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Chairman Hambley, Vice Chair Patton, Ranking Member Brown, and members of the House Civil Justice Committee, thank you for allowing me the opportunity to provide this written testimony in opposition to House Bill 496.

My name is Jess Weade, and in addition to being the elected Fayette County Prosecutor, and owning my own law firm, I have also been an avid apiarist for five years. My wife and I own seven hives and together we own and sell honey through Weade Family Honey since 2018.

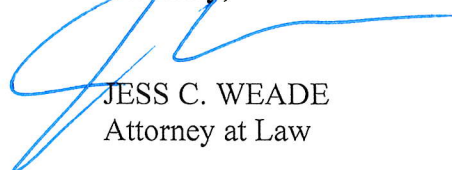
While I appreciate the General Assembly's attempt to encourage more people like my wife and I to take up this enjoyable hobby and produce honey and help the numerous Ohio crops that rely on honey bees to fertilize them, this legislation is a solution to a problem that does not exist.

Responsible beekeepers should already be following the best practices laid out by the Ohio Department of Agriculture. There is an inherent risk in owning bees, and that is why it is important for all beekeepers to take steps to be reasonably careful to prevent our friends and neighbors from being stung or injured by our bees.

Even without this legislation, the likelihood of a beekeeper being held liable for a bee sting is very low under Ohio law. First, the injured person would have to prove that the beekeeper in question actually owned the bee that caused the injury. This would require not only that the injured person capture the offending bee after it stung them, but also go through the process of extracting that bee's DNA and matching it to another bee's DNA from the alleged owner's specific hive. This is because bees do not have any unique markings to identify which hive they came from. The bee in question could have come from any number of hives, or be from a wild hive. As such, identifying that the specific beekeeper in question is a hurdle that the overwhelming majority of people will never be able to overcome.

In conclusion, current Ohio negligence law and the evidentiary requirements to prove ownership of the bee in question, as well as Civil Rule 11, already protect Ohio beekeepers from liability. I thank the House Civil Justice Committee again for their time in reading my testimony in opposition to this legislation.

Sincerely,



JESS C. WEADE
Attorney at Law