

Agriculture

H.B. 7

Primary Sponsors: Reps. Ghanbari and Patterson

Effective date: April 12, 2021

Statewide Watershed Planning and Management Program

- Creates the Statewide Watershed Planning and Management Program for the improvement and protection of Ohio’s watersheds.
- Requires the Director of Agriculture to categorize watersheds in Ohio and appoint at least one watershed planning and management coordinator in each categorized watershed region.
- Requires a coordinator to coordinate watershed planning in the assigned watershed, including assisting each soil and water conservation district to identify sources and areas of water quality impairment.
- Requires the Director to assist soil and water conservation districts in watershed planning and management.
- Requires a soil and water conservation district board to consult and work with the coordinator appointed to the watershed region.
- Exempts from public record laws certain data or records of a person’s agricultural operations, conservation or water quality improvement practices, or proposed utilization of those practices.
- Authorizes the Department of Agriculture to share data or records of conservation or water quality improvement practices with state agencies and higher education institutions for water quality research under certain circumstances.

Intent statement

- States that it is the General Assembly’s intent to collaborate with organizations representing agriculture, conservation, the environment, and higher education to establish a certification program for farmers who utilize practices designed to minimize impacts to water quality.

Watershed pilot program

- Requires the Department, in consultation with the Lake Erie Commission and the Ohio Soil and Water Conservation Commission, to establish a pilot program that assists farmers, agricultural retailers, and soil and water conservation districts in reducing phosphorus in a watershed.

- Specifies the purposes for which the pilot program funding is to be used, including purchasing equipment for subsurface placement of nutrients into the soil and equipment for nutrient placement based on geographic information system data.

Voluntary nutrient management plan: public records exemption

- Specifies that information associated with a voluntary nutrient management plan developed under continuing law is not a public record subject to the Ohio's law governing public records.

Regional water and sewer districts

- Allows a regional water and sewer district to make loans and grants to and enter into cooperative agreements with any person (an individual, firm, partnership, association, or corporation) or political subdivision, rather than only with political subdivisions.
- Expands a district's authority to offer discounted rentals or charges to any person who is of low or moderate income or qualifies for the homestead exemption, instead of only to those who are 65 or older and meet that criteria as in prior law.

CAUV eligibility of land used for biofuel production

- Modifies the requirements that land used in biofuel production must meet in order to be valued for property tax purposes at its current agricultural use value (CAUV).

H.B. 24

Primary Sponsor: Rep. Hambley

Effective date: March 31, 2021

Humane societies and humane society agents

- Removes references in law to the "Ohio Humane Society," which was designated as the state society for the prevention of cruelty to animals, but was not functioning as an animal welfare society.
- Clarifies that any branch of the Ohio Humane Society that was organized prior to the act's effective date (March 31, 2021) is considered to be a county humane society and has the same powers as a county humane society.
- Requires each county humane society to submit an annual report of enforcement activities to the county sheriff.
- Specifies that, generally, the records of an enforcement activity by a humane society agent are public records.
- Prohibits a humane society from entering into a nonprosecution agreement with a person for an alleged violation of law unless a judge has reviewed and approved the agreement.

- Specifies that an appointment of an agent does not take effect unless approved by the appropriate mayor or probate judge.
- Requires the approving authority to notify the county sheriff and the board of county commissioners when a humane society agent's appointment has been approved, and to file proof of the agent's successful training with the sheriff.
- Requires an individual who is currently serving as a humane society agent to obtain and present proof of training by October 1, 2021.
- Requires mayors, probate judges, and county sheriffs to maintain as a public record a copy of the proof of training for each humane society agent operating in their jurisdictions.
- Requires authorities to investigate complaints about an agent's failure to complete the required training, and establishes a procedure for the disposition of the complaints.
- Increases the minimum monthly salary of humane society agents.
- Specifies procedures for removing a humane society agent from office.
- Specifies that a humane society agent is a public servant under the bribery law and is therefore subject to the criminal prohibition against bribery.
- Specifies that a county humane society may appoint, rather than employ, an attorney to prosecute certain violations of law.
- Removes all of a humane society's authority regarding children other than a duty to report suspected child abuse.

Animal cruelty: seizure and impoundment

- Allows an officer to seize and impound any animal, instead of only a companion animal, that the officer has probable cause to believe is the subject of an animal cruelty violation.
- Requires that the written notice, which an impounding officer must provide to an animal owner whose animal is being seized and impounded, be given within 24 hours after the animal is seized and impounded.
- Modifies the law governing the bond amount that a court may determine must be provided by an animal owner for the care of the animal during impoundment.

Limited license for animal euthanasia drugs

- Authorizes the State Board of Pharmacy to issue a limited license to the office of a county dog warden solely for purchasing, possessing, and administering drugs for euthanizing animals and pre-euthanizing drugs for inducing anesthesia, sedation, or unconsciousness.
- Prohibits a dog warden or a dog warden's agent or employee from performing euthanasia by lethal injection, or administering pre-euthanasia drugs, unless the facility in which the dog warden, agent, or employee works is licensed.

- Requires a dog warden or a dog warden's agent or employee to complete a euthanasia technician certification course as a condition of licensure.
- Requires the State Veterinary Medical Licensing Board, in consultation with the Pharmacy Board, to approve substances to be used for lethal injection of an animal, rather than requiring both Boards to approve those substances.
- Requires the Pharmacy Board, in consultation with the Veterinary Board, to approve pre-euthanasia drugs.
- Removes the order of preference in former law regarding authorized methods for euthanizing an animal when using a lethal solution.

