a fertilizer registration, license, or certificate until the registrant, licensee, certificate holder, or applicant has been given an opportunity to appear at an adjudication hearing.
- Establishes requirements and procedures governing the enforcement of the fertilizer provisions of the Agricultural Additives, Lime, and Fertilizer Law by the Director, including the immediate suspension of a registration, license, or certificate when the Director believes that a fertilizer or its application poses an immediate hazard to human or animal health or a hazard to the environment.
- Specifies that the Director is not required to take certain actions related to the enforcement of the fertilizer provisions of that Law or rules adopted under those provisions when the Director believes that the public interest will be best served by a written warning.
- Makes changes in the criminal penalties for violations of the Agricultural Additives, Lime, and Fertilizer Law, including applying those penalties to any violation of that Law or rules adopted under it rather than to a violation of specified provisions of that Law as in current law.

## Miscellaneous

- Revises the membership of the Ohio Soil and Water Conservation Commission, including replacing the Director of Agriculture and the Vice-President for Agricultural Administration of OSU with two farmers.

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## **CONTENT AND OPERATION**

### **Overview**

The bill revises and expands the application of requirements governing operation and management plans for the management and abatement of the degradation of the waters of the state by animal waste and other pollutants from agricultural operations. The requirements are generally administered and enforced by the Department of Natural Resources and soil and water conservation districts established under the Soil and Water Conservation Commission Law.

In addition, the bill revises provisions and establishes new requirements governing the application of fertilizers. Under the bill, a person that applies fertilizer for the purposes of agricultural production must be certified to do so by the Director of Agriculture. If a person is so certified and is either a commercial or private pesticide applicator licensed by the Director under the Pesticides Law, the person may receive an agricultural pesticide-use category for the pesticide applicator license.

### **Operation and management plans addressing agricultural pollution**

#### **Background**

Under existing law, the Chief of the Division of Soil and Water Resources, subject to the approval of the Ohio Soil and Water Conservation Commission, must adopt rules that establish both of the following:

(1) Technically feasible and economically reasonable standards to achieve a level of management and conservation practices in farming or silvicultural operations that will abate wind or water erosion of the soil or abate the degradation of the waters of the state by animal waste or by soil sediment, including substances attached to the sediment (hereafter rules establishing abatement standards); and

(2) Criteria for determination of the acceptability of such management and conservation practices. The Chief may apply to the court of common pleas in the county where a violation of those standards causes pollution of the waters of the state for an order to compel the violator to cease the violation and to remove the agricultural pollutant or to comply with the standards, as appropriate.

A person that owns or operates agricultural land or a concentrated animal feeding operation (CAFO) may develop and operate under an operation and



management plan that is approved by the Chief or the supervisors of the soil and water conservation district (hereafter supervisors of a conservation district). Such a person that has not developed a plan and has caused agricultural pollution by failure to comply with the standards established in rules may be ordered by the Chief to operate under an operation and management plan developed by the Chief or the supervisors of a conservation district.<sup>1</sup>

Under law retained by the bill, waters of the state (hereafter water) are all streams, lakes, ponds, wetlands, watercourses, waterways, wells, springs, irrigation systems, drainage systems, and other bodies or accumulations of water, surface and underground, natural or artificial, regardless of the depth of the strata in which underground water is located, that are situated wholly or partly within, or border on, Ohio or are within its jurisdiction, except those private waters that do not combine or effect a junction with natural surface or underground waters.<sup>2</sup>

### **Adoption of agricultural pollution standards**

The bill revises the provision that requires the Chief to adopt rules establishing abatement standards by doing both of the following:

(1) Requiring the standards to apply to agricultural operations rather than to farming or silvicultural operations as in existing law; and

(2) Specifying that the standards, in addition to the abatement of wind or water erosion of the soil, are to abate the degradation of water by agricultural pollution rather than by animal waste or soil sediment, including substances attached to the sediment, as in current law.<sup>3</sup>

### **Relevant terms**

The bill revises several existing definitions and establishes an additional definition with regard to the provisions governing operation and management plans. Under the bill, "agricultural pollution" means failure to use management or conservation practices in agricultural operations to abate wind or water erosion of the soil or to abate the degradation of water by soil sediment, nutrients, manure, animal bedding, wash waters, waste feed, or silage drainage. Instead, existing law defines "agricultural pollution" as failure to use management or conservation practices in farming or silvicultural operations to abate wind or water erosion of the soil or to abate

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<sup>1</sup> R.C. 1511.02(E)(1), (G), and (N), 1511.07(A)(3), and 1515.08(O) and (P).

