



# OHIO LEGISLATIVE SERVICE COMMISSION

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## Bill Analysis

Amanda George Goodman

### **H.B. 766**

132nd General Assembly  
(As Introduced)

Rep. Arndt

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### **BILL SUMMARY**

- Prohibits a property owner from failing to comply with a notice from a local authority to cover, house, or remove a junk watercraft vessel or outboard motor within ten days of receiving the notice.
  - Authorizes a local authority to send such a notice.
  - Specifies that a violation of the prohibition is a minor misdemeanor.
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### **CONTENT AND OPERATION**

#### **Junk watercraft left in the open**

The bill prohibits a property owner from knowingly failing to comply with a notice from a local authority to cover, house, or remove a junk vessel, such as a watercraft, or outboard motor on the owner's property within ten days of receiving the notice. Whoever violates this prohibition is guilty of a minor misdemeanor.<sup>1</sup> The prohibition only applies to junk vessels or outboard motors that are three years old or older, apparently inoperable, and have a fair market value of \$1,500 or less.<sup>2</sup>

The fact that a junk vessel or motor has not been covered, housed, or removed after the ten-day period is prima-facie evidence of knowingly failing to comply with the

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<sup>1</sup> A fine of up to \$150. See R.C. 2929.28, not in the bill.

<sup>2</sup> R.C. 1547.306(A), (B), and (C)(1); R.C. 1547.99(C), not in the bill.

notice. The bill also specifies that each subsequent 30-day period of violation constitutes a separate offense.<sup>3</sup>

### **Local authorities**

The bill authorizes the following local authorities to send a notice (by certified mail with return receipt requested):

- (1) A county sheriff;
- (2) The chief of police or legislative authority of a municipal corporation;<sup>4</sup>
- (3) A state highway patrol trooper; and
- (4) A board of township trustees or the board's designee.<sup>5</sup>

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## **HISTORY**

<b>ACTION</b>	<b>DATE</b>
Introduced	11-13-18

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<sup>3</sup> R.C. 1547.306(B).

<sup>4</sup> It is likely that municipal corporations already may to order junk vessels and outboard motors into storage under their home-rule authority. See Ohio Constitution, Article XVIII, Section 3.

<sup>5</sup> R.C. 1547.306(A) and (C)(2).

