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133rd General Assembly

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Am. Sub. H. B. No. 665

Representatives Jones, Wilkin

**Cosponsors: Representatives Smith, T., Baldrige, Stoltzfus, Clites, Cutrona,
Edwards, Ghanbari, Lipps, McClain, Stephens, Swearingen, Wiggam**

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
1711.33, 1711.50, 1711.51, 1711.52, 1711.53, 4
1711.532, 1711.533, 1711.534, 1711.54, 1711.55, 5
1711.551, 1711.552, 1711.56, 1711.57, 1711.99, 6
3749.01, 3769.082, 3769.0811, and 5709.10; to 7
amend, for the purpose of adopting new section 8
numbers as indicated in parentheses, sections 9
901.06 (1711.06), 1711.50 (993.01), 1711.51 10
(993.02), 1711.52 (993.03), 1711.53 (993.04), 11
1711.531 (993.05), 1711.532 (993.041), 1711.533 12
(993.042), 1711.534 (993.043), 1711.54 (993.06), 13
1711.55 (993.07), 1711.551 (993.08), 1711.552 14
(993.071), 1711.56 (993.09), and 1711.57 15
(993.10); to enact sections 993.99, 1711.071, 16
1711.091, 3769.086, and 6119.092; and to repeal 17
sections 755.35, 755.36, 755.37, 901.07, and 18
1711.06 of the Revised Code to modify the laws 19
governing agricultural societies, to recodify 20
the law governing amusement ride safety, and to 21
address funding and other issues related to 22

county and independent agricultural societies 23
and the Ohio Expositions Commission. 24

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

Section 1. That sections 901.71, 901.74, 1711.01, 1711.02, 25
1711.03, 1711.05, 1711.07, 1711.08, 1711.09, 1711.11, 1711.13, 26
1711.22, 1711.26, 1711.33, 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, 3769.082, 29
3769.0811, and 5709.10 be amended; sections 901.06 (1711.06), 30
1711.50 (993.01), 1711.51 (993.02), 1711.52 (993.03), 1711.53 31
(993.04), 1711.531 (993.05), 1711.532 (993.041), 1711.533 32
(993.042), 1711.534 (993.043), 1711.54 (993.06), 1711.55 33
(993.07), 1711.551 (993.08), 1711.552 (993.071), 1711.56 34
(993.09), and 1711.57 (993.10) be amended for the purpose of 35
adopting new section numbers as indicated in parentheses; and 36
sections 993.99, 1711.071, 1711.091, 3769.086, and 6119.092 of 37
the Revised Code be enacted to read as follows: 38

Sec. 901.71. (A) There is hereby created the advisory 39
committee on livestock exhibitions consisting of not more than 40
twenty-one members, as follows: 41

(1) The director of agriculture, or the director's 42
~~designee, who may be the chief of the division of fairs;~~ 43

(2) The state veterinarian, or the state veterinarian's 44
designee; 45

(3) A representative of the Ohio cattlemen's association, 46
the Ohio purebred dairy cattle association, the Ohio pork 47

producers council, the Ohio poultry association, the Ohio sheep 48
improvement association, the Ohio fair managers association, the 49
Ohio farm bureau federation, the Ohio farmers union, the Ohio 50
department of education's agricultural education service, the 51
Ohio state university extension, the national farmers 52
organization, and the Ohio state grange, or their designees. 53
Each of these members shall be chosen by the organization the 54
member represents. 55

(4) The chairperson of the Ohio expositions commission, or 56
the chairperson's designee; 57

(5) Three persons who shall be appointed by the director, 58
each of whom shall serve as a member of a board of directors of 59
a county or independent agricultural society organized under 60
section 1711.01 or 1711.02 of the Revised Code. Of the initial 61
appointments made by the director, one shall be for a term 62
ending on December 31, 1996; one shall be for a term ending on 63
December 31, 1997; and one shall be for a term ending on 64
December 31, 1998. 65

(6) Not more than three additional members appointed at 66
the option of the director. If the director appoints one or more 67
additional members, the first additional appointment shall be 68
for a term ending on December 31, 1996, the second additional 69
appointment shall be for a term ending on December 31, 1997, and 70
the third additional appointment shall be for a term ending on 71
December 31, 1998. 72

Following the completion of the initial terms of the 73
appointments made by the director, each term of office shall be 74
three years, commencing on the first day of January and ending 75
on the thirty-first day of December. A member appointed by the 76
director shall hold office from the date of the member's 77

appointment until the end of the term for which the member was 78
appointed. Vacancies shall be filled in the same manner as the 79
original appointment. Any member appointed to fill a vacancy 80
occurring prior to the expiration of the term for which the 81
member's predecessor was appointed shall hold office for the 82
remainder of the unexpired term. Any member shall continue in 83
office subsequent to the expiration date of the member's term 84
until the member's successor takes office or until a period of 85
ninety days has elapsed, whichever occurs first. 86

Members may be removed from the committee only for 87
misfeasance, malfeasance, or nonfeasance. A vacancy on the 88
committee shall not impair the right of the other members to 89
exercise all of the functions of the committee. A simple 90
majority constitutes a quorum for the conduct of business of the 91
committee. On request, each member shall be reimbursed for the 92
actual and necessary expenses incurred in the discharge of the 93
member's duties as a committee member. 94

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

enable the committee to carry out its duties. 109

(C) The committee shall meet at least once annually after 110
the fifteenth day of October and before the first day of 111
December. The committee may meet at other times as the 112
chairperson or a majority of the committee members considers 113
appropriate, provided the chairperson gives members written 114
notice of any meeting at least seven days prior to the meeting. 115

(D) The committee may propose rules and may advise and 116
counsel the director on all matters relating to the 117
administration of exhibitions and any other matters that the 118
committee and the director consider appropriate in carrying out 119
sections 901.71 to 901.76 of the Revised Code. 120

