



# OHIO LEGISLATIVE SERVICE COMMISSION

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## Bill Analysis

Helena Volzer

### **Sub. S.B. 257**

132nd General Assembly  
(As Passed by the Senate)

**Sens.** Uecker and O'Brien, Huffman, Hottinger, LaRose, Lehner, Wilson, Beagle, Sykes, Skindell, Gardner, Balderson, Brown, Burke, Coley, Dolan, Hackett, Hoagland, Manning, McColley, Obhof, Oelslager, Peterson, Schiavoni, Tavares, Terhar, Yuko

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## **BILL SUMMARY**

### **Multi-year, lifetime, and combination package licenses**

- Allows the Chief of the Division of Wildlife in the Department of Natural Resources to issue multi-year and lifetime hunting and fishing licenses to Ohio residents.
- Creates the Multi-year and Lifetime License Fund and specifies that fees collected from multi-year and lifetime hunting and fishing licenses must be deposited into the Fund.
- Requires money in the Multi-year and Lifetime License Fund derived from each fee to be transferred on a prorated annual basis to the funds in which hunting and fishing license fees are ordinarily deposited.
- Authorizes the Chief to create combination packages with various hunting and fishing licenses and permits.
- Requires the Chief to charge a discounted rate for a package that is lower than the aggregate rates that would normally apply to each individual license and permit.

### **Lake Erie Sport Fishing District permit**

- Creates the Lake Erie Sport Fishing District permit, which may be issued by the Division of Wildlife to nonresidents who wish to fish in Lake Erie, its embayments, and specified additional areas connected to Lake Erie.
- Prohibits a nonresident from taking fish from the Lake Erie Sport Fishing District between January 1 and April of each year without first obtaining a nonresident Lake Erie Sport Fishing District permit.

- Specifies that money generated by the \$10 permit fee for a Lake Erie Sport Fishing District permit can only be used for specified purposes related to Lake Erie.

### **Other hunting and fishing provisions**

- Decreases the annual hunting license fee for a nonresident youth so that the fee is equal to the fee for a resident youth.
- Requires applicants for specified hunting and fishing licenses and permits to pay to the issuing agent a fee equal to \$1 *or* 4% of the cost of the license or permit, whichever is greater, instead of requiring a flat \$1 fee as in current law.
- Creates a resident apprentice senior hunting license and an apprentice senior fur taker permit.
- Eliminates a provision of law that prohibits a person from purchasing more than three apprentice hunting licenses of any type or more than three apprentice fur taker permits of any type.
- Specifies that each annual hunting license, deer or wild turkey permit, and fur taker permit remains in force until March 1 of a given year if issued prior to that date instead of until midnight on August 31 of the year after the year in which the license or permit is issued.
- Specifies that each annual fishing license begins on the date of issuance and expires a year from that date, instead of beginning on March 1 and expiring on the last day of February of the following year as in current law.
- Allows the Chief of the Division of Wildlife to exempt a person from the requirement to obtain a fishing license.

### **All-purpose vehicle**

- Changes the term "electric powered all-purpose vehicle" to "all-purpose vehicle" and removes the requirement that this type of vehicle be battery powered, self-propelled, and electric, thus allowing a person with a mobility impairment to use a broader range of vehicles to hunt.

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## **CONTENT AND OPERATION**

### **Multi-year, lifetime, and combination package hunting and fishing licenses**

The bill allows the Chief of the Division of Wildlife in the Department of Natural Resources to issue multi-year and lifetime hunting and fishing licenses to Ohio



residents. The bill also authorizes the Chief to create combination packages with various hunting and fishing licenses and permits.<sup>1</sup> Unless otherwise provided by Division rule, each multi-year license issued begins on the date of issuance and expires three years, five years, or ten years from the date of issuance, depending on the term of the license.<sup>2</sup>

The fees for the multi-year and lifetime hunting and fishing licenses are as follows:<sup>3</sup>

Type of License	Fee
Senior 3-year hunting or fishing license	\$27.50
Senior 5-year hunting or fishing license	\$45.75
Senior lifetime hunting or fishing license	\$81.00
Youth 3-year hunting license	\$27.50
Youth 5-year hunting license	\$45.75
Youth 10-year hunting license <sup>4</sup>	\$91.50
Youth lifetime hunting or fishing license	\$414.00
3-year hunting or fishing license	\$52.00
5-year hunting or fishing license	\$86.75
10-year hunting or fishing license	\$173.50
Lifetime hunting or fishing license	\$450.00

For both multi-year and lifetime hunting and fishing licenses, a senior applicant is an applicant who is 66 years old or older at the time of application for a license.<sup>5</sup> For a multi-year and lifetime hunting license, a youth applicant is an applicant who is under 18 at the time of application.<sup>6</sup> However, for a multi-year and lifetime fishing license, a youth applicant is an applicant who is under 16 at the time of application.<sup>7</sup> Although the bill allows only an Ohio resident to purchase a multi-year or lifetime license, if a person who is issued a multi-year hunting or fishing license or lifetime hunting or

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<sup>1</sup> R.C. 1533.321(A).