<sup>2</sup> R.C. 1511.01(E).

<sup>3</sup> R.C. 1511.02(E)(1).



the degradation of water by animal waste or soil sediment, including substances attached to the waste or sediment.<sup>4</sup>

Consequently, the bill eliminates the term "animal waste" and replaces it with "manure," defined to mean animal excreta. Under current law, "animal waste" means animal excreta, discarded products, bedding, wash waters, waste feed, and silage drainage. It also includes the compost products resulting from the composting of dead animals in operations subject to existing law governing the composting of dead animals when either of the following applies:

(1) The composting is conducted by the person who raises the animals and the compost product is used in agricultural operations owned or operated by that person regardless of whether the person owns the animals; or

(2) The composting is conducted by the person who owns the animals, but does not raise them and the compost product is used in agricultural operations either by a person who raises the animals or by a person who raises grain that is used to feed them and that is supplied by the owner of the animals.<sup>5</sup>

Finally, the bill defines "nutrient" as a primary chemical element that is essential to plant nutrition.<sup>6</sup>

### **Development of plans**

Currently, an operation and management plan is a written record, developed or approved by the supervisors of a conservation district or the Chief, for the owner or operator of agricultural land or a CAFO that contains implementation schedules and operational procedures for a level of management and pollution abatement practices that will abate the degradation of water by animal waste and by soil sediment, including attached pollutants. The bill instead states that a plan is a written plan developed by specified persons under the bill (see below), including a plan required by an order issued by the Chief under the bill (see below).<sup>7</sup> The bill also requires an operation and management plan to include, in addition to the abatement standards established in rules, implementation schedules and operational procedures for a level of management and pollution abatement practices that will abate degradation of water caused by agricultural pollution. An operation and management plan may include a

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<sup>4</sup> R.C. 1511.01(D).

<sup>5</sup> R.C. 1511.01(G).

<sup>6</sup> R.C. 1511.01(I).

<sup>7</sup> R.C. 1511.01(F).



nutrient management plan that contains implementation schedules and operating procedures specific to nutrient management.<sup>8</sup>

The bill revises the definition of "pollution abatement practice." Under the bill, it means any agricultural pollution abatement facility, structure, or procedure and the operation and management associated with it as contained in operation and management plans. Instead, current law states that it is any erosion control or animal waste pollution abatement facility, structure, or procedure and the operation and management associated with it as contained in operation and management plans developed or approved by the Chief or by soil and water conservation districts.<sup>9</sup>

Under the bill, any of the following may develop an operation and management plan in accordance with the rules establishing abatement standards for a person who owns or operates agricultural land or an animal feeding operation (AFO):

(1) The Chief;

(2) The supervisors of the conservation district in which the agricultural land or AFO is located; or

(3) A designee of the Chief. If such a designee develops a plan, the Chief must approve the plan prior to its implementation.<sup>10</sup>

Under the bill, an AFO is an agricultural operation where agricultural animals that are capable of producing at least 350 tons or 100,000 gallons of manure in a calendar year are kept and raised in confined areas. It does not include a facility that is issued any type of permit by the Department of Agriculture or the Environmental Protection Agency.<sup>11</sup>

Because the bill authorizes only the above persons to develop operation and management plans, it eliminates several provisions regarding the development and approval of those plans. First, it removes the authority of a person who owns or operates agricultural land or a CAFO to develop an operation and management plan that is approved by the Chief or the supervisors of a conservation district.<sup>12</sup> Second, it eliminates the duty of the Chief, when necessary for purposes of the Soil and Water

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<sup>8</sup> R.C. 1511.01(J) and 1511.021(C).