Sec. 901.74. (A) Any person involved in any activity in 121
connection with exhibiting livestock at an exhibition or with 122
raising livestock with the apparent intent that the livestock 123
eventually is to be entered in an exhibition is subject to 124
disciplinary action by the department of agriculture for any of 125
the following reasons: 126

(1) The person has been convicted of or pleaded guilty to 127
a violation of section 901.76 or 2925.09 of the Revised Code, or 128
has been found by the director of agriculture to have tampered 129
with or sabotaged livestock; 130

(2) The director reasonably suspects that the person's 131
conduct in regard to raising or exhibiting the livestock 132
threatens, endangers, or adversely affects food safety or the 133
health, safety, or welfare of livestock; 134

(3) The person has refused to cooperate with the director 135
or the director's designee in the inspection, sampling, and 136
testing of livestock under section 901.73 of the Revised Code, 137

unless the person withheld consent to the inspection, sampling, 138
and testing and no search warrant was issued; 139

(4) The person has violated a rule adopted by the director 140
under section 901.72 of the Revised Code from which the sponsor 141
of the exhibition at which the violation occurred could have 142
exempted itself under that section, but chose not to. 143

(B) If one or more of the grounds for disciplinary action 144
listed in division (A) ~~(1), (2), or (3)~~ of this section exist, 145
the director, upon the director's own initiative, may conduct an 146
adjudication in accordance with Chapter 119. of the Revised Code 147
and may take any disciplinary action established by the director 148
by rules adopted in accordance with Chapter 119. of the Revised 149
Code. If one or more of the grounds for disciplinary action 150
listed in division (A) of this section exist, the director, upon 151
the request of a sponsor, may conduct an adjudication in 152
accordance with Chapter 119. of the Revised Code and may take 153
any disciplinary action established by the director by rules 154
adopted in accordance with Chapter 119. of the Revised Code. 155
Disciplinary action imposed under this section by the director 156
may include disqualifying the person, the person's family, 157
members of the person's household, or any other person 158
associated with the activity resulting in the disciplinary 159
action from participating in any class or with any species of 160
livestock in any current or future exhibition. 161

(C) The director, in accordance with Chapter 119. of the 162
Revised Code, may adopt rules establishing the criteria and 163
procedures for the reinstatement of any person disqualified from 164
participation in an exhibition as a result of disciplinary 165
action taken by the director under this section. Any person 166
disqualified by disciplinary action of the director may file a 167

written request with the director to seek reinstatement after 168
the period of disqualification ends or at any other time 169
established by rule. Upon the written request of the person 170
seeking the reinstatement, the director shall conduct an 171
adjudication in accordance with Chapter 119. of the Revised 172
Code. 173

Sec. ~~1711.50~~ 993.01. As used in ~~sections 1711.50 to~~ 174
~~1711.57 of the Revised Code~~this chapter: 175

(A) "Amusement ride" means any mechanical, aquatic, or 176
inflatable device, or combination of those devices that carries 177
or conveys passengers on, along, around, over, or through a 178
fixed or restricted course or within a defined area for the 179
purpose of providing amusement, pleasure, or excitement. 180
"Amusement ride" includes carnival rides, bungee jumping 181
facilities, and fair rides, but does not include passenger 182
tramways as defined in section 4169.01 of the Revised Code, 183
manufactured rock climbing walls in climbing facilities 184
regulated under Chapter 4175. of the Revised Code, or amusement 185
rides operated solely at trade shows for a limited period of 186
time. For purposes of this division, "trade show" means a place 187
of exhibition not open to the general public where amusement 188
ride manufacturers display, promote, operate, and sell amusement 189
rides to prospective purchasers. 190

(B) "Temporary amusement ride" means an amusement ride 191
that is relocated at least once per year with or without 192
disassembly. 193

(C) "Permanent amusement ride" means an amusement ride 194
that is erected to remain a lasting part of the premises. 195

(D) "Owner" means any person who owns or leases and 196

controls or manages the operation of an amusement ride, and 197
includes individuals, partnerships, corporations, both profit 198
and nonprofit, and the state and any of its political 199
subdivisions and their departments or agencies. 200

(E) "Operation" means the use or operation, or both, of an 201
amusement ride with riders. 202

(F) "Rider" means any person who sits, stands, or is 203
otherwise conveyed or carried as a passenger on an amusement 204
ride, but does not include employees or agents of the owner of 205
the amusement ride. 206

(G) "Amusement ride operator" means any person causing the 207
amusement ride to go, stop, or perform its function. 208

(H) "Reassembly" means the installation, erection, or 209
reconstruction of the main mechanical, safety, electrical, or 210
electronic components of an amusement ride following 211
transportation or storage and prior to operation. Replacement of 212
mechanical, safety, electrical, or electronic components of an 213
amusement ride for the purpose of repair or maintenance is not 214
reassembly. 215

(I) "Repair" means to restore an amusement ride to a 216
condition equal to or better than original design 217
specifications. 218

(J) "Maintenance" means the preservation and upkeep of an 219
amusement ride for the purpose of maintaining its designed 220
operational capability. 221

(K) "Inspection" means a physical examination of an 222
amusement ride by an inspector for the purpose of approving the 223
application for a permit. "Inspection" includes a reinspection. 224

(L) "Accident" means an occurrence during the operation of 225
an amusement ride that results in death or injury requiring 226
immediate hospital admission. 227

(M) "Serious injury" means an injury that does not require 228
immediate hospital admission but does require medical treatment, 229
other than first aid, by a physician. 230

(N) "First aid" means the one-time treatment or subsequent 231
observation of scratches, cuts not requiring stitches, burns, 232
splinters, and contusions or a diagnostic procedure, including 233
examinations and x-rays, that does not ordinarily require 234
medical treatment even though provided by a physician or other 235
licensed professional personnel. 236

(O) "Advisory council" means the advisory council on 237
amusement ride safety created by section ~~1711.51~~993.02 of the 238
Revised Code. 239