<sup>2</sup> R.C. 1533.32(C)(4).

<sup>3</sup> R.C. 1533.321(D)(1) and (E)(1).

<sup>4</sup> Note - youths under 16 do not require a fishing license per current law. R.C. 1533.32(B)(2).

<sup>5</sup> R.C. 1533.321(D)(2)(b) and (E)(2)(b).

<sup>6</sup> R.C. 1533.321(E)(2)(a).

<sup>7</sup> R.C. 1533.321(D)(2)(a).



fishing license subsequently becomes a nonresident after issuance of the license, the person's license remains valid in Ohio during its term, regardless of residency status.<sup>8</sup>

The Chief may adopt rules governing multi-year hunting and fishing licenses, lifetime hunting and fishing licenses, and combination packages, including rules establishing fees for the combination packages. The Chief must ensure that the price for a combination package is not discounted by more than 5% of the aggregate fees for the licenses, permits, or stamps that a person would otherwise pay for those licenses, permits, or stamps if the person purchased them individually.<sup>9</sup>

Money derived from fees for multi-year or lifetime licenses or permits must be deposited into the Multi-year and Lifetime License Fund, which is created by the bill.<sup>10</sup> Each fiscal year, a prorated amount of the money from each multi-year license fee must be transferred from the Multi-year and Lifetime License Fund to the fund into which the applicable single year license fee would otherwise be deposited. The prorated amount must equal the total amount of the fee charged for the license divided by the number of years the license is valid.<sup>11</sup> For example, if a person is issued a 5-year hunting license for \$86.75, \$17.35 ( $\$86.75/5$ ) must be transferred from the Multi-year and Lifetime License Fund to the existing Wildlife Fund each year. The Wildlife Fund is the Fund into which hunting license fees are normally deposited.<sup>12</sup>

The Chief must adopt rules governing the proration of lifetime license fees. Those prorated amounts must be deposited into the Wildlife Fund. In addition, each fiscal year, all previous year's investment earnings from the Multi-year and Lifetime License Fund must be transferred into the Wildlife Fund.<sup>13</sup>

As a result of creating multi-year and lifetime licenses, a deer or wild turkey permit and a fur taker permit is valid during the hunting license year in which the permit is purchased instead of running concurrently with the hunting license.<sup>14</sup>

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<sup>8</sup> R.C. 1533.321(F).

<sup>9</sup> R.C. 1533.321(B).

<sup>10</sup> R.C. 1533.321(C)(1).

<sup>11</sup> R.C. 1533.321(C)(2).

<sup>12</sup> The Wildlife Fund is used by the Division of Wildlife to administer programs over which it has authority. R.C. 1531.17, not in the bill.

<sup>13</sup> R.C. 1533.321(C)(2) and (3).

<sup>14</sup> R.C. 1533.11(A)(1) and R.C. 1533.111.



## Lake Erie Sport Fishing District permit

The bill creates the Lake Erie Sport Fishing District permit, to be issued by the Division of Wildlife to nonresidents who wish to fish in Lake Erie and its embayments. This district also specifically includes Maumee Bay, Sandusky Bay, East Harbor, Middle Harbor, West Harbor, and the entire length of all tributaries or to the first dam or designated landmark as follows:

Vermilion River – State Route 2 Bridge

Black River – State Route 611 Bridge

Rocky River – Detroit Road Bridge

Cuyahoga River - Harvard Road Bridge

Euclid Creek - State Route 283 Bridge

Chagrin River - State Route 283 Bridge

Arcola Creek - United States Route 20 Bridge

Wheeler Creek - United States Route 20 Bridge

Cowles Creek - United States Route 20 Bridge

Indian Creek - United States Route 20 Bridge

Grand River - State Route 535 Bridge

Conneaut Creek - Main Street Bridge, downtown Conneaut

Ashtabula River - East 24th Street Bridge.<sup>15</sup>

Under the bill, a nonresident cannot take fish from the Lake Erie Sport Fishing District between January 1 and April each year without first obtaining a nonresident Lake Erie Sport Fishing District permit.<sup>16</sup> The fee for the permit is \$10 and all money derived from the fees must be deposited into the Wildlife Fund. However, money generated from Lake Erie Sport Fishing District permits can only be used for the following purposes:

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<sup>15</sup> R.C. 1531.01(HHH).