Chemical capture of companion animals

- Authorizes the Pharmacy Board to grant a chemical capture classification to an animal shelter or county dog warden's limited license, which allows a certified officer to use an anesthetic drug to immobilize and capture or attempt to immobilize and capture a companion animal.
- Specifies that a certified officer may chemically capture a companion animal to limit injury to the officer, the animal or another animal, or the public.
- States that chemical capture of a companion animal by a certified officer is not an act of cruelty, that possession of dangerous drugs is authorized when the possession occurs within the scope of duties by a certified officer, and that the Veterinarians Law does not apply to an act of chemical capture by a certified officer.
- Requires the Board to adopt rules governing chemical capture.
- Establishes requirements and procedures with which an animal shelter or county dog warden must comply to receive a chemical capture classification designation.
- Specifies that only a certified officer may chemically capture an animal.
- Requires a person to complete specified training requirements prior to becoming a certified officer.
- Establishes various prohibitions related to the chemical capture of a companion animal.

Veterinarians and veterinary technicians

- Clarifies that the act's provisions do not preclude a licensed veterinarian or veterinarian technician from engaging in the practice of veterinary medicine.

Impounded dogs

- Revises the law governing the disposition of a dog that is seized and impounded by a dog warden and not redeemed by its owner.

Reenactment of animal law provisions

- Reenacts laws governing animal fighting, bestiality, and humane agent residency requirements, which were found inapplicable in the Ohio Sixth Appellate District; thus making those provisions enforceable in that district.

H.B. 665

Primary Sponsors: Reps. Jones and Wilkin

Effective date: April 12, 2021

Fairs

- Modernizes the law governing agricultural societies and county fairs conducted by them.
- Increases the amount that a county or independent agricultural society receives from a county for operational expenses.
- Removes the cap on the amounts that a county may transfer to an agricultural society for junior club expenses and expenses associated with operating fairgrounds.
- Removes the requirement that a society that allows the sale of intoxicating liquor on its fairgrounds use any proceeds it receives from the sale first to pay for insurance on all buildings on the fairground.
- Increases the amount of debt that a society may incur, but requires a county agricultural society to obtain approval from the board of county commissioners before incurring any debt if the board pays or has paid money out of the county treasury to purchase the society's fairgrounds.
- Instead of requiring a society to publish its annual financial abstract in a newspaper, requires the society to publish an announcement in either a newspaper or on the society's website stating that the report has been filed and that the public may obtain a copy of it.
- Streamlines a society's procedure for submitting annual financial reports to the State Auditor and Director of Agriculture.
- Clarifies a society treasurer's duties by stating that the treasurer must collect, account for, record, deposit, and disburse all funds of the society.
- Allows an agricultural society treasurer to appoint a person under the treasurer's supervision to assist in the treasurer's duties.
- Removes the requirement that the county school superintendent serve as an ex officio member of the board of directors of a county or independent agricultural society.
- Specifies that an Ohio State University Extension member serves with the board as a nonvoting member instead of an ex officio member as in prior law.

- Revises the requirements governing notifying the public of an annual election of society directors.
- After an election, requires the society's secretary to send the Director of Agriculture a copy of each board member's signature verifying the members that voted in the election.
- Prohibits a society board of directors candidate from counting or recording election votes.
- Requires a board of county commissioners to notify the agricultural society of its intention to make a sale or exchange of fairgrounds in writing 14 days prior to the sale or exchange.
- Allows a society member to sell seasonal tickets or passes for the society's annual fair and specifies that the sale need not be conducted on the fairgrounds.
- Allows any person to sell tickets for fundraisers held by or for the benefit of a society during the society's annual fair.
- Allows certain flexibilities concerning the rescheduling of live horse racing during a state of emergency.
- Specifies that if a society or the Ohio Expositions Commission is unable to conduct an annual fair and does not conduct live horse racing, it must return specified money from the Ohio Fairs Fund that the Director previously distributed to it.
- Modifies a tax exemption for property owned by a county agricultural society.
- Repeals antiquated provisions governing the use of fairgrounds by a municipal corporation.

Lapsed time-specific changes

- If the act had taken effect before December 1, 2020, the following would have applied until that date:
 - Amusement parks and water parks could have immediately opened, notwithstanding an order of the Director of Health, provided that they operated in accordance with the Director of Agriculture's standards and guidelines; and
 - An agricultural society would have retained control and management of the land occupied by it if an annual fair could not be held.

** (Note: the provisions discussed above have no substantive effect because the time period for their operation passed prior to the act's effective date.) **

Technical changes

- Recodifies Ohio's law governing amusement rides from R.C. Chapter 1711 to Chapter 993.
- Removes outdated language and makes technical changes to Ohio's law governing fairs and agricultural societies.

S.B. 375

Primary Sponsors: Sens. Hoagland and Schaffer

Effective date: Vetoed

- Would have voided the Director of Health’s order, “Director’s Amended Order Limiting County Fairs to Junior Fair Activities and Animal Exhibitions, with Exceptions” issued on July 30, 2020.
- Would have created the Agricultural Society Working Group for 2021, to recommend protocols for the safe and hygienic operation of county fairs and other festivals, and terminated the group on February 1, 2022.