(P) "Safe operation" means, except as provided in section 240
~~1711.57~~993.10 of the Revised Code, the practical application of 241
maintenance, inspection, and operational processes, as indicated 242
by the manufacturer, owner, or advisory council, that secures a 243
rider from threat of physical danger, harm, or loss. 244

(Q) "Private facility" means any facility that is 245
accessible only to members of the facility and not accessible to 246
the general public, even upon payment of a fee or charge, and 247
that requires approval for membership by a membership committee 248
representing the current members who have a policy requiring 249
monetary payment to belong to the facility. 250

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

semi-solid, liquid, or elastic surface.	254
(S) "Bungee jumping facility" means a device or structure utilized for bungee jumping.	255 256
(T) "Kiddie ride" means an amusement ride designed for use by children under thirteen years of age who are unaccompanied by another person. "Kiddie ride" includes a roller coaster that is not more than forty feet in elevation at any point on the ride.	257 258 259 260
(U) "Climbing facility" has the same meaning as in section 4175.01 of the Revised Code.	261 262
Sec. 1711.51 993.02. (A) There is hereby created within the department of agriculture an advisory council on amusement ride safety to consist of the following members:	263 264 265
(1) The director of agriculture or the director's designee;	266 267
(2) The general manager of the Ohio state fair or the general manager's designee;	268 269
(3) The following members appointed by the governor with the advice and consent of the senate:	270 271
(a) A representative of temporary amusement ride owners;	272
(b) A representative of the greater Ohio showmen's association and the owner of a ride;	273 274
(c) Three representatives of owners of amusement parks;	275
(d) A representative of the Ohio fair managers' association;	276 277
(e) A representative of the insurance industry;	278
(f) An engineer, who has an academic degree in engineering	279

and who is knowledgeable in the amusement ride industry;	280
(g) A representative of the Ohio festivals and events association;	281 282
(h) Two representatives of the inflatable amusement ride industry who are owners or operators of inflatable amusement rides or consultants from the industry 7.	283 284 285
(4) A person registered as a professional engineer under Chapter 4733. of the Revised Code who shall serve as a nonvoting member, appointed by the director of agriculture. The director shall appoint the initial member not later than thirty days after the effective date of this amendment <u>November 6, 2019</u> .	286 287 288 289 290
(5) One member of the general public, appointed by the speaker of the house of representatives;	291 292
(6) One member of the general public appointed by the president of the senate.	293 294
(B) Annually, the governor shall designate one member of the council as chairperson. The council shall select from its membership a vice-chairperson to act as chairperson in the chairperson's absence.	295 296 297 298
(C) Of the members first appointed by the governor, four shall be appointed for terms of two years, three for terms of four years, and two for terms of six years. The members appointed initially by the speaker of the house of representatives and the president of the senate shall each serve terms of six years. Of the additional members appointed by the governor who are representatives of the inflatable amusement ride industry, the governor shall appoint one for an initial term of four years and one for an initial term of six years. The director of agriculture shall appoint the member who is a	299 300 301 302 303 304 305 306 307 308

professional engineer for an initial term of six years. All 309
members appointed after the initial terms shall serve six-year 310
terms. 311

(D) Any member appointed to fill a vacancy occurring prior 312
to the expiration of the term for which the member's predecessor 313
was appointed shall hold office for the remainder of that term. 314
Any member shall continue in office subsequent to the expiration 315
date of the member's term until the member's successor takes 316
office. 317

(E) Members of the council shall be residents of this 318
state and shall be reimbursed for actual and necessary expenses 319
incurred in attending meetings of the council and in the 320
performance of their official duties. 321

Sec. ~~1711.52~~ 993.03. (A) The advisory council on amusement 322
ride safety shall do both of the following: 323

(1) Study any subject pertaining to amusement ride safety, 324
including administrative, engineering, and technical subjects, 325
and make findings and recommendations to the director of 326
agriculture in accordance with division (B) of this section; 327

(2) Prior to the adoption of any rules or amendments to 328
those rules under division (B) of section ~~1711.53~~ 993.04 and 329
division (B) of section ~~1711.551~~ 993.08 of the Revised Code, 330
study the proposed rules to be adopted by the director regarding 331
amusement ride safety, advise the director, and make findings 332
and recommendations to the director in accordance with division 333
(B) of this section. 334

(B) Prior to submitting any findings or recommendations, 335
the advisory council shall vote on whether to submit such 336
findings or recommendations to the director. The advisory 337

council shall submit only those findings and recommendations 338
that receive a majority vote of the advisory council. 339

(C) The director shall make available to the advisory 340
council any information, reports, and studies requested by the 341
advisory council. 342

Sec. ~~1711.53~~ 993.04. (A) (1) No person shall operate an 343
amusement ride within the state without a permit issued by the 344
director of agriculture under division (A) (2) of this section. 345
The owner of an amusement ride, whether the ride is a temporary 346
amusement ride or a permanent amusement ride, who desires to 347
operate the amusement ride within the state shall, prior to the 348
operation of the amusement ride and annually thereafter, submit 349
to the department of agriculture an application for a permit, 350
together with the appropriate permit and inspection fee, on a 351
form to be furnished by the department. Prior to issuing any 352
permit the department shall, within thirty days after the date 353
on which it receives the application, inspect each amusement 354
ride described in the application. The owner of an amusement 355
ride shall have the amusement ride ready for inspection not 356
later than two hours after the time that is requested by the 357
person for the inspection. 358

(2) For each amusement ride found to comply with the rules 359
adopted by the director under division (B) of this section and 360
division (B) of section ~~1711.551~~ 993.08 of the Revised Code, the 361
director shall issue an annual permit, provided that evidence of 362
liability insurance coverage for the amusement ride as required 363
by section ~~1711.54~~ 993.06 of the Revised Code is on file with 364
the department. 365

