

As Introduced

133rd General Assembly

Regular Session

2019-2020

H. B. No. 665

Representatives Jones, Wilkin

A BILL

To amend sections 901.06, 901.71, 901.74, 1711.01, 1
1711.02, 1711.03, 1711.05, 1711.07, 1711.08, 2
1711.09, 1711.11, 1711.13, 1711.22, 1711.26, 3
1711.50, 1711.51, 1711.52, 1711.53, 1711.532, 4
1711.533, 1711.534, 1711.54, 1711.55, 1711.551, 5
1711.552, 1711.56, 1711.57, 1711.99, 3749.01, 6
and 5709.10; to amend, for the purpose of 7
adopting new section numbers as indicated in 8
parentheses, sections 901.06 (1711.06), 1711.50 9
(993.01), 1711.51 (993.02), 1711.52 (993.03), 10
1711.53 (993.04), 1711.531 (993.05), 1711.532 11
(993.041), 1711.533 (993.042), 1711.534 12
(993.043), 1711.54 (993.06), 1711.55 (993.07), 13
1711.551 (993.08), 1711.552 (993.071), 1711.56 14
(993.09), and 1711.57 (993.10); to enact 15
sections 993.99 and 6119.092; and to repeal 16
sections 755.35, 755.36, 755.37, 901.07, and 17
1711.06 of the Revised Code to modify the laws 18
governing agricultural societies, to recodify 19
the law governing amusement ride safety, to 20
address funding and other issues related to 21
county and independent agricultural societies 22
and the Ohio Expositions Commission, and to 23
declare an emergency. 24

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 901.06, 901.71, 901.74, 1711.01, 25
1711.02, 1711.03, 1711.05, 1711.07, 1711.08, 1711.09, 1711.11, 26
1711.13, 1711.22, 1711.26, 1711.50, 1711.51, 1711.52, 1711.53, 27
1711.532, 1711.533, 1711.534, 1711.54, 1711.55, 1711.551, 28
1711.552, 1711.56, 1711.57, 1711.99, 3749.01, and 5709.10 be 29
amended; sections 901.06 (1711.06), 1711.50 (993.01), 1711.51 30
(993.02), 1711.52 (993.03), 1711.53 (993.04), 1711.531 (993.05), 31
1711.532 (993.041), 1711.533 (993.042), 1711.534 (993.043), 32
1711.54 (993.06), 1711.55 (993.07), 1711.551 (993.08), 1711.552 33
(993.071), 1711.56 (993.09), and 1711.57 (993.10) be amended for 34
the purpose of adopting new section numbers as indicated in 35
parentheses; and sections 993.99 and 6119.092 of the Revised 36
Code be enacted to read as follows: 37

Sec. 901.71. (A) There is hereby created the advisory 38
committee on livestock exhibitions consisting of not more than 39
twenty-one members, as follows: 40

(1) The director of agriculture, or the director's 41
~~designee, who may be the chief of the division of fairs;~~ 42

(2) The state veterinarian, or the state veterinarian's 43
designee; 44

(3) A representative of the Ohio cattlemen's association, 45
the Ohio purebred dairy cattle association, the Ohio pork 46
producers council, the Ohio poultry association, the Ohio sheep 47
improvement association, the Ohio fair managers association, the 48
Ohio farm bureau federation, the Ohio farmers union, the Ohio 49
department of education's agricultural education service, the 50
Ohio state university extension, the national farmers 51

organization, and the Ohio state grange, or their designees. 52
Each of these members shall be chosen by the organization the 53
member represents. 54

(4) The chairperson of the Ohio expositions commission, or 55
the chairperson's designee; 56

(5) Three persons who shall be appointed by the director, 57
each of whom shall serve as a member of a board of directors of 58
a county or independent agricultural society organized under 59
section 1711.01 or 1711.02 of the Revised Code. Of the initial 60
appointments made by the director, one shall be for a term 61
ending on December 31, 1996; one shall be for a term ending on 62
December 31, 1997; and one shall be for a term ending on 63
December 31, 1998. 64

(6) Not more than three additional members appointed at 65
the option of the director. If the director appoints one or more 66
additional members, the first additional appointment shall be 67
for a term ending on December 31, 1996, the second additional 68
appointment shall be for a term ending on December 31, 1997, and 69
the third additional appointment shall be for a term ending on 70
December 31, 1998. 71

Following the completion of the initial terms of the 72
appointments made by the director, each term of office shall be 73
three years, commencing on the first day of January and ending 74
on the thirty-first day of December. A member appointed by the 75
director shall hold office from the date of the member's 76
appointment until the end of the term for which the member was 77
appointed. Vacancies shall be filled in the same manner as the 78
original appointment. Any member appointed to fill a vacancy 79
occurring prior to the expiration of the term for which the 80
member's predecessor was appointed shall hold office for the 81

remainder of the unexpired term. Any member shall continue in 82
office subsequent to the expiration date of the member's term 83
until the member's successor takes office or until a period of 84
ninety days has elapsed, whichever occurs first. 85

Members may be removed from the committee only for 86
misfeasance, malfeasance, or nonfeasance. A vacancy on the 87
committee shall not impair the right of the other members to 88
exercise all of the functions of the committee. A simple 89
majority constitutes a quorum for the conduct of business of the 90
committee. On request, each member shall be reimbursed for the 91
actual and necessary expenses incurred in the discharge of the 92
member's duties as a committee member. 93

(B) The committee shall be considered a part of the 94
department of agriculture for the administrative purposes 95
required by this section, including the payment of expenses 96
authorized to each member of the committee under this section. 97
The director or the director's designee shall serve as 98
chairperson of the committee. The director shall designate an 99
employee or official of the department to act as the secretary 100
of the committee. The secretary shall keep the minutes of the 101
committee's meetings and a permanent journal of all meetings, 102
proceedings, findings, determinations, and recommendations of 103
the committee, including an itemized statement of the expenses 104
allowed to each member of the committee under this section. The 105
committee may request from the director, and the director shall 106
provide, meeting space, assistance, services, and information to 107
enable the committee to carry out its duties. 108

(C) The committee shall meet at least once annually after 109
the fifteenth day of October and before the first day of 110
December. The committee may meet at other times as the 111

chairperson or a majority of the committee members considers 112
appropriate, provided the chairperson gives members written 113
notice of any meeting at least seven days prior to the meeting. 114

(D) The committee may propose rules and may advise and 115
counsel the director on all matters relating to the 116
administration of exhibitions and any other matters that the 117
committee and the director consider appropriate in carrying out 118
sections 901.71 to 901.76 of the Revised Code. 119

Sec. 901.74. (A) Any person involved in any activity in 120
connection with exhibiting livestock at an exhibition or with 121
raising livestock with the apparent intent that the livestock 122
eventually is to be entered in an exhibition is subject to 123
disciplinary action by the department of agriculture for any of 124
the following reasons: 125

(1) The person has been convicted of or pleaded guilty to 126
a violation of section 901.76 or 2925.09 of the Revised Code, or 127
has been found by the director of agriculture to have tampered 128
with or sabotaged livestock; 129

(2) The director reasonably suspects that the person's 130
conduct in regard to raising or exhibiting the livestock 131
threatens, endangers, or adversely affects food safety or the 132
health, safety, or welfare of livestock; 133

(3) The person has refused to cooperate with the director 134
or the director's designee in the inspection, sampling, and 135
testing of livestock under section 901.73 of the Revised Code, 136
unless the person withheld consent to the inspection, sampling, 137
and testing and no search warrant was issued; 138

(4) The person has violated a rule adopted by the director 139
under section 901.72 of the Revised Code from which the sponsor 140

of the exhibition at which the violation occurred could have 141
exempted itself under that section, but chose not to. 142

(B) If one or more of the grounds for disciplinary action 143
listed in division (A) ~~(1), (2), or (3)~~ of this section exist, 144
the director, upon the director's own initiative, may conduct an 145
adjudication in accordance with Chapter 119. of the Revised Code 146
and may take any disciplinary action established by the director 147
by rules adopted in accordance with Chapter 119. of the Revised 148
Code. If one or more of the grounds for disciplinary action 149
listed in division (A) of this section exist, the director, upon 150
the request of a sponsor, may conduct an adjudication in 151
accordance with Chapter 119. of the Revised Code and may take 152
any disciplinary action established by the director by rules 153
adopted in accordance with Chapter 119. of the Revised Code. 154
Disciplinary action imposed under this section by the director 155
may include disqualifying the person, the person's family, 156
members of the person's household, or any other person 157
associated with the activity resulting in the disciplinary 158
action from participating in any class or with any species of 159
livestock in any current or future exhibition. 160

(C) The director, in accordance with Chapter 119. of the 161
Revised Code, may adopt rules establishing the criteria and 162
procedures for the reinstatement of any person disqualified from 163
participation in an exhibition as a result of disciplinary 164
action taken by the director under this section. Any person 165
disqualified by disciplinary action of the director may file a 166
written request with the director to seek reinstatement after 167
the period of disqualification ends or at any other time 168
established by rule. Upon the written request of the person 169
seeking the reinstatement, the director shall conduct an 170
adjudication in accordance with Chapter 119. of the Revised 171

Code. 172

Sec. ~~1711.50~~ 993.01. As used in ~~sections 1711.50 to~~ 173
~~1711.57 of the Revised Code~~this chapter: 174