<sup>9</sup> R.C. 1511.01(C).

<sup>10</sup> R.C. 1511.021(A) and (B).

<sup>11</sup> R.C. 1511.01(K).

<sup>12</sup> R.C. 1511.022(A).

Resources and Soil and Water Conservation Commission Laws, to develop or approve operation and management plans.<sup>13</sup>

Finally, the bill eliminates the authority of the supervisors of a conservation district to determine whether operation and management plans developed by a person who owns or operates agricultural land or a CAFO comply with the rules establishing abatement standards and to approve or disapprove the plans based on such compliance. Consequently, it eliminates procedures regarding the disapproval of a plan and any appeals related to the disapproval. It also eliminates a provision that generally requires a person that operates or owns agricultural land or a CAFO in accordance with an approved operation and management plan and that causes agricultural pollution to revise the plan to mitigate the agricultural pollution. The mitigation must be determined and approved by the supervisors of the conservation district.<sup>14</sup>

### **Application of plans to animal feeding operations**

The bill applies the provisions governing operation and management plans to operators of AFOs, rather than operators of CAFOs as in current law, and retains the application of those provisions to operators of agricultural land. Current law does not define CAFO for the purposes of the Division of Soil and Water Resources Law. Thus, the effect of applying the provisions to AFOs rather than CAFOs is unclear.

The bill also applies other provisions in the Soil and Water Resources and Soil and Water Conservation Commission Laws to AFOs. One provision now requires the Chief to adopt rules establishing procedures for the administration of grants to the owners or operators of agricultural land or AFOs for the implementation of operation and management plans. Another provision is revised to state that the statutory duties and authority of the Chief, including those discussed above, do not apply to manure that is defecated on land outside an AFO or runoff from that land into water. The final revised provision states that, in a private civil action for nuisances involving agricultural pollution, it is an affirmative defense if the person owning, operating, or otherwise responsible for agricultural land or an AFO is operating under and in substantial compliance with an operation and management plan.<sup>15</sup>

### **Disclosure of information**

Under the bill, except as discussed below, the Director of Natural Resources, an employee of the Department of Natural Resources, the supervisors and employees of a

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<sup>13</sup> R.C. 1511.02(N).

<sup>14</sup> R.C. 1515.08(P).

<sup>15</sup> R.C. 1511.02(E)(6) and 1511.022(A) and (C).



conservation district, and a contractor of the Department or a conservation district must not disclose either of the following:

(1) Information, including data from geographic information systems and global positioning systems, provided by a person who owns or operates agricultural land or an AFO and operates under an operation and management plan; or

(2) Information gathered as a result of an inspection of agricultural land or an AFO to determine whether the person who owns or operates the land or operation is in compliance with an operation and management plan.<sup>16</sup>

However, the Director or the supervisors of a conservation district may release or disclose the information specified above to a person or a federal, state, or local agency working in cooperation with the Chief or the supervisors in the development of an operation and management plan or an inspection to determine compliance with such a plan if the Director or supervisors determine that the person or agency will not subsequently disclose the information to another person.<sup>17</sup>

## **Application of fertilizer for agricultural production**

### **Certification**

The bill prohibits a person, beginning three years after the bill's effective date, from applying fertilizer for the purposes of agricultural production unless that person has been certified to do so by the Director of Agriculture or is directly supervised by a person who is so certified.<sup>18</sup> Agricultural production is the cultivation, primarily for sale, of plants or any parts of plants on more than ten acres unless the cultivation is excluded from the term by the Director in rules adopted under the bill (see below).<sup>19</sup> "Directly supervised" means the application of a fertilizer for purposes of agricultural production by a person who is acting under the instructions and control, as defined in rules adopted by the Director, of a person who is certified and employed by the same employer as the person who is applying the fertilizer.<sup>20</sup>

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<sup>16</sup> R.C. 1511.023(A).