(3) The director shall issue with each permit a decal 366
indicating that the amusement ride has been issued the permit. 367

The owner of the amusement ride shall affix the decal on the 368
ride at a location where the decal is easily visible to the 369
patrons of the ride. A copy of the permit shall be kept on file 370
at the same address as the location of the amusement ride 371
identified on the permit, and shall be made available for 372
inspection, upon reasonable demand, by any person. An owner may 373
operate an amusement ride prior to obtaining a permit, provided 374
that the operation is for the purpose of testing the amusement 375
ride or training amusement ride operators and other employees of 376
the owner and the amusement ride is not open to the public. 377

(B) (1) The director, in accordance with Chapter 119. of 378
the Revised Code, shall adopt rules providing for both of the 379
following: 380

(a) A schedule of fines, with no fine exceeding five 381
thousand dollars, for violations of ~~sections 1711.50 to 1711.57~~ 382
~~of the Revised Code~~ this chapter or any rules adopted under this 383
division; 384

(b) The classification of amusement rides and rules for 385
the safe operation and inspection of all amusement rides as are 386
necessary for amusement ride safety and for the protection of 387
the general public. The classification of amusement rides must 388
identify those rides that need more comprehensive inspection and 389
testing in addition to regular state inspections, taking into 390
account hidden components integral to the safety of the ride. 391

(2) (a) Rules adopted by the director for the safe 392
operation and inspection of amusement rides shall be reasonable 393
and shall be based upon generally accepted engineering standards 394
and practices. The rules shall establish a minimum number of 395
inspections to be conducted on each ride depending on the size, 396
complexity, nature of the ride, and the number of days the ride 397

is in operation during the year for which the applicable permit 398
is valid. The rules also shall require the minimum number of 399
inspectors assigned to inspect a ride or rides to be reasonable 400
and adequate given the number, size, complexity, and nature of 401
the ride or rides. 402

(b) In adopting rules under this section, the director may 403
adopt by reference, in whole or in part, the national fire code 404
or the national electrical code (NEC) prepared by the national 405
fire protection association or the American national standards 406
institute (ANSI), or any other principles, tests, or standards 407
of nationally recognized technical or scientific authorities. 408

(c) In adopting rules under this section, the director 409
shall adopt, by reference, the following chapters of the 410
American society for testing and materials (ASTM) international 411
regarding amusement ride safety standards and any other 412
equivalent national standard: 413

(i) ASTM F1193-18; 414

(ii) ASTM F770-18; 415

(iii) ASTM F2291-18. 416

(d) Insofar as is practicable and consistent with ~~sections~~ 417
~~1711.50 to 1711.57 of the Revised Code~~this chapter, rules 418
adopted under this division shall be consistent with the rules 419
of other states. 420

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

therefor. 427

(C) With respect to an application for a permit for an 428
amusement ride, an owner may apply to the director for a waiver 429
or modification of any rule adopted under division (B) of this 430
section if there are practical difficulties or unnecessary 431
hardships for the amusement ride to comply with the rules. Any 432
application shall set forth the reasons for the request. The 433
director, with the approval of the advisory council on amusement 434
ride safety, may waive or modify the application of a rule to 435
any amusement ride if the public safety is secure. Any 436
authorization by the director under this division shall be in 437
writing and shall set forth the conditions under which the 438
waiver or modification is authorized, and the department shall 439
retain separate records of all proceedings under this division. 440

(D) (1) The director shall employ and provide for training 441
of a chief inspector and additional inspectors and employees as 442
may be necessary to administer and enforce ~~sections 1711.50 to~~ 443
~~1711.57 of the Revised Code~~this chapter. The director may 444
appoint or contract with other persons to perform inspections of 445
amusement rides, provided that the persons meet the 446
qualifications for inspectors established by rules adopted under 447
division (B) of this section and are not owners, or employees of 448
owners, of any amusement ride subject to inspection under 449
~~sections 1711.50 to 1711.57 of the Revised Code~~this chapter. 450
When employing a new chief inspector or an additional inspector 451
~~after the effective date of this amendment~~ November 6, 2019, the 452
director shall give preference to the following: 453

(a) An individual holding a level one or higher inspector 454
certification from either the national association of amusement 455
ride safety officials (NAARSO), the amusement industry 456

manufacturers and suppliers (AIMS) international, or another 457
substantially equivalent organization as determined by the 458
director; and 459

(b) An individual who intends, within one year of being 460
hired as an inspector, to complete the requirements for issuance 461
of a level one or higher inspector certification from NAARSO, 462
AIMS International, or another substantially equivalent 463
organization as determined by the director. 464

(2) No person shall inspect an amusement ride who, within 465
six months prior to the date of inspection, was an employee of 466
the owner of the ride. 467

(3) Before the director contracts with other persons to 468
inspect amusement rides, the director shall seek the advice of 469
the advisory council on amusement ride safety on whether to 470
contract with those persons. The advice shall not be binding 471
upon the director. After having received the advice of the 472
council, the director may proceed to contract with inspectors in 473
accordance with the procedures specified in division (E)(2) of 474
section 1711.11 of the Revised Code. 475

(4) With the advice and consent of the advisory council on 476
amusement ride safety, the director may employ a special 477
consultant to conduct an independent investigation of an 478
amusement ride accident. This consultant need not be in the 479
civil service of the state, but shall have qualifications to 480
conduct the investigation acceptable to the council. 481

(E)(1) Except as otherwise provided in division (E)(1) of 482
this section, the department shall charge the following 483
amusement ride fees: 484

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	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 inspection fee for the go kart track.

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The director shall adopt rules in accordance with Chapter 119. of the Revised Code establishing an annual fee that is less than one hundred five dollars for an inspection and reinspection of an inflatable ride. In adopting the rules, the director shall ensure that the fee reasonably reflects the costs of inspection

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and reinspection of an inflatable ride. If the director issues a permit for an inflatable ride for a time period of less than one year, the director shall charge a prorated fee for the permit equal to one-twelfth of the annual permit fee multiplied by the number of full months for which the permit is issued.