(A) "Amusement ride" means any mechanical, aquatic, or 175
inflatable device, or combination of those devices that carries 176
or conveys passengers on, along, around, over, or through a 177
fixed or restricted course or within a defined area for the 178
purpose of providing amusement, pleasure, or excitement. 179
"Amusement ride" includes carnival rides, bungee jumping 180
facilities, and fair rides, but does not include passenger 181
tramways as defined in section 4169.01 of the Revised Code, 182
manufactured rock climbing walls in climbing facilities 183
regulated under Chapter 4175. of the Revised Code, or amusement 184
rides operated solely at trade shows for a limited period of 185
time. For purposes of this division, "trade show" means a place 186
of exhibition not open to the general public where amusement 187
ride manufacturers display, promote, operate, and sell amusement 188
rides to prospective purchasers. 189

(B) "Temporary amusement ride" means an amusement ride 190
that is relocated at least once per year with or without 191
disassembly. 192

(C) "Permanent amusement ride" means an amusement ride 193
that is erected to remain a lasting part of the premises. 194

(D) "Owner" means any person who owns or leases and 195
controls or manages the operation of an amusement ride, and 196
includes individuals, partnerships, corporations, both profit 197
and nonprofit, and the state and any of its political 198
subdivisions and their departments or agencies. 199

(E) "Operation" means the use or operation, or both, of an 200

amusement ride with riders. 201

(F) "Rider" means any person who sits, stands, or is 202
otherwise conveyed or carried as a passenger on an amusement 203
ride, but does not include employees or agents of the owner of 204
the amusement ride. 205

(G) "Amusement ride operator" means any person causing the 206
amusement ride to go, stop, or perform its function. 207

(H) "Reassembly" means the installation, erection, or 208
reconstruction of the main mechanical, safety, electrical, or 209
electronic components of an amusement ride following 210
transportation or storage and prior to operation. Replacement of 211
mechanical, safety, electrical, or electronic components of an 212
amusement ride for the purpose of repair or maintenance is not 213
reassembly. 214

(I) "Repair" means to restore an amusement ride to a 215
condition equal to or better than original design 216
specifications. 217

(J) "Maintenance" means the preservation and upkeep of an 218
amusement ride for the purpose of maintaining its designed 219
operational capability. 220

(K) "Inspection" means a physical examination of an 221
amusement ride by an inspector for the purpose of approving the 222
application for a permit. "Inspection" includes a reinspection. 223

(L) "Accident" means an occurrence during the operation of 224
an amusement ride that results in death or injury requiring 225
immediate hospital admission. 226

(M) "Serious injury" means an injury that does not require 227
immediate hospital admission but does require medical treatment, 228

other than first aid, by a physician. 229

(N) "First aid" means the one-time treatment or subsequent 230
observation of scratches, cuts not requiring stitches, burns, 231
splinters, and contusions or a diagnostic procedure, including 232
examinations and x-rays, that does not ordinarily require 233
medical treatment even though provided by a physician or other 234
licensed professional personnel. 235

(O) "Advisory council" means the advisory council on 236
amusement ride safety created by section ~~1711.51~~ 993.02 of the 237
Revised Code. 238

(P) "Safe operation" means, except as provided in section 239
~~1711.57~~ 993.10 of the Revised Code, the practical application of 240
maintenance, inspection, and operational processes, as indicated 241
by the manufacturer, owner, or advisory council, that secures a 242
rider from threat of physical danger, harm, or loss. 243

(Q) "Private facility" means any facility that is 244
accessible only to members of the facility and not accessible to 245
the general public, even upon payment of a fee or charge, and 246
that requires approval for membership by a membership committee 247
representing the current members who have a policy requiring 248
monetary payment to belong to the facility. 249

(R) "Bungee jumping" means a fall or jump from a height by 250
an individual who is attached to an elastic cord that prevents 251
the individual from hitting the ground, water, or other solid, 252
semi-solid, liquid, or elastic surface. 253

(S) "Bungee jumping facility" means a device or structure 254
utilized for bungee jumping. 255

(T) "Kiddie ride" means an amusement ride designed for use 256
by children under thirteen years of age who are unaccompanied by 257

another person. "Kiddie ride" includes a roller coaster that is 258
not more than forty feet in elevation at any point on the ride. 259

(U) "Climbing facility" has the same meaning as in section 260
4175.01 of the Revised Code. 261

Sec. ~~1711.51~~ 993.02. (A) There is hereby created within 262
the department of agriculture an advisory council on amusement 263
ride safety to consist of the following members: 264

(1) The director of agriculture or the director's 265
designee; 266

(2) The general manager of the Ohio state fair or the 267
general manager's designee; 268

(3) The following members appointed by the governor with 269
the advice and consent of the senate: 270

(a) A representative of temporary amusement ride owners; 271

(b) A representative of the greater Ohio showmen's 272
association and the owner of a ride; 273

(c) Three representatives of owners of amusement parks; 274

(d) A representative of the Ohio fair managers' 275
association; 276

(e) A representative of the insurance industry; 277

(f) An engineer, who has an academic degree in engineering 278
and who is knowledgeable in the amusement ride industry; 279

(g) A representative of the Ohio festivals and events 280
association; 281

(h) Two representatives of the inflatable amusement ride 282
industry who are owners or operators of inflatable amusement 283

rides or consultants from the industry⁷. 284

(4) A person registered as a professional engineer under 285
Chapter 4733. of the Revised Code who shall serve as a nonvoting 286
member, appointed by the director of agriculture. The director 287
shall appoint the initial member not later than thirty days 288
~~after the effective date of this amendment~~ November 6, 2019. 289

(5) One member of the general public, appointed by the 290
speaker of the house of representatives; 291

(6) One member of the general public appointed by the 292
president of the senate. 293

(B) Annually, the governor shall designate one member of 294
the council as chairperson. The council shall select from its 295
membership a vice-chairperson to act as chairperson in the 296
chairperson's absence. 297

(C) Of the members first appointed by the governor, four 298
shall be appointed for terms of two years, three for terms of 299
four years, and two for terms of six years. The members 300
appointed initially by the speaker of the house of 301
representatives and the president of the senate shall each serve 302
terms of six years. Of the additional members appointed by the 303
governor who are representatives of the inflatable amusement 304
ride industry, the governor shall appoint one for an initial 305
term of four years and one for an initial term of six years. The 306
director of agriculture shall appoint the member who is a 307
professional engineer for an initial term of six years. All 308
members appointed after the initial terms shall serve six-year 309
terms. 310

(D) Any member appointed to fill a vacancy occurring prior 311
to the expiration of the term for which the member's predecessor 312

was appointed shall hold office for the remainder of that term. 313
Any member shall continue in office subsequent to the expiration 314
date of the member's term until the member's successor takes 315
office. 316

(E) Members of the council shall be residents of this 317
state and shall be reimbursed for actual and necessary expenses 318
incurred in attending meetings of the council and in the 319
performance of their official duties. 320

Sec. ~~1711.52~~ 993.03. (A) The advisory council on amusement 321
ride safety shall do both of the following: 322

(1) Study any subject pertaining to amusement ride safety, 323
including administrative, engineering, and technical subjects, 324
and make findings and recommendations to the director of 325
agriculture in accordance with division (B) of this section; 326

(2) Prior to the adoption of any rules or amendments to 327
those rules under division (B) of section ~~1711.53~~ 993.04 and 328
division (B) of section ~~1711.551~~ 993.08 of the Revised Code, 329
study the proposed rules to be adopted by the director regarding 330
amusement ride safety, advise the director, and make findings 331
and recommendations to the director in accordance with division 332
(B) of this section. 333

(B) Prior to submitting any findings or recommendations, 334
the advisory council shall vote on whether to submit such 335
findings or recommendations to the director. The advisory 336
council shall submit only those findings and recommendations 337
that receive a majority vote of the advisory council. 338

(C) The director shall make available to the advisory 339
council any information, reports, and studies requested by the 340
advisory council. 341

Sec. ~~1711.53~~ 993.04. (A) (1) No person shall operate an 342
amusement ride within the state without a permit issued by the 343
director of agriculture under division (A) (2) of this section. 344
The owner of an amusement ride, whether the ride is a temporary 345
amusement ride or a permanent amusement ride, who desires to 346
operate the amusement ride within the state shall, prior to the 347
operation of the amusement ride and annually thereafter, submit 348
to the department of agriculture an application for a permit, 349
together with the appropriate permit and inspection fee, on a 350
form to be furnished by the department. Prior to issuing any 351
permit the department shall, within thirty days after the date 352
on which it receives the application, inspect each amusement 353
ride described in the application. The owner of an amusement 354
ride shall have the amusement ride ready for inspection not 355
later than two hours after the time that is requested by the 356
person for the inspection. 357

(2) For each amusement ride found to comply with the rules 358
adopted by the director under division (B) of this section and 359
division (B) of section ~~1711.551~~ 993.08 of the Revised Code, the 360
director shall issue an annual permit, provided that evidence of 361
liability insurance coverage for the amusement ride as required 362
by section ~~1711.54~~ 993.06 of the Revised Code is on file with 363
the department. 364

(3) The director shall issue with each permit a decal 365
indicating that the amusement ride has been issued the permit. 366
The owner of the amusement ride shall affix the decal on the 367
ride at a location where the decal is easily visible to the 368
patrons of the ride. A copy of the permit shall be kept on file 369
at the same address as the location of the amusement ride 370
identified on the permit, and shall be made available for 371
inspection, upon reasonable demand, by any person. An owner may 372

operate an amusement ride prior to obtaining a permit, provided 373
that the operation is for the purpose of testing the amusement 374
ride or training amusement ride operators and other employees of 375
the owner and the amusement ride is not open to the public. 376

(B) (1) The director, in accordance with Chapter 119. of 377
the Revised Code, shall adopt rules providing for both of the 378
following: 379

