

Agriculture

H.B. 397

Primary Sponsors: Reps. Stewart and Kick

Effective date: July 21, 2022; appropriation effective April 20, 2022

Termination of agricultural leases

- Requires an agricultural lease agreement to be terminated by written notice from the lessor to the lessee unless the lease agreement contains a termination date or method for providing notice of termination.
- Requires notice to terminate an agricultural lease agreement to be given by September 1, in the year it is to be effective, and sets the termination date after notice as the date harvesting is complete or December 31 of the year notice is given, whichever comes first.

Soil and water conservation district officer, employee liability

- Expands the options that boards of soil and water conservation districts have for employees and officers entrusted with funds to allow them to provide insurance policies for these employees, in addition to the continuing option of executing surety bonds.

Investing in Ohio Fund

- Creates the Investing in Ohio Fund, to promote economic development throughout Ohio.
- Appropriates \$85 million in FY 2022 to the new fund and reappropriates the FY 2022 unspent, unencumbered balance for FY 2023.

Oil and gas unit applications

- Establishes timelines within which the Chief of the Division of Oil and Gas Resources Management must hold a hearing on an application for unit operation and issue the unit operation order.

Ohio Public Works Commission

- Makes various changes to the law governing the Ohio Public Works Commission (OPWC), including:
 - Removing the requirement that the private sector voting member with public finance experience have eight years of experience in public finance prior to appointment; and
 - Clarifying that a quorum is four voting members instead of four members.
- Makes various changes regarding grants awarded by natural resources assistance councils for natural resources projects, including:

- Requiring a nonprofit organization that wishes to receive grant funding to be an environmental and conservation organization and formed to protect the natural environment, in addition to being exempt from federal income taxation;
- Clarifying that money may be awarded to an eligible conservation open space acquisition project for open space improvements, rather than open space developments as in the former law;
- Eliminating the restrictions against funding hydromodification projects, such as dams, dredging, and sedimentation; and
- Specifying that technical assistance provided by OPWC to natural resources assistance councils does not constitute approval or denial of a grant application.

Battery-charged fences

- Exempts certain fences used for agricultural purposes from the law regarding battery-charged fences.

Fairfield County land conveyance

- Authorizes the conveyance of state-owned land, the Ohio University Pickerington Center, to the board of commissioners of Fairfield County at a price acceptable to the Director of Administrative Services and the Ohio University Board of Trustees.

H.B. 507

Primary Sponsor: Rep. Koehler

Effective date: April 7, 2023

Local pesticide regulation

- Prohibits a political subdivision from regulating or banning the packaging, registration, labeling, sale, storage, distribution, use, or application of a pesticide registered with the Department of Agriculture on private property, including private property that is open to the public.

Evaluations of environmental health specialists

- Requires the Directors of Agriculture and Health each to adopt rules establishing a method for evaluating a registered environmental health specialist's (EHS) and EHS in training's knowledge of the laws governing food safety, including the Ohio Uniform Food Safety Code.
- Specifies that the evaluations must solely use an objective written or electronic assessment that complies with certain requirements.
- Requires the evaluations to be part of board of health surveys that determine if individual boards are qualified to administer and enforce the laws governing retail food establishments and food service operations.

- Prohibits the Directors from using any other assessment than that established by the rules.
- Allows the Directors to require a registered EHS or EHS in training to participate in a field review portion of the survey for training and educational purposes, but prohibits the Directors from using that participation for evaluation purposes.

Food safety

- Eliminates various laws governing canning and bottling, cold storage of food, frozen food storage, grading and labeling of produce, labeling and selling of canned fruits and vegetables, and vinegar branding that duplicate other state or federal requirements or are outdated.
- For the laws governing canning and bottling and cold storage of food, redefines “food” to conform to the definition in the state Pure Food and Drug Law.
- Requires a device used to process apples for use in apple cider to be equipped with a means to add a sanitizer to the water used to wash the apples, rather than a means to chlorinate the water as in former law.
- Aligns the hearing requirements under the Food Processing Law with the Administrative Procedure Act.

State agency oil and gas resources

- Requires, rather than authorizes, each state agency to lease agency-owned or controlled oil and gas resources for development prior to the date that rules governing leasing procedures are adopted by the Oil and Gas Land Management Commission.
- Specifies that a state agency must enter that type of lease in good faith.
- Requires the person seeking to enter into a lease to submit to the state agency proof of insurance and financial assurance and proof of registration with the Division of Oil and Gas Resources Management.

Green energy

- Defines “green energy” as energy generated by using an energy resource that meets certain emissions and sustainability requirements, including energy generated by using natural gas.
- Except for compressed natural gas produced from biologically derived methane gas, prohibits energy generated by using natural gas from being eligible to obtain renewable energy credits.

Towing authorizations

- Authorizes a conservancy district police department to order the towing and storage of a motor vehicle in certain circumstances, including when the vehicle is an abandoned junk vehicle and when the vehicle is left on private or public property for a specified time.

- Authorizes a conservancy district police department to undertake other activities related to towed or abandoned vehicles, including maintaining records of vehicles towed from private tow-away zones and receiving notices from specified entities that are taking title to abandoned vehicles.

Internet sales exemption from auction laws

- Exempts from auctioneer and auction firm licensure requirements a person who, in any calendar year, sells \$10,000 or less of personal property via an auction mediation company (for example, eBay) if:
 - The company provides fraud protection to the buyer; and
 - The property is the person's own personal property, or the property is the personal property of another (sold without compensation).

Poultry chicks

- Decreases, from six to three, the minimum number of poultry chicks under four weeks old that may be sold, given away, or otherwise distributed in a given lot.