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

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

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

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

(4) The rules adopted under division (B) of this section 523
shall define "roller coaster," "aerial lifts," "go karts," and 524
"other rides" for purposes of determining the fees under 525
division (E) of this section. The rules shall define "other 526
rides" to include go kart tracks. 527

(F) A reinspection of an amusement ride shall take place 528
if an accident occurs, if the owner of the ride or the chief 529
officer of the fair, festival, or event where the ride is 530
operating requests a reinspection, if the chief inspector 531
determines reinspection is necessary in accordance with section 532
~~1711.533~~993.042 of the Revised Code, or if the reinspection is 533
required by division (F) of section ~~1711.55~~993.07 of the 534
Revised Code. 535

(G) As a supplement to its annual inspection of a 536
temporary amusement ride, the department may inspect the ride 537
during each scheduled event, as listed in the schedule of events 538
provided to the department by the owner pursuant to division (C) 539
of section ~~1711.55~~993.07 of the Revised Code, at which the ride 540
is operated in this state. These supplemental inspections are in 541
addition to any other inspection or reinspection of the ride as 542
may be required under ~~sections 1711.50 to 1711.57 of the Revised~~ 543
~~Code~~this chapter, and the owner of the temporary amusement ride 544
is not required to pay an inspection or reinspection fee for 545
this supplemental inspection. Nothing in this division shall be 546
construed to prohibit the owner of a temporary amusement ride 547
having a valid permit to operate in this state from operating 548
the ride at a scheduled event before the department conducts a 549
supplemental inspection. 550

(H) The department may annually conduct a midseason 551
operational inspection of every amusement ride upon which it 552

conducts an annual inspection pursuant to division (A) of this 553
section. The midseason operational inspection is in addition to 554
any other inspection or reinspection of the amusement ride as 555
may be required pursuant to ~~sections 1711.50 to 1711.57 of the~~ 556
~~Revised Code~~this chapter. The owner of an amusement ride shall 557
submit to the department, at the time determined by the 558
department, the midseason operational inspection fee specified 559
in division (E) of this section. The director, in accordance 560
with Chapter 119. of the Revised Code, shall adopt rules 561
specifying the time period during which the department will 562
conduct midseason operational inspections. 563

Sec. ~~1711.532~~ 993.041. Not later than November 1, 2019, 564
and annually thereafter, the director of agriculture shall 565
submit a detailed financial report to the speaker of the house 566
of representatives and to the president of the senate that 567
includes all of the following information: 568

(A) The revenue from fees collected under section ~~1711.53~~ 569
993.04 of the Revised Code and any other revenue collected for 570
the amusement ride safety program during the twelve months 571
immediately preceding the report's submission; 572

(B) Expenses relating to the operation of the department 573
of agriculture's amusement ride safety program established under 574
~~sections 1711.50 to 1711.57 of the Revised Code~~ this chapter 575
during the twelve months immediately preceding the report's 576
submission; 577

(C) Any proposed changes to the fee schedule established 578
under section ~~1711.53~~ 993.04 of the Revised Code that the 579
director determines are necessary for purposes of issuing 580
amusement ride permits and conducting amusement ride inspections 581
and reinspections; 582

(D) The amount expended from any appropriations made for 583
the department of agriculture's amusement ride safety program 584
during the twelve months immediately preceding the report's 585
submission; 586

(E) Any additional revenue that the director determines is 587
necessary to meet the expenses of the amusement ride safety 588
program during the twelve months immediately following the 589
submission of the report; 590

(F) Any other information that the director determines is 591
necessary to include in the report. 592

Sec. ~~1711.533~~ 993.042. (A) For purposes of this section, 593
"reporting body" means any of the following persons or entities: 594

(1) The department of agriculture; 595

(2) The Ohio expositions commission; 596

(3) A county agricultural society fair board; 597

(4) An independent agricultural society fair board; 598

(5) An owner of an amusement ride. 599

(B) If a reporting body receives, from an amusement ride 600
manufacturer or other entity responsible for parts or service 601
regarding the safety of the ride, any communication addressing 602
safety issues pertaining to an amusement ride, the reporting 603
body, within a reasonable time after receiving the 604
communication, shall forward the communication to the director 605
of agriculture and to the chief inspector employed by the 606
department of agriculture in accordance with section ~~1711.53-~~ 607
993.04 of the Revised Code. 608

(C) The chief inspector shall require the amusement ride 609

to be reinspected in accordance with section ~~1711.53~~993.04 of 610
the Revised Code after receiving the communication under 611
division (B) of this section if the chief inspector determines 612
that reinspection is necessary. 613

(D) The director of agriculture shall include, on 614
amusement ride inspection forms prescribed by the department, a 615
line for the owner of an amusement ride to sign indicating that 616
all relevant safety and maintenance communications from the 617
manufacturer have been forwarded to the director and the chief 618
inspector in accordance with division (B) of this section. 619

Sec. ~~1711.534~~ 993.043. If an inspector employed by or 620
under contract with the department of agriculture in accordance 621
with section ~~1711.53~~993.04 of the Revised Code issues a written 622
order to an owner of an amusement ride to replace or repair a 623
component or components of the amusement ride, the owner shall 624
respond in writing to the department within the time specified 625
in the order indicating the action the owner is taking to 626
address the issue. 627

If the replacements or repairs have not been completed 628
within the time specified in the order, the director shall 629
determine whether the amusement ride or component or components 630
of the ride may continue to operate. 631

Sec. ~~1711.531~~ 993.05. (A) No person shall operate an 632
amusement ride powered from an electric light company source 633
unless the amusement ride operates through a fusible switch, 634
enclosed circuit breaker, or panelboard that has been: 635

(1) Rated by the underwriters laboratories for service 636
entrance applications; 637