(a) A schedule of fines, with no fine exceeding five 380
thousand dollars, for violations of ~~sections 1711.50 to 1711.57~~ 381
~~of the Revised Code this chapter~~ or any rules adopted under this 382
division; 383

(b) The classification of amusement rides and rules for 384
the safe operation and inspection of all amusement rides as are 385
necessary for amusement ride safety and for the protection of 386
the general public. The classification of amusement rides must 387
identify those rides that need more comprehensive inspection and 388
testing in addition to regular state inspections, taking into 389
account hidden components integral to the safety of the ride. 390

(2) (a) Rules adopted by the director for the safe 391
operation and inspection of amusement rides shall be reasonable 392
and shall be based upon generally accepted engineering standards 393
and practices. The rules shall establish a minimum number of 394
inspections to be conducted on each ride depending on the size, 395
complexity, nature of the ride, and the number of days the ride 396
is in operation during the year for which the applicable permit 397
is valid. The rules also shall require the minimum number of 398
inspectors assigned to inspect a ride or rides to be reasonable 399
and adequate given the number, size, complexity, and nature of 400
the ride or rides. 401

(b) In adopting rules under this section, the director may 402
adopt by reference, in whole or in part, the national fire code 403
or the national electrical code (NEC) prepared by the national 404
fire protection association or the American national standards 405
institute (ANSI), or any other principles, tests, or standards 406
of nationally recognized technical or scientific authorities. 407

(c) In adopting rules under this section, the director 408
shall adopt, by reference, the following chapters of the 409
American society for testing and materials (ASTM) international 410
regarding amusement ride safety standards and any other 411
equivalent national standard: 412

(i) ASTM F1193-18; 413

(ii) ASTM F770-18; 414

(iii) ASTM F2291-18. 415

(d) Insofar as is practicable and consistent with ~~sections~~ 416
~~1711.50 to 1711.57 of the Revised Code~~this chapter, rules 417
adopted under this division shall be consistent with the rules 418
of other states. 419

(3) The department shall cause ~~sections 1711.50 to 1711.57~~ 420
~~of the Revised Code~~this chapter and the rules adopted in 421
accordance with this division and division (B) of section 422
~~1711.551-993.08~~ of the Revised Code to be published in pamphlet 423
form and a copy to be furnished without charge to each owner of 424
an amusement ride who holds a current permit or is an applicant 425
therefor. 426

(C) With respect to an application for a permit for an 427
amusement ride, an owner may apply to the director for a waiver 428
or modification of any rule adopted under division (B) of this 429
section if there are practical difficulties or unnecessary 430

hardships for the amusement ride to comply with the rules. Any 431
application shall set forth the reasons for the request. The 432
director, with the approval of the advisory council on amusement 433
ride safety, may waive or modify the application of a rule to 434
any amusement ride if the public safety is secure. Any 435
authorization by the director under this division shall be in 436
writing and shall set forth the conditions under which the 437
waiver or modification is authorized, and the department shall 438
retain separate records of all proceedings under this division. 439

(D) (1) The director shall employ and provide for training 440
of a chief inspector and additional inspectors and employees as 441
may be necessary to administer and enforce ~~sections 1711.50 to~~ 442
~~1711.57 of the Revised Code~~this chapter. The director may 443
appoint or contract with other persons to perform inspections of 444
amusement rides, provided that the persons meet the 445
qualifications for inspectors established by rules adopted under 446
division (B) of this section and are not owners, or employees of 447
owners, of any amusement ride subject to inspection under 448
~~sections 1711.50 to 1711.57 of the Revised Code~~this chapter. 449
When employing a new chief inspector or an additional inspector 450
~~after the effective date of this amendment November 6, 2019,~~ the 451
director shall give preference to the following: 452

(a) An individual holding a level one or higher inspector 453
certification from either the national association of amusement 454
ride safety officials (NAARSO), the amusement industry 455
manufacturers and suppliers (AIMS) international, or another 456
substantially equivalent organization as determined by the 457
director; and 458

(b) An individual who intends, within one year of being 459
hired as an inspector, to complete the requirements for issuance 460

of a level one or higher inspector certification from NAARSO, 461
AIMS International, or another substantially equivalent 462
organization as determined by the director. 463

(2) No person shall inspect an amusement ride who, within 464
six months prior to the date of inspection, was an employee of 465
the owner of the ride. 466

(3) Before the director contracts with other persons to 467
inspect amusement rides, the director shall seek the advice of 468
the advisory council on amusement ride safety on whether to 469
contract with those persons. The advice shall not be binding 470
upon the director. After having received the advice of the 471
council, the director may proceed to contract with inspectors in 472
accordance with the procedures specified in division (E) (2) of 473
section 1711.11 of the Revised Code. 474

(4) With the advice and consent of the advisory council on 475
amusement ride safety, the director may employ a special 476
consultant to conduct an independent investigation of an 477
amusement ride accident. This consultant need not be in the 478
civil service of the state, but shall have qualifications to 479
conduct the investigation acceptable to the council. 480

(E) (1) Except as otherwise provided in division (E) (1) of 481
this section, the department shall charge the following 482
amusement ride fees: 483

484

1

2

A Permit

\$

225

B Annual inspection and reinspection per ride:

C Kiddie rides	\$	100
D Roller coaster	\$	1,200
E Aerial lifts or bungee jumping facilities	\$	450
F Go karts, per kart	\$	5
G Other rides	\$	160
H Midseason operational inspection per ride	\$	25
I Expedited inspection per ride	\$	100
J Failure to cancel scheduled inspection per ride	\$	100
K Failure to have amusement ride ready for inspection per ride	\$	100

The go kart inspection fee is in addition to the 485
inspection fee for the go kart track. 486

The director shall adopt rules in accordance with Chapter 487
119. of the Revised Code establishing an annual fee that is less 488
than one hundred five dollars for an inspection and reinspection 489
of an inflatable ride. In adopting the rules, the director shall 490
ensure that the fee reasonably reflects the costs of inspection 491
and reinspection of an inflatable ride. If the director issues a 492
permit for an inflatable ride for a time period of less than one 493
year, the director shall charge a prorated fee for the permit 494
equal to one-twelfth of the annual permit fee multiplied by the 495
number of full months for which the permit is issued. 496

The fees for an expedited inspection, failure to cancel a 497
scheduled inspection, and failure to have an amusement ride 498
ready for inspection do not apply to go karts. 499

As used in division (E)(1) of this section, "expedited 500
inspection" means an inspection of an amusement ride by the 501
department not later than ten days after the owner of the 502
amusement ride files an application for a permit under this 503
section. 504

(2) All fees and fines collected by the department under 505
~~sections 1711.50 to 1711.57 of the Revised Code~~ this chapter 506
shall be deposited in the state treasury to the credit of the 507
amusement ride inspection fund, which is hereby created, and 508
shall be used only for the purpose of administering and 509
enforcing ~~sections~~ section 1711.11 of the Revised Code and 510
~~1711.50 to 1711.57 of the Revised Code~~ this chapter. 511

(3) The owner of an amusement ride shall be required to 512
pay a reinspection fee only if the reinspection was conducted at 513
the owner's request under division (F) of this section, if the 514
reinspection is required by division (F) of this section because 515
of an accident, or if the reinspection is required by division 516
(F) of section ~~1711.55~~ 993.07 of the Revised Code. If a 517
reinspection is conducted at the request of the chief officer of 518
a fair, festival, or event where the ride is operating, the 519
reinspection fee shall be charged to the fair, festival, or 520
event. 521

(4) The rules adopted under division (B) of this section 522
shall define "roller coaster," "aerial lifts," "go karts," and 523
"other rides" for purposes of determining the fees under 524
division (E) of this section. The rules shall define "other 525
rides" to include go kart tracks. 526

(F) A reinspection of an amusement ride shall take place 527
if an accident occurs, if the owner of the ride or the chief 528
officer of the fair, festival, or event where the ride is 529
operating requests a reinspection, if the chief inspector 530
determines reinspection is necessary in accordance with section 531
~~1711.533~~ 993.042 of the Revised Code, or if the reinspection is 532
required by division (F) of section ~~1711.55~~ 993.07 of the 533
Revised Code. 534

(G) As a supplement to its annual inspection of a 535
temporary amusement ride, the department may inspect the ride 536
during each scheduled event, as listed in the schedule of events 537
provided to the department by the owner pursuant to division (C) 538
of section ~~1711.55~~ 993.07 of the Revised Code, at which the ride 539
is operated in this state. These supplemental inspections are in 540
addition to any other inspection or reinspection of the ride as 541
may be required under ~~sections 1711.50 to 1711.57 of the Revised~~ 542
~~Code~~ this chapter, and the owner of the temporary amusement ride 543
is not required to pay an inspection or reinspection fee for 544
this supplemental inspection. Nothing in this division shall be 545
construed to prohibit the owner of a temporary amusement ride 546
having a valid permit to operate in this state from operating 547
the ride at a scheduled event before the department conducts a 548
supplemental inspection. 549

(H) The department may annually conduct a midseason 550
operational inspection of every amusement ride upon which it 551
conducts an annual inspection pursuant to division (A) of this 552
section. The midseason operational inspection is in addition to 553
any other inspection or reinspection of the amusement ride as 554
may be required pursuant to ~~sections 1711.50 to 1711.57 of the~~ 555
~~Revised Code~~ this chapter. The owner of an amusement ride shall 556
submit to the department, at the time determined by the 557

department, the midseason operational inspection fee specified 558
in division (E) of this section. The director, in accordance 559
with Chapter 119. of the Revised Code, shall adopt rules 560
specifying the time period during which the department will 561
conduct midseason operational inspections. 562

