

Agriculture

H.B. 189

Primary Sponsors: Reps. Patterson and Blessing

Effective date: Emergency: November 6, 2019

Amusement ride safety standards

- Requires the Director of Agriculture to adopt rules that both:
 - Alter the amusement ride classification system to identify those rides that need more comprehensive inspection; and
 - Establish requirements governing the minimum number of inspectors assigned to an amusement ride and the minimum number of inspections to be conducted on each ride.
- Requires the Director, when adopting rules, to adopt, by reference, relevant chapters of the American Society for Testing and Materials (ASTM) and any other equivalent national standards regarding amusement ride safety.
- Requires the Director, when employing a new Chief Inspector or additional inspectors, to give preference to individuals who hold or intend to hold (within a year of being hired) a level one or higher inspector certification from certain national organizations.

Amusement ride owner duties

Manuals and records

- Generally requires an amusement ride owner to keep a manual for each of the owner's amusement rides and to make it available to an inspector when requested.
- Requires an amusement ride owner to take photographs of major ride repairs, prepare a written description of each major repair, and include the photographs and the description in the repair record.

Temporary amusement rides

- Requires a temporary amusement ride owner to submit to the Department of Agriculture (ODA) a list of locations and dates that the temporary ride was either stored for longer than 30 days or operated outside Ohio.
- Authorizes ODA to require additional inspections based on a review of the list.
- Requires the Director to adopt rules establishing timetables and procedures for providing and updating the list.

Written order to replace or repair a ride

- Requires an amusement ride owner to respond in writing to a written repair order from an inspector, within the time specified in the order, indicating that the required repairs have been made.
- Requires the Director to determine whether the amusement ride or components of the ride may continue to operate if the repairs have not been completed within the time specified in the order.

Safety communications

- Requires certain persons or entities that receive information regarding safety issues pertaining to an amusement ride to forward the information to ODA's Chief Inspector and the Director.
- Requires the Chief Inspector to reinspect an amusement ride after receiving the information if the Chief Inspector determines that reinspection is necessary.

Other provisions

- Adds a registered professional engineer to the Advisory Council on Amusement Ride Safety as a nonvoting member.
- Names the act "Tyler's Law."

S.B. 57

Primary Sponsors: Sens. Hill and S. Huffman

Effective date: Emergency: July 30, 2019; conforming amendments to future-version statutes effective September 20, 2019, and March 22, 2020

- Decriminalizes hemp and hemp products, thereby allowing anyone to (1) buy, sell, or possess hemp or a hemp product, and (2) cultivate and process hemp, if properly licensed.
- Requires the Director of Agriculture to submit a plan to regulate hemp cultivation to the U.S. Secretary of Agriculture for approval.
- If the plan is approved, requires the Director to establish a Hemp Cultivation and Processing Program to monitor and regulate hemp cultivation and, though not specifically required under federal law, hemp processing.
- Requires the Director to adopt rules that establish federally compliant standards and procedures for the program.
- Requires a person who intends to cultivate hemp to obtain a hemp cultivation license from the Director.

- Requires a person who intends to process hemp into any hemp product to obtain a hemp processing license from the Director.
- Requires the Director, in consultation with the Governor and the Attorney General, to adopt rules establishing standards and procedures for the program that comply with federal law.
- Establishes prohibitions, procedures (including corrective action plan requirements), and criminal penalties to enforce the program.
- Authorizes the Director, when the Director determines that certain emergency conditions exist, to issue an order requiring those conditions to be mitigated.
- Establishes the Hemp Program Fund in the state treasury for the Department of Agriculture to use to administer and enforce the program.
- Establishes a Hemp Marketing Program.
- Specifically allows land used for hemp farming to be valued according to its current agricultural use value (CAUV).
- Authorizes, under certain circumstances, the release of hemp and hemp products seized prior to the act's effective date.