(2) Installed in compliance with the national electrical 638

code; 639

(3) Metered through a meter installed by the electric light company. 640
641

(B) An amusement ride owner shall not use an electric light company source as described in division (A) of this section unless the owner has written certification that the fusible switch, enclosed circuit breaker, or panelboard satisfies the requirements established in divisions (A) (1) to (3) of this section and that is issued by a person certified under section 3783.03 or licensed under section 4740.06 of the Revised Code. The owner shall make the certificate available to the director of agriculture upon request. 642
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(C) This section does not apply to either of the following types of amusement rides: 651
652

(1) Rides that do not require electrical current; 653

(2) Rides that the director exempts in rules the director adopts. 654
655

(D) A person licensed pursuant to section 4740.06 of the Revised Code, when conducting an inspection pursuant to this section, is not violating section 3783.06 of the Revised Code. 656
657
658

(E) As used in this section, "electric light company" has the same meaning as in section 4905.03 of the Revised Code. 659
660

Sec. ~~1711.54~~ 993.06. No permit shall be issued under division (A) of section ~~1711.53~~ 993.04 of the Revised Code, until the owner of the amusement ride has filed with the department of agriculture a certificate of insurance evidencing that there is liability insurance in effect with an insurer authorized or approved to write such insurance in this state on 661
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the operation of the ride providing coverage, subject to a 667
limit, exclusive of interest and costs, of not less than five 668
hundred thousand dollars because of bodily injury to or death of 669
one person in each occurrence, and, subject to such limit for 670
one person, to a limit of not less than one million dollars 671
because of bodily injury to or death of two or more persons in 672
each occurrence. The insurance policy may include a deductible 673
clause, provided that any settlement made by the insurance 674
company with the injured party or ~~his~~ the injured party's legal 675
representative shall be paid as though the deductible clause did 676
not apply. Each policy, by its original terms or an endorsement, 677
shall obligate the insurer that the insurer will not cancel the 678
policy without thirty days' written notice and a complete report 679
of the reasons for such cancellation being given to the 680
department. Each policy, by its original terms or an 681
endorsement, shall obligate the insurer that the insurer will, 682
within twenty-four hours, report to the department if it pays a 683
claim or reserves any amount to pay an anticipated claim that 684
reduces the liability insurance coverage to a limit of less than 685
one million dollars because of bodily injury to or death of two 686
or more persons in each occurrence. If the policy is canceled 687
during its term or lapses for any reason, including coverage 688
reduced below the required amount, the owner shall replace the 689
policy with another policy fully complying with the requirements 690
of this section. If the owner fails to file a certificate of 691
insurance for new or replacement insurance, the owner shall 692
cease all operations under the permit immediately upon the 693
cancellation or lapse of the insurance and further operations 694
shall not be conducted without the specific approval of the 695
department, which shall be given after the owner has complied 696
with this section. 697

Sec. ~~1711.55~~ 993.07. (A) (1) As used in this section, 698
"major repair" means a repair that is outside of the normal 699
maintenance conducted on an amusement ride. 700

(2) The owner of an amusement ride shall maintain a 701
current maintenance, repair, and inspection record for each 702
amusement ride in accordance with rules prescribed under 703
division (B) of section ~~1711.53~~ 993.04 of the Revised Code. The 704
owner shall take photographs of the portion of the ride subject 705
to any major repair prior to and after the major repair. The 706
owner also shall prepare a detailed written description of each 707
such major repair. The owner shall include the photographs and 708
such descriptions in the record. The owner also shall include in 709
the record information on the date and nature of all inspections 710
of the amusement ride made by the department of agriculture or 711
the owner, and a record of all violations of the rules issued by 712
the department and actions taken by the owner to correct such 713
violations. 714

The department or any inspector employed by the department 715
may request an owner's record at any time and, upon request, the 716
owner shall make the record available to the department or 717
inspector. 718

(3) No owner shall fail to keep maintenance, repair, and 719
inspection records as required under division (A) (1) of this 720
section and no owner shall fail to make such records available 721
to the department or any inspector employed by the department 722
upon request. 723

The owner of a temporary amusement ride shall inspect that 724
ride in accordance with rules prescribed under division (B) of 725
section ~~1711.53~~ 993.04 of the Revised Code each time that there 726
is a reassembly of the ride. 727

(B) The owner of an amusement ride shall maintain records 728
of all serious injuries involving riders, containing such 729
information as the department prescribes, on forms prescribed by 730
the department. These records shall be made available for 731
inspection by the department on request. In the case of an 732
accident, the owner of an amusement ride shall immediately 733
notify the department by telephone or in person and subsequently 734
file a written report with the department within twenty-four 735
hours of the accident. 736

(C) (1) The owner of a temporary amusement ride shall 737
submit both of the following to the department: 738

(a) A list of locations and dates where the ride was 739
either stored for a period longer than thirty days or operated 740
outside of this state. Upon review of the list, the department 741
may require additional testing, inspections, and documentation 742
to be completed prior to issuing a permit. 743

(b) A tentative schedule of events at which the owner's 744
ride will operate during the upcoming season. 745

(2) The director shall adopt rules establishing timetables 746
and procedures for providing and updating the information 747
required under division (C) (1) of this section. 748

(D) An amusement ride operator shall be at least sixteen 749
years of age, shall be in attendance whenever the ride is in 750
operation, and shall operate no more than one ride at a time. 751
The owner or amusement ride operator may deny any person 752
entrance to the amusement ride if the owner or operator believes 753
the entry may jeopardize the safety of the person desiring 754
entry, riders, or other persons. 755

(E) In addition to the annual inspection or reinspection 756

of an amusement ride for a permit or other reason required by 757
the rules adopted under division (B) of section ~~1711.53~~993.04 758
of the Revised Code, the department may inspect any amusement 759
ride after the report of an accident or in response to a 760
complaint filed with the department. 761