<sup>17</sup> R.C. 1511.023(B).

<sup>18</sup> R.C. 905.321(B).

<sup>19</sup> R.C. 905.31(BB).

<sup>20</sup> R.C. 905.321(A).



A person must be certified to apply fertilizer for purposes of agricultural production in accordance with the Director's rules. A person that has been so certified must comply with requirements and procedures established in those rules.<sup>21</sup>

Under the bill, the Director must adopt rules in accordance with the Administrative Procedure Act that establish all of the following concerning the required certifications:

(1) The amount of the fee that must be submitted with an application for certification, if applicable (see below);

(2) Information that must be included with an application for certification;

(3) Procedures for the issuance, renewal, and denial of certifications;

(4) Grounds for the denial of certifications;

(5) Requirements and procedures governing training that must be successfully completed in order for a person to be certified; and

(6) Requirements for the maintenance of records by a person that is certified.<sup>22</sup>

The bill exempts from the certification fee a person that has been licensed as a commercial pesticide applicator or as a private pesticide applicator under the Pesticides Law and that is applying to be certified under the bill.<sup>23</sup>

In addition, the Director may adopt rules in accordance with the Administrative Procedure Act that establish both of the following:

(1) Any type of cultivation that is excluded from the definition of "agricultural production"; and

(2) A definition of what constitutes "under the instructions and control" as used in the definition of "directly supervised."<sup>24</sup>

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<sup>21</sup> R.C. 905.321(C).

<sup>22</sup> R.C. 905.322(A)(1).

<sup>23</sup> R.C. 905.321(D).

<sup>24</sup> R.C. 905.322(B).

## **Pesticide applicators**

The bill requires the Director, if a commercial pesticide applicator or private pesticide applicator has been certified to apply fertilizer, to indicate on the applicator's license an agricultural nutrient pesticide-use category.<sup>25</sup> For that purpose, "agricultural nutrient" has the same meaning as "fertilizer" in the Agricultural Additives, Lime, and Fertilizer Law. In that Law, "fertilizer" means any substance containing nitrogen, phosphorus, or potassium or any recognized plant nutrient element or compound that is used for its plant nutrient content or for compounding mixed fertilizers. Lime, limestone, marl, unground bone, water, and unmanipulated animal and vegetable manures are excepted unless mixed with fertilizer materials.<sup>26</sup>

Under the bill, the Director must adopt rules in accordance with the Administrative Procedure Act establishing pesticide-use categories for commercial pesticide applicator licenses and private pesticide applicator licenses, including an agricultural nutrient pesticide-use category.<sup>27</sup>

## **Additional fertilizer law changes**

### **Background**

Under the law governing fertilizer, a person that wants to manufacture or distribute fertilizer in Ohio must obtain a license to do so from the Department of Agriculture. In addition, a fertilizer manufacturer or distributor that wants to distribute certain fertilizer must register that fertilizer with the Department. Generally, a licensee or registrant must pay to the Director an inspection fee for all fertilizers distributed in Ohio and annually file with the Director a tonnage report that includes the amount of fertilizer distributed to nonlicensees or nonregistrants in Ohio.

### **Manufacturing and distribution license fee**

The bill revises the levying of the \$5 license fee that must be paid by a person that applies for a license to manufacture or distribute fertilizer by doing both of the following:

(1) Requiring a fee for each location outside of Ohio from which fertilizer is distributed into Ohio rather than for each location outside of Ohio from which fertilizer is distributed in Ohio to nonlicensees; and

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<sup>25</sup> R.C. 921.06(E) and 921.11(D).

<sup>26</sup> R.C. 921.06(E) and 921.11(D) by reference to R.C. 905.31.

<sup>27</sup> R.C. 921.16(K)(4).