Sec. ~~1711.532~~ 993.041. Not later than November 1, 2019, 563
and annually thereafter, the director of agriculture shall 564
submit a detailed financial report to the speaker of the house 565
of representatives and to the president of the senate that 566
includes all of the following information: 567

(A) The revenue from fees collected under section ~~1711.53~~ 568
993.04 of the Revised Code and any other revenue collected for 569
the amusement ride safety program during the twelve months 570
immediately preceding the report's submission; 571

(B) Expenses relating to the operation of the department 572
of agriculture's amusement ride safety program established under 573
~~sections 1711.50 to 1711.57 of the Revised Code~~ this chapter 574
during the twelve months immediately preceding the report's 575
submission; 576

(C) Any proposed changes to the fee schedule established 577
under section ~~1711.53~~ 993.04 of the Revised Code that the 578
director determines are necessary for purposes of issuing 579
amusement ride permits and conducting amusement ride inspections 580
and reinspections; 581

(D) The amount expended from any appropriations made for 582
the department of agriculture's amusement ride safety program 583
during the twelve months immediately preceding the report's 584
submission; 585

(E) Any additional revenue that the director determines is 586

necessary to meet the expenses of the amusement ride safety 587
program during the twelve months immediately following the 588
submission of the report; 589

(F) Any other information that the director determines is 590
necessary to include in the report. 591

Sec. ~~1711.533~~ 993.042. (A) For purposes of this section, 592
"reporting body" means any of the following persons or entities: 593

(1) The department of agriculture; 594

(2) The Ohio expositions commission; 595

(3) A county agricultural society fair board; 596

(4) An independent agricultural society fair board; 597

(5) An owner of an amusement ride. 598

(B) If a reporting body receives, from an amusement ride 599
manufacturer or other entity responsible for parts or service 600
regarding the safety of the ride, any communication addressing 601
safety issues pertaining to an amusement ride, the reporting 602
body, within a reasonable time after receiving the 603
communication, shall forward the communication to the director 604
of agriculture and to the chief inspector employed by the 605
department of agriculture in accordance with section ~~1711.53-~~ 606
993.04 of the Revised Code. 607

(C) The chief inspector shall require the amusement ride 608
to be reinspected in accordance with section ~~1711.53-~~993.04 of 609
the Revised Code after receiving the communication under 610
division (B) of this section if the chief inspector determines 611
that reinspection is necessary. 612

(D) The director of agriculture shall include, on 613

amusement ride inspection forms prescribed by the department, a 614
line for the owner of an amusement ride to sign indicating that 615
all relevant safety and maintenance communications from the 616
manufacturer have been forwarded to the director and the chief 617
inspector in accordance with division (B) of this section. 618

Sec. ~~1711.534~~ 993.043. If an inspector employed by or 619
under contract with the department of agriculture in accordance 620
with section ~~1711.53~~ 993.04 of the Revised Code issues a written 621
order to an owner of an amusement ride to replace or repair a 622
component or components of the amusement ride, the owner shall 623
respond in writing to the department within the time specified 624
in the order indicating the action the owner is taking to 625
address the issue. 626

If the replacements or repairs have not been completed 627
within the time specified in the order, the director shall 628
determine whether the amusement ride or component or components 629
of the ride may continue to operate. 630

Sec. ~~1711.531~~ 993.05. (A) No person shall operate an 631
amusement ride powered from an electric light company source 632
unless the amusement ride operates through a fusible switch, 633
enclosed circuit breaker, or panelboard that has been: 634

(1) Rated by the underwriters laboratories for service 635
entrance applications; 636

(2) Installed in compliance with the national electrical 637
code; 638

(3) Metered through a meter installed by the electric 639
light company. 640

(B) An amusement ride owner shall not use an electric 641
light company source as described in division (A) of this 642

section unless the owner has written certification that the 643
fusible switch, enclosed circuit breaker, or panelboard 644
satisfies the requirements established in divisions (A) (1) to 645
(3) of this section and that is issued by a person certified 646
under section 3783.03 or licensed under section 4740.06 of the 647
Revised Code. The owner shall make the certificate available to 648
the director of agriculture upon request. 649

(C) This section does not apply to either of the following 650
types of amusement rides: 651

(1) Rides that do not require electrical current; 652

(2) Rides that the director exempts in rules the director 653
adopts. 654

(D) A person licensed pursuant to section 4740.06 of the 655
Revised Code, when conducting an inspection pursuant to this 656
section, is not violating section 3783.06 of the Revised Code. 657

(E) As used in this section, "electric light company" has 658
the same meaning as in section 4905.03 of the Revised Code. 659

Sec. ~~1711.54~~ 993.06. No permit shall be issued under 660
division (A) of section ~~1711.53~~ 993.04 of the Revised Code, 661
until the owner of the amusement ride has filed with the 662
department of agriculture a certificate of insurance evidencing 663
that there is liability insurance in effect with an insurer 664
authorized or approved to write such insurance in this state on 665
the operation of the ride providing coverage, subject to a 666
limit, exclusive of interest and costs, of not less than five 667
hundred thousand dollars because of bodily injury to or death of 668
one person in each occurrence, and, subject to such limit for 669
one person, to a limit of not less than one million dollars 670
because of bodily injury to or death of two or more persons in 671

each occurrence. The insurance policy may include a deductible 672
clause, provided that any settlement made by the insurance 673
company with the injured party or ~~his~~ the injured party's legal 674
representative shall be paid as though the deductible clause did 675
not apply. Each policy, by its original terms or an endorsement, 676
shall obligate the insurer that the insurer will not cancel the 677
policy without thirty days' written notice and a complete report 678
of the reasons for such cancellation being given to the 679
department. Each policy, by its original terms or an 680
endorsement, shall obligate the insurer that the insurer will, 681
within twenty-four hours, report to the department if it pays a 682
claim or reserves any amount to pay an anticipated claim that 683
reduces the liability insurance coverage to a limit of less than 684
one million dollars because of bodily injury to or death of two 685
or more persons in each occurrence. If the policy is canceled 686
during its term or lapses for any reason, including coverage 687
reduced below the required amount, the owner shall replace the 688
policy with another policy fully complying with the requirements 689
of this section. If the owner fails to file a certificate of 690
insurance for new or replacement insurance, the owner shall 691
cease all operations under the permit immediately upon the 692
cancellation or lapse of the insurance and further operations 693
shall not be conducted without the specific approval of the 694
department, which shall be given after the owner has complied 695
with this section. 696

Sec. ~~1711.55~~ 993.07. (A) (1) As used in this section, 697
"major repair" means a repair that is outside of the normal 698
maintenance conducted on an amusement ride. 699

(2) The owner of an amusement ride shall maintain a 700
current maintenance, repair, and inspection record for each 701
amusement ride in accordance with rules prescribed under 702

division (B) of section ~~1711.53~~993.04 of the Revised Code. The 703
owner shall take photographs of the portion of the ride subject 704
to any major repair prior to and after the major repair. The 705
owner also shall prepare a detailed written description of each 706
such major repair. The owner shall include the photographs and 707
such descriptions in the record. The owner also shall include in 708
the record information on the date and nature of all inspections 709
of the amusement ride made by the department of agriculture or 710
the owner, and a record of all violations of the rules issued by 711
the department and actions taken by the owner to correct such 712
violations. 713

The department or any inspector employed by the department 714
may request an owner's record at any time and, upon request, the 715
owner shall make the record available to the department or 716
inspector. 717

(3) No owner shall fail to keep maintenance, repair, and 718
inspection records as required under division (A)(1) of this 719
section and no owner shall fail to make such records available 720
to the department or any inspector employed by the department 721
upon request. 722

The owner of a temporary amusement ride shall inspect that 723
ride in accordance with rules prescribed under division (B) of 724
section ~~1711.53~~993.04 of the Revised Code each time that there 725
is a reassembly of the ride. 726

(B) The owner of an amusement ride shall maintain records 727
of all serious injuries involving riders, containing such 728
information as the department prescribes, on forms prescribed by 729
the department. These records shall be made available for 730
inspection by the department on request. In the case of an 731
accident, the owner of an amusement ride shall immediately 732

notify the department by telephone or in person and subsequently 733
file a written report with the department within twenty-four 734
hours of the accident. 735

(C) (1) The owner of a temporary amusement ride shall 736
submit both of the following to the department: 737

(a) A list of locations and dates where the ride was 738
either stored for a period longer than thirty days or operated 739
outside of this state. Upon review of the list, the department 740
may require additional testing, inspections, and documentation 741
to be completed prior to issuing a permit. 742

(b) A tentative schedule of events at which the owner's 743
ride will operate during the upcoming season. 744

(2) The director shall adopt rules establishing timetables 745
and procedures for providing and updating the information 746
required under division (C) (1) of this section. 747

(D) An amusement ride operator shall be at least sixteen 748
years of age, shall be in attendance whenever the ride is in 749
operation, and shall operate no more than one ride at a time. 750
The owner or amusement ride operator may deny any person 751
entrance to the amusement ride if the owner or operator believes 752
the entry may jeopardize the safety of the person desiring 753
entry, riders, or other persons. 754

(E) In addition to the annual inspection or reinspection 755
of an amusement ride for a permit or other reason required by 756
the rules adopted under division (B) of section ~~1711.53~~ 993.04 757
of the Revised Code, the department may inspect any amusement 758
ride after the report of an accident or in response to a 759
complaint filed with the department. 760

(F) The director may order in writing a temporary 761

cessation of the operation of an amusement ride that the 762
department finds by inspection to be unsafe by reason of a 763
violation of the rules adopted under division (B) of section 764
~~1711.53~~ 993.04 of the Revised Code. The operation of that 765
amusement ride shall not resume until the condition causing the 766
violation has been corrected and the amusement ride is 767
reinspected. Any reinspection under this division shall take 768
place within twenty-four hours after notice to the department by 769
the owner that the condition causing the violation has been 770
corrected. 771