(F) The director may order in writing a temporary 762
cessation of the operation of an amusement ride that the 763
department finds by inspection to be unsafe by reason of a 764
violation of the rules adopted under division (B) of section 765
~~1711.53~~993.04 of the Revised Code. The operation of that 766
amusement ride shall not resume until the condition causing the 767
violation has been corrected and the amusement ride is 768
reinspected. Any reinspection under this division shall take 769
place within twenty-four hours after notice to the department by 770
the owner that the condition causing the violation has been 771
corrected. 772

Sec. ~~1711.552~~ 993.071. (A) The owner of an amusement ride 773
shall keep a manual, either in electronic or written form, for 774
each of the owner's amusement rides that are subject to 775
inspection in this state, if such manual exists and is 776
obtainable. 777

(B) The owner shall make each manual required to be kept 778
under division (A) of this section available upon request of the 779
chief inspector or any additional inspector who is employed by 780
the department of agriculture in accordance with division (D) of 781
section ~~1711.53~~993.04 of the Revised Code. 782

Sec. ~~1711.551~~ 993.08. (A) No rider shall fail to do any of 783
the following: 784

(1) Heed all written warnings and directions that require 785

a person to meet certain conditions or to refrain from certain 786
actions regarding an amusement ride, as determined by rule by 787
the director of agriculture; 788

(2) Refrain from behaving or acting in any manner that may 789
cause injury or contribute to injuring ~~himself~~ self or other 790
people while occupying an amusement ride. 791

(B) The director, in accordance with Chapter 119. of the 792
Revised Code, shall adopt, and may amend and rescind, rules 793
governing the types of warnings and directions required to be 794
followed pursuant to this section. Rules adopted by the director 795
determining the types of printed warnings and directions shall 796
include specifications as to the character, size, and print size 797
of such warnings and directions. At a minimum, the rules shall 798
require the following: 799

(1) The warnings and directions prominently disclose the 800
penalties imposed if a rider violates this section ~~1711.551 of~~
~~the Revised Code~~; 801
802

(2) The warnings and directions be based upon the 803
standards of ASTM or the American national standards institute, 804
or any other principles, tests, or standards of nationally 805
recognized technical or scientific authorities that research the 806
proper use of each amusement ride and the potential injuries 807
that occur or are unique to each amusement ride if it is used 808
improperly; 809

(3) The owner of the amusement ride display the warnings 810
and directions in a public and conspicuous place on or near the 811
ride. 812

Sec. ~~1711.56~~ 993.09. (A) The director of agriculture may 813
fine any owner of an amusement ride for a violation of ~~sections~~ 814

~~1711.50 to 1711.57 of the Revised Code~~ this chapter or any rules 815
issued under division (B) of section ~~1711.53~~ 993.04 of the 816
Revised Code pursuant to a schedule of fines established under 817
~~division (B) of that section 1711.53 of the Revised Code.~~ The 818
fine shall not exceed five thousand dollars. In addition, the 819
director may order the revocation of an owner's permit for an 820
amusement ride for failure to file a certificate of insurance as 821
required under ~~division (A) of section 1711.54~~ 993.06 of the 822
Revised Code, for failure to maintain records of serious 823
injuries or to report accidents as required under division (B) 824
of section ~~1711.55~~ 993.07 of the Revised Code, or for violation 825
of a temporary cessation order issued pursuant to division (F) 826
of section ~~1711.55~~ 993.07 of the Revised Code. 827

(B) Any hearing or other procedures held with respect to 828
any refusal to issue a permit, any order of the director, or any 829
fine shall be conducted in accordance with sections 119.06 to 830
119.13 of the Revised Code. Notwithstanding the provisions of 831
section 119.12 of the Revised Code, all appeals from any fine 832
by, or order of, the director shall be to the court of common 833
pleas of the county where the place of business of the owner is 834
located or to the common pleas court of the county in which the 835
owner is a resident or in which the amusement ride is located, 836
in the case of a temporary amusement ride, or to the court of 837
common pleas of the county where the amusement ride is located 838
in the case of a permanent amusement ride. 839

Sec. ~~1711.57~~ 993.10. ~~Sections 1711.50 to 1711.57 of the~~ 840
~~Revised Code do~~ This chapter does not apply to any of the 841
following: 842

(A) A private facility; 843

(B) A single-passenger coin-operated ride that is 844

manually, mechanically, or electrically operated, is customarily 845
placed either singly or in groups in a public location, and does 846
not normally require the supervision or services of an amusement 847
ride operator; 848

(C) Nonmechanized playground equipment, including swings, 849
stationary spring-mounted animal features, rider-propelled 850
merry-go-rounds, climbers, slides, rock climbing walls, 851
trampolines, and swinging gates, except where an admission fee 852
is charged for usage or an admission fee is charged to areas 853
where such equipment is located; 854

(D) Devices regulated or licensed by the federal aviation 855
administration or the federal railroad administration in the 856
United States department of transportation, the department of 857
transportation, or the bureau of motor vehicles in the 858
department of public safety; 859

(E) Vessels regulated by the department of natural 860
resources under Chapters 1547. and 1548. of the Revised Code or 861
under the jurisdiction of the United States coast guard; 862

(F) Tractors, trucks, or similar vehicles at competition 863
events; 864

(G) Automobiles or motorcycles at competition events; 865

(H) Animals ridden in competitive events or shows; 866

(I) Physical fitness devices; 867

(J) Devices to which the definition of "safe operation" in 868
section ~~1711.50~~993.01 of the Revised Code does not apply as 869
determined by the director of agriculture, including mechanized 870
bulls, surfboards, zip lines, vertical wind tunnels, skateboard 871
or bicycle rodeo devices, cable wakeboard or ski facilities, or 872

other devices that are not intended or manufactured to secure 873
the rider from threat of physical danger, harm, or loss. 874

(K) A manufactured climbing wall that is located in a 875
climbing facility, as defined and regulated by Chapter 4175. of 876
the Revised Code. 877