(2) Adding that the fee applies for each Ohio location from which fertilizer is distributed in Ohio.<sup>28</sup>

Under the bill, a fertilizer distributor cannot be required to obtain a fertilizer distribution license if the fertilizer is registered with the Director under the fertilizer provisions of the Agricultural Additives, Lime, and Fertilizer Law. Current law instead precludes a distributor from being required to obtain a license if the manufacturer is licensed under that Law or if the manufacturer or distributor is registered under it.<sup>29</sup>

### **Tonnage report**

The bill makes several changes to the provisions governing the tonnage report submitted to the Director by a fertilizer manufacturing licensee, fertilizer distribution licensee, and fertilizer registrant. The bill requires a licensee or registrant to pay the Director an inspection fee of 25¢ per ton for all of the following, as applicable:

(1) All fertilizer that the licensee distributes in Ohio to a person that has not been issued a fertilizer manufacturing or distribution license;

(2) If the licensee is certified under the bill to apply fertilizer for agricultural production, all fertilizer that the licensee applies in Ohio for purposes of agricultural production; and

(3) All fertilizer that the registrant distributes in Ohio.

However, the inspection fee does not apply to packaged fertilizers that are in containers of ten pounds or less.<sup>30</sup>

Current law instead requires a licensee or registrant, except registrants who package specialty fertilizers only in containers of ten pounds or less, to pay the Director for all fertilizers distributed in Ohio an inspection fee at the rate of 25¢ per ton or 28¢ per metric ton. Licensees and registrants must specify on an invoice whether the per-ton inspection fee has been paid or whether payment of the fee is the responsibility of the purchaser of the fertilizer. The payment of the inspection fee by a licensee or registrant exempts all other persons from the payment of the fee.<sup>31</sup>

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<sup>28</sup> R.C. 905.32(A)(3) and (4).

<sup>29</sup> R.C. 905.34.

<sup>30</sup> R.C. 905.36(A).

<sup>31</sup> R.C. 905.36(A) and 905.31(Z).



The bill requires every licensee or registrant to file with the Director an annual report in accordance with rules adopted by the Director (see below). Under existing law, the report instead must include the number of net tons or metric tons of fertilizer distributed to nonlicensees or nonregistrants in Ohio by grade; packaged; and bulk, dry, or liquid.<sup>32</sup>

Under the bill, the report must be filed on or before the date specified in rules. Current law instead requires the report to be filed on or before November 30 of each calendar year and to include data from the period beginning on November 1 of the year preceding the year in which the report is due through October 31 of the year in which it is due.<sup>33</sup>

Finally, the bill requires the Director to adopt rules in accordance with the Administrative Procedure Act that establish requirements and procedures with which a licensee or registrant must comply when filing an annual tonnage report, including the date on which the report must be filed.<sup>34</sup>

## **Enforcement**

The bill adds certificates to apply fertilizer for agricultural production to the existing enforcement provisions governing the revocation, suspension, and refusal of fertilizer manufacturing licenses, distribution licenses, and registrations. In addition, it reorganizes those provisions.<sup>35</sup>

The bill also revises the prohibition against refusing, suspending, or revoking a fertilizer registration or license until the registrant, licensee, or applicant has been given an opportunity to appear at an adjudication hearing conducted in accordance with the Administrative Procedure Act by doing both of the following:

(1) Including certificates to apply fertilizer for agricultural production in the prohibition; and

(2) Exempting emergency situations specified in the bill (see below) from the prohibition.<sup>36</sup>

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<sup>32</sup> R.C. 905.36(B) and 905.31(Z).

<sup>33</sup> R.C. 905.36(B).

<sup>34</sup> R.C. 905.322(A)(2).

<sup>35</sup> R.C. 905.45(A).

<sup>36</sup> R.C. 905.45(B)(1).