Sec. ~~1711.552~~ 993.071. (A) The owner of an amusement ride 772
shall keep a manual, either in electronic or written form, for 773
each of the owner's amusement rides that are subject to 774
inspection in this state, if such manual exists and is 775
obtainable. 776

(B) The owner shall make each manual required to be kept 777
under division (A) of this section available upon request of the 778
chief inspector or any additional inspector who is employed by 779
the department of agriculture in accordance with division (D) of 780
section ~~1711.53~~ 993.04 of the Revised Code. 781

Sec. ~~1711.551~~ 993.08. (A) No rider shall fail to do any of 782
the following: 783

(1) Heed all written warnings and directions that require 784
a person to meet certain conditions or to refrain from certain 785
actions regarding an amusement ride, as determined by rule by 786
the director of agriculture; 787

(2) Refrain from behaving or acting in any manner that may 788
cause injury or contribute to injuring ~~himself~~ self or other 789
people while occupying an amusement ride. 790

(B) The director, in accordance with Chapter 119. of the Revised Code, shall adopt, and may amend and rescind, rules governing the types of warnings and directions required to be followed pursuant to this section. Rules adopted by the director determining the types of printed warnings and directions shall include specifications as to the character, size, and print size of such warnings and directions. At a minimum, the rules shall require the following:

(1) The warnings and directions prominently disclose the penalties imposed if a rider violates this section ~~1711.551 of the Revised Code;~~

(2) The warnings and directions be based upon the standards of ASTM or the American national standards institute, or any other principles, tests, or standards of nationally recognized technical or scientific authorities that research the proper use of each amusement ride and the potential injuries that occur or are unique to each amusement ride if it is used improperly;

(3) The owner of the amusement ride display the warnings and directions in a public and conspicuous place on or near the ride.

Sec. ~~1711.56~~ 993.09. (A) The director of agriculture may fine any owner of an amusement ride for a violation of ~~sections 1711.50 to 1711.57 of the Revised Code~~ this chapter or any rules issued under division (B) of section ~~1711.53~~ 993.04 of the Revised Code pursuant to a schedule of fines established under ~~division (B) of that section 1711.53 of the Revised Code.~~ The fine shall not exceed five thousand dollars. In addition, the director may order the revocation of an owner's permit for an amusement ride for failure to file a certificate of insurance as

required under ~~division (A) of section 1711.54-993.06~~ of the 821
Revised Code, for failure to maintain records of serious 822
injuries or to report accidents as required under division (B) 823
of section ~~1711.55-993.07~~ of the Revised Code, or for violation 824
of a temporary cessation order issued pursuant to division (F) 825
of section ~~1711.55-993.07~~ of the Revised Code. 826

(B) Any hearing or other procedures held with respect to 827
any refusal to issue a permit, any order of the director, or any 828
fine shall be conducted in accordance with sections 119.06 to 829
119.13 of the Revised Code. Notwithstanding the provisions of 830
section 119.12 of the Revised Code, all appeals from any fine 831
by, or order of, the director shall be to the court of common 832
pleas of the county where the place of business of the owner is 833
located or to the common pleas court of the county in which the 834
owner is a resident or in which the amusement ride is located, 835
in the case of a temporary amusement ride, or to the court of 836
common pleas of the county where the amusement ride is located 837
in the case of a permanent amusement ride. 838

Sec. ~~1711.57~~ 993.10. ~~Sections 1711.50 to 1711.57 of the~~ 839
~~Revised Code do~~ This chapter does not apply to any of the 840
following: 841

(A) A private facility; 842

(B) A single-passenger coin-operated ride that is 843
manually, mechanically, or electrically operated, is customarily 844
placed either singly or in groups in a public location, and does 845
not normally require the supervision or services of an amusement 846
ride operator; 847

(C) Nonmechanized playground equipment, including swings, 848
stationary spring-mounted animal features, rider-propelled 849

merry-go-rounds, climbers, slides, rock climbing walls, 850
trampolines, and swinging gates, except where an admission fee 851
is charged for usage or an admission fee is charged to areas 852
where such equipment is located; 853

(D) Devices regulated or licensed by the federal aviation 854
administration or the federal railroad administration in the 855
United States department of transportation, the department of 856
transportation, or the bureau of motor vehicles in the 857
department of public safety; 858

(E) Vessels regulated by the department of natural 859
resources under Chapters 1547. and 1548. of the Revised Code or 860
under the jurisdiction of the United States coast guard; 861

(F) Tractors, trucks, or similar vehicles at competition 862
events; 863

(G) Automobiles or motorcycles at competition events; 864

(H) Animals ridden in competitive events or shows; 865

(I) Physical fitness devices; 866

(J) Devices to which the definition of "safe operation" in 867
section ~~1711.50~~ 993.01 of the Revised Code does not apply as 868
determined by the director of agriculture, including mechanized 869
bulls, surfboards, zip lines, vertical wind tunnels, skateboard 870
or bicycle rodeo devices, cable wakeboard or ski facilities, or 871
other devices that are not intended or manufactured to secure 872
the rider from threat of physical danger, harm, or loss. 873

(K) A manufactured climbing wall that is located in a 874
climbing facility, as defined and regulated by Chapter 4175. of 875
the Revised Code. 876

Sec. 993.99. Whoever violates section 993.08 of the 877

Revised Code is guilty of a minor misdemeanor on the first 878
offense and on each subsequent offense the person is guilty of a 879
misdemeanor of the fourth degree. 880

Sec. 1711.01. ~~When thirty~~ (A) A county agricultural 881
society is created when both of the following occur: 882

(1) ~~Thirty~~ or more persons who are residents of the same 883
county ~~organize themselves into a county agricultural society~~ 884
~~which adopts~~ adopt a constitution and bylaws, ~~selects officers,~~ 885
~~and otherwise conducts its affairs in conformity to law, and to~~ 886
~~the~~ governing the society. 887

(2) The residents described in division (A) of this 888
section elect a board of directors in accordance with section 889
1711.08 of the Revised Code. 890

(B) A county agricultural society created under this 891
section shall operate in accordance with this chapter and the 892
rules ~~of the department~~ adopted by the director of agriculture, 893
~~and when such society has held an annual exhibition in~~ 894
~~accordance with sections 1711.04 and 1711.05 of the Revised Code~~ 895
~~and made proper report to the department, then, upon~~ 896
~~presentation to the county.~~ 897

(C) A county agricultural society shall consist solely of 898
members who are residents of the county in which the society is 899
organized. 900

(D) (1) A member of a county agricultural society shall pay 901
an annual membership fee in an amount fixed by each society or 902
its board of directors. The member shall pay the fee to the 903
society's secretary or treasurer as the society's bylaws direct. 904

(2) A county agricultural society shall issue a printed 905
certificate of membership to each member who pays the required 906

fee. The society shall issue the certificates from a book in 907
which duplicate stubs of the certificates are properly filled 908
out. The society shall keep each stub for not less than five 909
years after the date on which the corresponding certificate is 910
issued. The society shall ensure that all certificates are 911
numbered consecutively. 912

(E) No person shall pay for or secure more than one 913
membership. No person shall secure a membership for any other 914
person. 915

(F) A society shall keep a list of the members of the 916
society in the office of the society secretary. The society 917
shall make the list available for public inspection upon 918
request. 919

(G) (1) The county auditor of a the county in which a 920
county agricultural society has been created shall request the 921
county treasurer to transfer sixteen hundred dollars to the 922
society each year. The county treasurer shall transfer the money 923
if all of the following have occurred: 924

(a) The society has held an annual exhibition in 925
accordance with sections 1711.04 and 1711.05 of the Revised 926
Code. 927

(b) The society has made a report to the director of 928
agriculture in accordance with section 1711.06 of the Revised 929
Code. 930

(c) The director of agriculture presents a certificate 931
from the director of agriculture that the laws of the state and 932
the rules of the department have been complied with, to the 933
county auditor of each county in which such a society is 934
organized shall annually draw an order on the county treasurer 935

~~of such county in favor of the president of such society for the~~ 936
~~sum of eight hundred dollars, and the treasurer shall pay~~ 937
~~it indicating that the society has complied with the applicable~~ 938
~~laws of this state and the applicable rules adopted by the~~ 939
~~director. The total amount of such order~~ 940

(2) The county auditor shall not exceed the transfer an 941
amount under division (C) (1) of this section that exceeds the 942
amount paid in regular class premiums by the county agricultural 943
society under section 1711.04 of the Revised Code. 944

Sec. 1711.02. ~~When thirty~~ (A) An independent agricultural 945
society is created if both of the following occur: 946

(1) Thirty or more persons of the same county, or of not 947
more than three contiguous counties, have been organized into an 948
independent agricultural society which has held an annual 949
exhibit in each of three years previous to January 1, 1919, in a 950
county in which is located a county agricultural society, and 951
when such independent society adopt a constitution and bylaws 952
governing the society. 953

(2) The persons described in division (A) (1) of this 954
section elect a board of directors in accordance with section 955
1711.08 of the Revised Code. 956

(B) An independent agricultural society created under 957
division (A) of this section shall operate in accordance with 958
this chapter and applicable rules adopted by the director of 959
agriculture. 960

(C) (1) For purposes of division (C) (2) of this section, 961
"appropriate amount" means the share of the sum of sixteen 962
hundred dollars, calculated in proportion to the populations of 963
the respective counties according to the last federal census 964

before the annual payment is made, but not exceeding the amount 965
paid in regular class premiums. If the independent agricultural 966
society is located in only one county, the appropriate amount is 967
the amount paid in regular class premiums not exceeding sixteen 968
hundred dollars. 969