<sup>16</sup> R.C. 1533.38(A).



(1) For the protection, propagation, preservation, and stocking of fish in Lake Erie;

(2) For the securing of more public fishing water access including leasing, purchasing, or otherwise acquiring stream banks, bottoms, and marginal strips, headwaters, and other suitable public fishing grounds in the Lake Erie Sport Fishing District as authorized under law;

(3) For the cooperation with other agencies to assist in the prevention, control, and management of injurious aquatic invasive species in Lake Erie;

(4) For other practical fish management work in Lake Erie, including biological investigations; and

(5) For promoting educational and research activities, other methods of fish propagation and fish culture, and other proper conservation activities in Lake Erie.<sup>17</sup>

The Chief must adopt rules that the Chief considers necessary to implement the Lake Erie Sport Fishing District permit.<sup>18</sup>

## **Other hunting and fishing provisions**

### **Fees**

The bill decreases the annual hunting license fee from \$174 to \$9 for a nonresident youth under 18 who is not a resident of a reciprocal state (charges Ohio residents in-state rates). It also decreases the annual hunting license fee for a nonresident youth under 18 who is a resident of a reciprocal state from \$18 to \$9. This equalizes the fee for a hunting license charged to a nonresident youth with the fee charged for a hunting license for a resident youth.

The bill requires a hunting or fishing license applicant, a wetlands habitat stamp applicant, a deer or wild turkey permit applicant, or a fur taker permit applicant to pay the issuing agent either \$1 fee *or* 4% of the cost of the license, stamp, or permit, whichever is greater. Under current law, applicants pay a flat \$1 fee. Thus, if a license, stamp, or permit fee is more than \$25, the applicant will pay fee the 4% rate established by the bill.<sup>19</sup>

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<sup>17</sup> R.C. 1533.38(B).

<sup>18</sup> R.C. 1533.38(C).

<sup>19</sup> R.C. 1533.13.



## **Apprentice licenses and permits**

The bill creates a resident apprentice senior<sup>20</sup> hunting license, the fee for which is \$9, and an apprentice senior fur taker permit, the fee for which is \$7.<sup>21</sup> The bill also eliminates the current law provision that prohibits a person from purchasing more than three apprentice hunting licenses of any type or more than three apprentice fur taker permits of any type.<sup>22</sup> Apprentice licenses and permits allow the holder to try hunting-related activities without having to complete a formal hunting education course.

## **Duration of licenses and permits**

The bill specifies that each annual hunting license, deer or wild turkey permit, and fur taker permit issued remains in force until March 1 of a given year if issued prior to that date. Current law specifies that these licenses and permits remain in force until midnight on August 31 of the year after the year in which the license or permit is issued.<sup>23</sup>

The bill specifies that unless provided by Division of Wildlife rule, each annual fishing license begins on the date of issuance and expires a year from the date of issuance. Currently, a fishing license begins on March 1 and expires on the last day of February the following year.<sup>24</sup>

## **Fishing without a license**

Currently, both residents and nonresidents are prohibited from taking or catching any fish by angling in any of Ohio waters or engaging in fishing in those waters without a license unless otherwise provided in specified provisions of state law. The bill grants the Chief of the Division of Wildlife discretion to issue exemptions to the license requirement.<sup>25</sup>

## **All-purpose vehicles**

The bill changes the term "electric powered all-purpose vehicle" to "all-purpose vehicle" and removes the requirement that this type of vehicle be battery powered, self-

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<sup>20</sup> "Senior" applies to a resident of Ohio who is 66 years old and older at the time of application for a permit (R.C. 1533.10(B)(3)(b) and 1533.111).

<sup>21</sup> R.C. 1533.10 and 1533.111.

<sup>22</sup> R.C. 1533.102.

<sup>23</sup> R.C. 1533.13.

<sup>24</sup> R.C. 1533.32(C)(3).

<sup>25</sup> R.C. 1533.32.



propelled, and electric. It effectively broadens the types of vehicles that people with mobility impairments may use to hunt wild quadrupeds or game birds. Also, the bill allows people with mobility impairments to hunt on public and private areas, instead of just public wildlife areas as in current law.<sup>26</sup>

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## HISTORY

ACTION	DATE
Introduced	02-20-18
Reported, S. Energy & Natural Resources	04-10-18
Passed by the Senate (33-0)	04-11-18

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<sup>26</sup> R.C. 1533.103 and R.C. 2923.16(F)(3)(c).