Under the bill, the Director immediately may suspend a registration, license, or certificate, prior to a hearing, when the Director believes that a fertilizer or the application of the fertilizer poses an immediate hazard to human or animal health or a hazard to the environment. Not later than 30 days after suspending the registration, license, or certificate, the Director must determine whether the fertilizer or application of the fertilizer poses such a hazard. If the Director determines that no hazard exists, the Director must lift the suspension. However, if the Director determines that a hazard exists, the Director must revoke the registration, license, or certificate in accordance with the Administrative Procedure Act.<sup>37</sup>

Under the bill, whenever the Director has cause to believe that a person has violated, or is violating, the fertilizer provisions of the Agricultural Additives, Lime, and Fertilizer Law or rules adopted or an order issued under those provisions or rules, the Director may conduct a hearing in accordance with the Administrative Procedure Act to determine whether a violation has occurred. If the Director determines that a violation has occurred, the Director may require the violator to pay a civil penalty in accordance with the schedule of civil penalties established in rules. Each day of violation constitutes a separate violation.<sup>38</sup>

The bill states that nothing in the fertilizer provisions of the Agricultural Additives, Lime, and Fertilizer Law or rules adopted by the Director under those provisions can be construed to require the Director to report any findings to the appropriate prosecuting authority for proceedings in the prosecution of, or issue any order or institute any enforcement procedure for, a violation of those provisions or rules when the Director believes that the public interest will be best served by a suitable written notice of warning. A person who receives a written notice of warning may respond in writing to the notice.<sup>39</sup>

### **Penalties for violations of Agricultural Additives, Lime, and Fertilizer Law**

The bill makes the following changes in the criminal penalties for violations of the Agricultural Additives, Lime, and Fertilizer Law:

(1) Applies the penalties to any violation of that Law or rules adopted under it rather than to a violation of specified provisions of that Law as in current law;

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<sup>37</sup> R.C. 905.48(B)(2).

<sup>38</sup> R.C. 905.501.

<sup>39</sup> R.C. 905.502.

(2) Decreases the penalty for a first offense from a third degree misdemeanor to a second degree misdemeanor; and

(3) Revises the penalties for subsequent violations by:

--Decreasing the penalty for a second offense from a first degree misdemeanor to a second degree misdemeanor; and

--Specifying that the penalty for a third or subsequent offense is a first degree misdemeanor.<sup>40</sup>

## **Miscellaneous**

### **Ohio Soil and Water Conservation Commission**

The bill revises the membership of the Ohio Soil and Water Conservation Commission by doing all of the following:

(1) Replacing the Director of Agriculture and the Vice-President for Agricultural Administration of the Ohio State University (OSU) as members of the Commission with two members who are farmers for a total of four farmers;

(2) Stipulating that all appointed members must have a knowledge of or interest in soil- and water-related topics in addition to Ohio's natural resources as in existing law;

(3) Allowing the Directors of Agriculture, Environmental Protection, and Natural Resources and the Vice-President for Agricultural Administration of OSU or their designees to serve as ex-officio members; and

(4) Providing for the appointment of the new members and making a conforming change.<sup>41</sup>

The bill also eliminates the authority of the Commission to utilize the services of staff members in OSU's College of Agriculture as may be agreed upon by the Commission and the College.<sup>42</sup>

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<sup>40</sup> R.C. 905.99.

<sup>41</sup> R.C. 1515.02 and Section 3.

<sup>42</sup> R.C. 1515.02.



## Technical and conforming changes

The bill makes technical and conforming changes, including renumbering several Revised Code sections.<sup>43</sup>

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### HISTORY

| ACTION     | DATE     |
|------------|----------|
| Introduced | 06-25-13 |

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<sup>43</sup> R.C. 903.25; 905.31(U)(2), (Z), and (AA); 905.36(B) and (C); 905.39; 905.41(A) and (B); 905.46; 905.47; 905.48; 905.49; 905.50; 905.503; 907.111(D); 921.06(A)(1)(d)(vii) and (E); 941.14(A) and (B); 953.22(B)(4); 1511.02(A), (D), (E)(5), (E)(8)(a) and (c), (H), and (I)(1) and (2); 1511.022(B)(and (C); 1511.024(B); 1515.01(F); 1515.08(P)(1) and (2), (Q), and (R); 3717.53(A)(2); 3734.02(D); and 3734.029(A)(1) and (2) and (B).