(2) The auditor of a county in which an independent 970
agricultural society is located annually shall request the 971
county treasurer to transfer the appropriate amount to the 972
independent agricultural society and the treasurer shall so 973
transfer such money if all of the following have occurred: 974

(a) The society has held an annual exhibition in 975
accordance with sections 1711.04 and 1711.05 of the Revised Code 976
~~and made proper.~~ 977

(b) The society has made a report to the department 978
~~director of agriculture, then, upon the presentation to the~~ 979
~~county auditor of~~ in accordance with section 1711.06 of the 980
Revised Code. 981

(c) The director of agriculture presents a certificate 982
~~from the director of agriculture to the county auditor~~ 983
indicating that the society has complied with the laws of this 984
state and the rules ~~of the department have been complied with:~~ 985

~~(A) If the members of such independent society are all~~ 986
~~residents of the same county, the auditor of such county shall~~ 987
~~draw an order on the county treasurer of such county in favor of~~ 988
~~the president of the independent society for a sum equal to the~~ 989
~~amount paid in regular class premiums not exceeding eight~~ 990
~~hundred dollars, and such treasurer shall pay said order;~~ 991

~~(B) If the members of such independent society are not all~~ 992
~~residents of the same county, the auditor of each county in~~ 993

~~which one or more of such members reside shall draw an order on~~ 994
~~each of the respective county treasurers for a share of the sum~~ 995
~~of eight hundred dollars, calculated in proportion to the~~ 996
~~populations of the respective counties according to the last~~ 997
~~federal census before such order, but not exceeding the amount~~ 998
~~paid in regular class premiums, and such treasurers shall pay~~ 999
~~such orders from the respective county funds~~adopted by the 1000
director. 1001

Sec. 1711.03. ~~Upon the presentation of a certificate from~~ 1002
~~the board of county commissioners of any county, certifying that~~ 1003
~~any county or independent agricultural society that is then~~ 1004
~~receiving state or county aid has expended a definite sum of~~ 1005
~~money, not less than one hundred dollars, in the furtherance and~~ 1006
~~carrying on of junior club work in the county, the county~~ 1007
~~auditor of such county annually shall draw an order on the~~ 1008
~~county treasurer of such county in favor of said society for an~~ 1009
~~amount equal to the amount so expended in junior club work, if~~ 1010
~~said amount does not exceed five hundred dollars; and in case~~ 1011
~~such amount exceeds five hundred dollars, then such order shall~~ 1012
~~be for five hundred dollars. Said treasurer shall pay said order~~ 1013
~~upon presentation thereof.~~ 1014

~~In~~ (A) (1) The board of county commissioners of a county, 1015
in which a county or independent agricultural society is located 1016
that receives state or county aid, annually shall appropriate an 1017
amount determined by the board for the society's junior club. 1018
The board shall ensure that the amount appropriated is at least 1019
one hundred dollars. The board shall certify the amount 1020
appropriated to the county auditor. 1021

(2) The county auditor shall request the county treasurer 1022
to pay the certified amount to the appropriate county or 1023

independent agricultural society. Upon receipt of the request, 1024
the county treasurer shall pay the requested amount to the 1025
society. 1026

(B) (1) In any county in which there is no agricultural 1027
society, either county or independent, that is then receiving 1028
state or county aid, the board of county commissioners of said 1029
the county annually may appropriate annually to any such 1030
society, either county or independent, located in an adjoining 1031
county, a sum not greater than five hundred dollars an amount of 1032
money for the purpose of encouraging junior club work in the 1033
county having no such society. Upon certification by the board 1034
of county commissioners of the county having no such society to 1035
the auditor of the county having no such society that such an 1036
appropriation has been made to an agricultural society in an 1037
adjoining county, said The board shall certify the amount 1038
appropriated to the county auditor. 1039

(2) The county auditor shall draw an order on request the 1040
county treasurer of the county having no such society in favor 1041
of such society in the adjoining county and said treasurer shall 1042
to pay said order upon presentation thereof the certified amount 1043
to the appropriate county or independent agricultural society. 1044
Upon receipt of the request, the county treasurer shall pay the 1045
requested amount to the society. 1046

Sec. 1711.05. (A) Every county agricultural society 1047
annually shall ~~publish~~ do all of the following: 1048

(1) Publish an abstract of its treasurer's account in 1049
either a newspaper of general circulation in the county and make 1050
or on the society's web site for not less than two weeks; 1051

(2) Make a report of its proceedings during the year. It 1052

~~shall also make;~~ 1053

(3) ~~File a financial report,~~ in accordance with ~~the rules~~ 1054
~~of the department section 117.38 of agriculture, a synopsis of~~ 1055
~~its awards for improvement in agriculture and in household~~ 1056
~~manufactures the Revised Code and forward such synopsis it to~~ 1057
the director of agriculture at or before the annual meeting of 1058
the directors of the society with the director of agriculture, 1059
as provided for in section ~~901.06-1711.06~~ of the Revised Code. 1060
No payment after such date shall be made from the county 1061
treasury to such society unless a certificate from the director 1062
is presented to the county auditor showing that ~~such reports~~ 1063
~~have the report has been made.~~ 1064

Sec. ~~901.06~~ 1711.06. (A) Prior to the first day of 1065
December of each year, the director of agriculture shall set a 1066
date in January of the following year, on which the director 1067
shall meet with the presidents or other authorized delegates of 1068
agricultural societies which conduct fairs in compliance with 1069
~~sections 1711.01 to 1711.35, inclusive, of the Revised Code, this~~ 1070
~~chapter~~ and regulations of the department of agriculture. At 1071
such meeting the director shall consult with such presidents and 1072
delegates about the wants, prospects, and conditions of 1073
agricultural societies throughout the state. 1074

(B) Each society shall prepare and deliver ~~its an~~ annual 1075
report to the director at or before each meeting required by 1076
division (A) of this section. 1077

(C) The director shall do both of the following: 1078

(1) Notify the president and the secretary of each ~~such~~ 1079
society of the date of ~~such the annual meeting not less than at~~ 1080
least thirty days prior to the meeting; 1081

(2) Adopt ~~regulations which~~ rules in accordance with 1082
Chapter 119. of the Revised Code that provide for both of the 1083
following: 1084

(a) A uniform method for the election of the directors and 1085
officers of all agricultural societies ~~which that~~ receive any 1086
support out of the state or county treasuries, except the date 1087
for holding ~~such the~~ election; 1088

(b) ~~General Any other rules under which such societies~~ 1089
~~shall be conducted that the director determines are necessary to~~ 1090
carry out this chapter. 1091

(D) Except for section 1711.11 of the Revised Code, 1092
references made in this chapter to rules adopted by the director 1093
mean rules adopted under division (C) of this section. 1094

Sec. 1711.07. (A) The board of directors of a county or 1095
independent agricultural society shall consist of at least eight 1096
members. An employee of the OSU extension and the county school 1097
superintendent shall be members ex officio serve with the board 1098
as a nonvoting member. Their The director of agriculture shall 1099
determine the terms of office shall be determined by the for 1100
members of the board in accordance with rules of the department 1101
adopted by the director of agriculture. Any 1102

(B) The board may fill any vacancy in on the board caused 1103
by death, resignation, refusal to qualify, removal from county, 1104
or other cause may be filled by the board until the society's 1105
next annual election, when. At that election, a new director 1106
shall be elected for the unexpired term. There 1107

(C) (1) There shall be an annual election of directors by 1108
ballot at a time and a place fixed by the board, but this. The 1109
election shall not be held later than the first Saturday in 1110

~~December 1994, and not later than by the fifteenth day of~~ 1111
~~November each year thereafter, beginning in 1995. The~~ 1112

(2) The secretary of the society shall give notice of the 1113
election, for three weeks prior to the ~~holding thereof~~ election, 1114
in by doing either of the following: 1115

(a) Publishing the notice in a newspaper of general 1116
circulation in the county or as provided in section 7.16 of the 1117
Revised Code, ~~or by letter mailed;~~ 1118

(b) Mailing the notice to each member of the society. ~~Only~~ 1119

(D) Only the following persons ~~holding~~ may vote in an 1120
election held in accordance with this section: 1121

(1) Those who hold membership certificates at the close of 1122
the annual county fair, or at least fifteen calendar days before 1123
the date of election, as may be fixed by the board, ~~may vote,~~ 1124
~~unless the election is held on the fairground during the fair,~~ 1125
~~in which case all persons holding;~~ 1126

(2) Those who hold membership certificates on the date and 1127
hour of the election ~~may vote~~ if the election is held on the 1128
fairground during the fair. When the election is to be held 1129
during the fair, notice of the election also shall be 1130
prominently mentioned in the premium list, ~~in addition to the~~ 1131
~~notice required in a newspaper. The~~ 1132

(E) The terms of office of the retiring directors shall 1133
expire, and those of the directors-elect shall begin, not later 1134
than the ~~first Saturday in January 1995, and not later than the~~ 1135
thirtieth day of November each year ~~thereafter, beginning in~~ 1136
~~1995.~~ 1137

(F) The secretary of the society shall send ~~the name and~~ 1138

~~address of each member of its board to the director of~~ 1139
~~agriculture,~~ within ten days after the election, both of the 1140
following to the director: 1141

(1) The name and address of each member of its board; 1142

(2) A copy of the document containing the member's 1143
signature verifying that the member voted in the election. 1144

Sec. 1711.08. (A) The board of directors of a county or 1145
independent agricultural society shall annually meet not later 1146
than ~~the first Saturday of January 1995, and beginning in 1995-~~ 1147
~~not later than the thirtieth day of November, and at .~~ At such 1148
meeting, the board shall elect a president, a vice-president, a 1149
treasurer, a secretary, and such other officers as it may deem 1150
proper. ~~The~~ 1151

(B) The president, the vice-president, and the treasurer 1152
shall serve one year, and the secretary not more than three 1153
years as the board may determine, and until their successors are 1154
elected and qualified. The president and the vice-president 1155
shall be directors. The secretary and the treasurer may ~~or may~~ 1156
~~not~~ be directors. Before election of officers the newly elected 1157
directors shall qualify by taking oath or affirmation before a 1158
competent authority, and in electing officers the board shall 1159
conform to the rules ~~of the department~~ adopted by the director 1160
of agriculture. 1161

Sec. 1711.09. (A) Except as otherwise provided in this 1162
section, county agricultural societies, independent agricultural 1163
societies, and the Ohio expositions commission shall not permit 1164
during any fair, or for one week before or three days after any 1165
fair, any dealing in spirituous liquors, or at any time allow or 1166
tolerate immoral shows, lottery devices, games of chance, or 1167

gambling of any kind, including pool selling and paddle wheels, 1168
anywhere on the fairground; ~~and shall.~~ 1169

(B) A county or independent agricultural society or the 1170
Ohio expositions commission shall not permit ~~no~~ a person at any 1171
time to operate any side show, amusement, game, or device, or 1172
offer for sale any novelty by auction or solicitation, on the 1173
fairground who has not first obtained from the director of 1174
agriculture a license under section 1711.11 of the Revised Code. 1175
~~This~~ 1176

(C) This section does not prohibit the sale of lottery 1177
tickets by the state lottery commission pursuant to Chapter 1178
3770. of the Revised Code at the state fairground during the 1179
state fair. In addition, a county or independent agricultural 1180
society may permit, at any time except during a fair or for one 1181
week before or three days after a fair, a charitable 1182
organization to conduct in accordance with Chapter 2915. of the 1183
Revised Code games of chance or bingo on the fairground of any 1184
county. A charitable organization may lease all or part of the 1185
fairground from the agricultural society for that purpose. 1186

(D) Any sales of intoxicating liquor transacted on the 1187
fairground ~~shall be~~ is subject to Chapters 4301., 4303., and 1188
4399. of the Revised Code. 1189

~~Any agricultural society that permits the sale of~~ 1190
~~intoxicating liquor on its fairground shall apply any proceeds~~ 1191
~~gained by the society from the permit holder and from activities~~ 1192
~~coincident to the sale of intoxicating liquor first to pay the~~ 1193
~~cost of insurance on all buildings on the fairground, and then~~ 1194
~~for any other purpose authorized by law.~~ 1195

Sec. 1711.11. (A) No person shall operate any concession 1196

at any fair or exposition conducted by a county or independent 1197
agricultural society or by the Ohio expositions commission 1198
without first obtaining from the director of agriculture a 1199
license to do so under division (B) of this section, nor shall 1200
any officer, agent, or employee of a county or independent 1201
agricultural society or of the Ohio expositions commission grant 1202
a privilege or concession to any person to do so, unless the 1203
person holds a license. 1204

For the purposes of this section, "concession" means any 1205
show, amusement other than an amusement ride as defined in 1206
section ~~1711.50~~ 993.01 of the Revised Code, game, or novelty 1207
stand operation at a fair or exposition, but does not include 1208
food or drink operations. 1209

(B) ~~A~~ The director shall issue a license ~~shall be issued~~ 1210
~~by the director~~ only upon a written application containing a 1211
detailed description of the concession. ~~Blank~~ The director shall 1212
prepare and furnish blank applications for licenses ~~shall be~~ 1213
~~prepared and furnished by the director.~~ 1214

(C) ~~No~~ The director shall not issue a license ~~shall be~~ 1215
~~issued~~ until the applicant has paid a fee of seventy dollars to 1216
the director, ~~except that no~~. However, the director shall not 1217
collect a fee ~~shall be collected~~ from a nonprofit organizations 1218
~~which are~~ organization that is recorded as such by the secretary 1219
of state or with the internal revenue service. The director 1220
shall pay the fee into the state treasury to the credit of the 1221
amusement ride inspection fund established by section ~~1711.53~~ 1222
993.04 of the Revised Code. 1223

(D) ~~A~~ The director shall include on a license issued under 1224
this section ~~shall contain~~ a detailed description of the 1225
concession licensed, ~~shall expire~~. A license expires on the 1226

thirty-first day of December following the date of issue, ~~and~~. 1227
A licensee shall be kept by the licensee keep the license in a 1228
conspicuous place where the licensee's concession is in 1229
operation. 1230

(E) (1) The director shall employ and provide training for 1231
a chief inspector and additional inspectors and employees as 1232
necessary to administer and enforce this section. The director 1233
may appoint or contract with other persons to perform 1234
inspections of concessions, provided that the persons meet the 1235
qualifications for inspectors established by rules adopted under 1236
division (G) of this section and are not owners or employees of 1237
owners of any concession subject to inspection under this 1238
section. No person shall inspect a concession who, within six 1239
months prior to the date of inspection, was an employee of the 1240
owner of the concession. 1241

(2) Before the director contracts with other persons to 1242
inspect concessions, the director shall seek the advice of the 1243
advisory council on amusement ride safety on whether to contract 1244
with those persons. The advice ~~shall is not be~~ binding upon the 1245
director. After ~~having received~~ receiving the advice of the 1246
council, the director may proceed to contract for amusement ride 1247
inspectors and award the contract to the lowest responsive and 1248
responsible bidder in accordance with section 9.312 of the 1249
Revised Code. In order to determine the lowest responsive and 1250
responsible bid, the director, with the advice of the council, 1251
shall adopt rules governing the terms of the contract between 1252
the department of agriculture and the inspector. The rules shall 1253
prescribe the training and work experience required of an 1254
inspector, any insurance or bonds required of an inspector, and 1255
all the services the inspector will be required to perform on 1256
behalf of the department in an efficient professional manner. 1257

(F) This section does not require the officers of any 1258
county or independent agricultural society or of the Ohio 1259
expositions commission to grant any privilege or concession to 1260
any licensee. 1261

(G) The director shall enforce this section and, in 1262
accordance with Chapter 119. of the Revised Code, adopt all 1263
rules that are necessary for its enforcement. If the director 1264
finds that this section has been violated or that the licensee 1265
has been dishonest or has been fraudulent in dealings with the 1266
public, the director, in accordance with Chapter 119. of the 1267
Revised Code, shall revoke the licensee's license or fine the 1268
licensee not more than one thousand dollars, or both. The 1269
director, for a period not exceeding two years from the date of 1270
revocation, may refuse to issue another license to a person for 1271
a concession for which the person's license has been revoked. 1272
Notwithstanding section 119.12 of the Revised Code, all appeals 1273
from any fine by, or order of, the director shall be to the 1274
court of common pleas of the county where the place of business 1275
of the person is located or to the common pleas court of the 1276
county in which the person is a resident or in which the 1277
concession is located. 1278

(H) Any person holding a license issued under this section 1279
who permits or tolerates at any place on the fairground where 1280
the person's concession is in operation, any immoral show, 1281
lottery device, game of chance, or gambling of any kind, 1282
including pool selling and paddle wheels, or who violates the 1283
terms of the license issued to the person, shall forfeit the 1284
license, and the director shall not issue any other license to 1285
the person until after a period of two years from the 1286
forfeiture. For the purposes of this division, "lottery device," 1287
"game of chance," and "gambling of any kind" do not include the 1288

sale of lottery tickets by the state lottery commission pursuant 1289
to Chapter 3770. of the Revised Code at the state fairground 1290
during the state fair. For the purposes of this section and 1291
section 1711.09 of the Revised Code, contests, games, 1292
tournaments, and other activities, the outcome of which is 1293
predominantly determined by the skill of the contestants, 1294
participants, or players, whether or not the contestants, 1295
participants, or players pay a price for the opportunity to win 1296
a prize, do not constitute a game of chance or gambling within 1297
the meaning, purpose, and intent of this section and section 1298
1711.09 of the Revised Code or sections 2915.01 to 2915.04 of 1299
the Revised Code. The foregoing definition does not apply where 1300
the contest, game, tournament, or other activity contains or 1301
includes any mechanical or physical device which directly or 1302
indirectly impedes, impairs, or thwarts the skill of the 1303
contestant, participant, or player. 1304

Sec. 1711.13. County agricultural societies are hereby 1305
declared bodies corporate and politic, and as such they ~~shall be~~ 1306
are capable of suing and being sued and of holding in fee simple 1307
any real estate purchased by them as sites for their fairs. In 1308
addition, they may do either or both of the following: 1309

(A) Mortgage their grounds for the purpose of renewing or 1310
extending pre-existing debts, and for the purpose of furnishing 1311
money to purchase additional land, but if the board of county 1312
commissioners has caused money to be paid out of the county 1313
treasury to aid in the purchase of the grounds, no mortgage 1314
shall be given without the consent of the board. 1315

Deeds, conveyances, and agreements in writing, made to and 1316
by such societies, for the purchase of real estate as sites for 1317
their fairs, shall vest a title in fee simple to the real estate 1318

described in those documents, without words of inheritance. 1319

(B) Enter into agreements to obtain loans and credit for 1320
expenses related to the purposes of the county agricultural 1321
society, provided that the agreements are in writing and are 1322
first approved by the board of directors of the society. The 1323
total ~~net indebtedness~~ annual payments for debt obligation 1324
incurred by a county agricultural society pursuant to this 1325
division shall not exceed an amount equal to twenty-five per 1326
cent of its annual revenues. 1327

Sec. 1711.22. (A) (1) When a county or a county 1328
agricultural society owns or holds under a lease real estate 1329
used as a fairground, and such society has the control and 1330
management of such lands and buildings, the board of county 1331
commissioners shall, on the request of such society, annually 1332
appropriate from the general fund not ~~more than two thousand~~ 1333
~~dollars nor~~ less than fifteen hundred dollars for the purpose of 1334
encouraging agricultural fairs. 1335

(2) In any county in which there is located one or more 1336
independent agricultural societies, the board, for the purpose 1337
of encouraging such societies, may appropriate, in addition to 1338
the sum appropriated for the county agricultural society, a sum 1339
not greater than the amount appropriated for the county society. 1340

(B) In a county in which there is no county agricultural 1341
society, or in which there is no fair held by such a society, 1342
but in which there exists an independent agricultural society 1343
~~that has held an annual exposition in each of three years~~ 1344
~~previous to January 1, 1933,~~ the board shall, on the request of 1345
the independent agricultural society, annually appropriate from 1346
the general fund not ~~more than two thousand nor~~ less than five 1347
fifteen hundred dollars for the purpose of encouraging such 1348

independent agricultural fairs.

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(C) No board shall appropriate money as provided by this
section unless the director of agriculture has certified to the
board that the county or independent agricultural society is
complying with all laws, rules and regulations governing the
operation of county or independent agricultural societies.

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~~An appropriation so made shall be paid by the~~ (D) The
county treasurer shall pay any money appropriated in accordance
with this section to the treasurer of the society for whose use
it was made, upon an order issued from the county auditor ~~issued~~
~~therefor.~~

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Sec. 1711.26. ~~When the premises in the possession or under~~
~~the control of a county or independent agricultural society and~~
~~used by it as a site on which to hold annual exhibitions are~~
~~greater in size than is necessary for the purposes to which they~~
~~are devoted, or are not suitable in their formation or character~~
~~for such purposes, such society, or, if the title to such~~
~~premises is in the county, the board of county commissioners,~~
(A) A county agricultural society or independent agricultural
society may sell any part thereof, of the premises that are used
by the society as a site on which to hold annual exhibitions or
exchange any part thereof for other lands, so as to reduce the
size of such premises or change their formation or character if
such premises are in the possession or under the control of the
society and either of the following apply:

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(1) The premises are greater in size than is necessary for
the purposes to which they are devoted.

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(2) The premises are not suitable in their formation or
character for the purposes to which they are devoted.

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(B) If the title to the premises described in division (A) 1378
of this section is held by the county, the board of county 1379
commissioners may sell any part of the premises or exchange any 1380
part thereof for other lands if division (A) (1) or (2) of this 1381
section applies. The board shall notify the applicable society 1382
of its intention to make such a sale or exchange. The board 1383
shall provide the notice in writing fourteen days prior to the 1384
sale or exchange. 1385

Sec. 1711.99. (A) Whoever violates section 1711.11 of the 1386
Revised Code shall be fined not less than one hundred nor more 1387
than five hundred dollars. 1388

(B) Whoever violates section 1711.12 of the Revised Code 1389
shall be fined not less than ten nor more than fifty dollars. 1390

~~(C) Whoever violates section 1711.551 of the Revised Code~~ 1391
~~is guilty of a minor misdemeanor; on each subsequent offense~~ 1392
~~such person is guilty of a misdemeanor of the fourth degree.~~ 1393

Sec. 3749.01. As used in sections 3749.01 to 3749.10 of 1394
the Revised Code: 1395

(A) "Board of health" means a city board of health or a 1396
general health district, or an authority having the duties of a 1397
city board of health as authorized by section 3709.05 of the 1398
Revised Code. 1399

(B) "Health district" means any city or general health 1400
district created pursuant to section 3709.01 of the Revised 1401
Code. 1402

(C) "Person" means the state, any political subdivision, 1403
special district, public or private corporation, individual, 1404
firm, partnership, association, or any other entity. 1405

(D) "Licensor" means a city board of health or a general health district, an authority having the duties of a city board of health as authorized pursuant to section 3709.05 of the Revised Code, or the director of ~~the department of~~ health when acting under section 3749.07 of the Revised Code.

(E) "Director" means the director of ~~the department of~~ health or ~~his~~ an authorized representative of the director of health.

(F) "Private residential swimming pool" means any indoor or outdoor structure, chamber, or tank containing a body of water for swimming, diving, or bathing located at a dwelling housing no more than three families and used exclusively by the residents and their nonpaying guests.

(G) "Public swimming pool" means any indoor or outdoor structure, chamber, or tank containing a body of water for swimming, diving, or bathing that is intended to be used collectively for swimming, diving, or bathing and is operated by any person whether as the owner, lessee, operator, licensee, or concessionaire, regardless of whether or not a fee is charged for use, but does not mean any public bathing area or private residential swimming pool.

(H) "Public spa" means any public swimming pool that is typically operated as a smaller, higher temperature pool for recreational or nonmedical uses.

(I) "Special use pool" means a public swimming pool containing flume slides, wave generating equipment, or other special features that necessitate different design and safety requirements. "Special use pool" does not include any water slide or wave generating pool at a public amusement area which

is licensed and inspected by the department of agriculture 1435
pursuant to ~~sections 1711.50 to 1711.57~~ Chapter 993. of the 1436
Revised Code. 1437

(J) "Public bathing area" means an impounding reservoir, 1438
basin, lake, pond, creek, river, or other similar natural body 1439
of water. 1440

Sec. 5709.10. Market houses and other houses or halls, 1441
public squares, or other public grounds of a municipal 1442
corporation or township used exclusively for public purposes or 1443
erected by taxation for such purposes, land and multi-level 1444
parking structures used exclusively for a public purpose and 1445
owned and operated by a municipal corporation under section 1446
717.05 of the Revised Code or by an urban township that has 1447
adopted a limited home rule form of government under section 1448
504.02 of the Revised Code that charges no fee for the privilege 1449
of parking thereon, property used as a county fairgrounds that 1450
is owned by the board of county commissioners ~~or, property owned~~ 1451
by a county agricultural society that is used in furtherance of 1452
the purposes of the society, and property of housing authorities 1453
created and organized under and for the purposes of sections 1454
3735.27 to 3735.50 of the Revised Code, which property is hereby 1455
declared to be public property used exclusively for a public 1456
purpose, notwithstanding that parts thereof may be lawfully 1457
leased, shall be exempt from taxation. 1458

Sec. 6119.092. The board of trustees of a regional water 1459
and sewer district may not charge rentals, assessments, or any 1460
other fees to real property exempt from taxation under section 1461
5709.10 of the Revised Code that is owned by a county 1462
agricultural society. 1463

Section 2. That existing sections 901.06, 901.71, 901.74, 1464

1711.01, 1711.02, 1711.03, 1711.05, 1711.07, 1711.08, 1711.09, 1465
1711.11, 1711.13, 1711.22, 1711.26, 1711.50, 1711.51, 1711.52, 1466
1711.53, 1711.532, 1711.533, 1711.534, 1711.54, 1711.55, 1467
1711.551, 1711.552, 1711.56, 1711.57, 1711.99, 3749.01, 5709.10, 1468
901.06, and 1711.531 of the Revised Code are hereby repealed. 1469

Section 3. That sections 755.35, 755.36, 755.37, 901.07, 1470
and 1711.06 of the Revised Code are hereby repealed. 1471

Section 4. During any period of time that mass gatherings 1472
are restricted due to an Executive Order related to COVID-19, 1473
all of the following apply: 1474

(A) Notwithstanding Chapter 1711. of the Revised Code or 1475
any other provision of law to the contrary, if a county 1476
agricultural society or independent agricultural society cancels 1477
an annual exhibition, the applicable county treasurer shall pay 1478
the society an amount of money that the society otherwise would 1479
have received under Chapter 1711. of the Revised Code if the 1480
society had held the annual exhibition. 1481

(B) Notwithstanding Chapter 1711. or section 3769.082 of 1482
the Revised Code, or any other provision of law to the contrary, 1483
if a county agricultural society, independent agricultural 1484
society, or the Ohio Expositions Commission cancels an annual 1485
fair, the Director of Agriculture shall distribute money from 1486
the Ohio Fairs Fund, created in section 3769.082 of the Revised 1487
Code, to the society or Commission in an amount that is equal to 1488
the amount of money the Director otherwise would have 1489
distributed if the society or Commission had held the annual 1490
fair. 1491

(C) Notwithstanding Chapter 1711. or section 3769.0811 of 1492
the Revised Code, or any other provision of law to the contrary, 1493

if a county agricultural society, independent agricultural 1494
society, or the Ohio Expositions Commission is unable to conduct 1495
a previously scheduled horse race, the society or Commission and 1496
the Ohio Harness Horsemen's Association may agree to alternative 1497
accommodations, including the rescheduling of the dates and 1498
location of any horse race. Such an agreement is not subject to 1499
the approval of the Director of Agriculture. 1500

(D) Notwithstanding section 1711.31 of the Revised Code or 1501
any other provision of law to the contrary, an agricultural 1502
society retains control and management of the land occupied by 1503
the agricultural society if an annual fair is not able to be 1504
held as a result of such Executive Order. 1505

Section 5. This act is hereby declared to be an emergency 1506
measure necessary for the immediate preservation of the public 1507
peace, health, and safety. The reason for such necessity is to 1508
protect the financial health of Ohio's agricultural fairs and 1509
State Fair during the COVID-19 emergency. Therefore, this act 1510
shall go into immediate effect. 1511