Sec. 993.99. Whoever violates section 993.08 of the 878
Revised Code is guilty of a minor misdemeanor on the first 879
offense and on each subsequent offense the person is guilty of a 880
misdemeanor of the fourth degree. 881

Sec. 1711.01. ~~When thirty~~ (A) A county agricultural 882
society is created when both of the following occur: 883

(1) Thirty or more persons who are residents of the same 884
county ~~organize themselves into a county agricultural society~~ 885
~~which adopts~~ adopt a constitution and bylaws, ~~selects officers,~~ 886
~~and otherwise conducts its affairs in conformity to law, and to~~ 887
~~the~~ governing the society. 888

(2) The residents described in division (A) of this 889
section elect a board of directors in accordance with section 890
1711.08 of the Revised Code. 891

(B) A county agricultural society created under this 892
section shall operate in accordance with this chapter and the 893
rules ~~of the department~~ adopted by the director of agriculture, 894
~~and when such society has held an annual exhibition in~~ 895
~~accordance with sections 1711.04 and 1711.05 of the Revised Code~~ 896
~~and made proper report to the department, then, upon~~ 897
~~presentation to the county.~~ 898

(C) A county agricultural society shall consist solely of 899
members who are residents of the county in which the society is 900
organized. 901

(D) (1) A member of a county agricultural society shall pay 902
an annual membership fee in an amount fixed by each society or 903
its board of directors. The member shall pay the fee to the 904
society's secretary or treasurer as the society's bylaws direct. 905

(2) A county agricultural society shall issue a printed 906
certificate of membership to each member who pays the required 907
fee. The society shall issue the certificates from a book in 908
which duplicate stubs of the certificates are properly filled 909
out. The society shall keep each stub for not less than five 910
years after the date on which the corresponding certificate is 911
issued. The society shall ensure that all certificates are 912
numbered consecutively. 913

(E) No person shall pay for or secure more than one 914
membership. No person shall secure a membership for any other 915
person. 916

(F) A society shall keep a list of the members of the 917
society in the office of the society secretary. The society 918
shall make the list available for public inspection upon 919
request. 920

(G) (1) The county auditor of ~~a~~ the county in which a 921
county agricultural society has been created shall request the 922
county treasurer to transfer sixteen hundred dollars to the 923
society each year. The county treasurer shall transfer the money 924
if all of the following have occurred: 925

(a) The society has held an annual exhibition in 926
accordance with sections 1711.04 and 1711.05 of the Revised 927
Code. 928

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

Code. 931

(c) The director of agriculture presents a certificate 932
from the director of agriculture that the laws of the state and 933
the rules of the department have been complied with, to the 934
county auditor of each county in which such a society is 935
organized shall annually draw an order on the county treasurer 936
of such county in favor of the president of such society for the 937
sum of eight hundred dollars, and the treasurer shall pay 938
it indicating that the society has complied with the applicable 939
laws of this state and the applicable rules adopted by the 940
director. The total amount of such order 941

(2) The county auditor shall not exceed the transfer an 942
amount under division (C) (1) of this section that exceeds the 943
amount paid in regular class premiums by the county agricultural 944
society under section 1711.04 of the Revised Code. 945

Sec. 1711.02. When thirty (A) An independent agricultural 946
society is created if both of the following occur: 947

(1) Thirty or more persons of the same county, or of not 948
more than three contiguous counties, have been organized into an 949
independent agricultural society which has held an annual 950
exhibit in each of three years previous to January 1, 1919, in a 951
county in which is located a county agricultural society, and 952
when such independent society adopt a constitution and bylaws 953
governing the society. 954

(2) The persons described in division (A) (1) of this 955
section elect a board of directors in accordance with section 956
1711.08 of the Revised Code. 957

(B) An independent agricultural society created under 958
division (A) of this section shall operate in accordance with 959

this chapter and applicable rules adopted by the director of 960
agriculture. 961

(C) (1) For purposes of division (C) (2) of this section, 962
"appropriate amount" means the share of the sum of sixteen 963
hundred dollars, calculated in proportion to the populations of 964
the respective counties according to the last federal census 965
before the annual payment is made, but not exceeding the amount 966
paid in regular class premiums. If the independent agricultural 967
society is located in only one county, the appropriate amount is 968
the amount paid in regular class premiums not exceeding sixteen 969
hundred dollars. 970

(2) The auditor of a county in which an independent 971
agricultural society is located annually shall request the 972
county treasurer to transfer the appropriate amount to the 973
independent agricultural society and the treasurer shall so 974
transfer such money if all of the following have occurred: 975

(a) The society has held an annual exhibition in 976
accordance with sections 1711.04 and 1711.05 of the Revised Code 977
and made proper. 978

(b) The society has made a report to the department 979
director of agriculture, then, upon the presentation to the 980
county auditor of in accordance with section 1711.06 of the 981
Revised Code. 982

(c) The director of agriculture presents a certificate 983
from the director of agriculture to the county auditor 984
indicating that the society has complied with the laws of this 985
state and the rules of the department have been complied with: 986

(A) If the members of such independent society are all 987
residents of the same county, the auditor of such county shall 988

~~draw an order on the county treasurer of such county in favor of 989
the president of the independent society for a sum equal to the 990
amount paid in regular class premiums not exceeding eight 991
hundred dollars, and such treasurer shall pay said order; 992~~

~~(B) If the members of such independent society are not all 993
residents of the same county, the auditor of each county in 994
which one or more of such members reside shall draw an order on 995
each of the respective county treasurers for a share of the sum 996
of eight hundred dollars, calculated in proportion to the 997
populations of the respective counties according to the last 998
federal census before such order, but not exceeding the amount 999
paid in regular class premiums, and such treasurers shall pay 1000
such orders from the respective county funds adopted by the 1001
director. 1002~~

~~Sec. 1711.03. Upon the presentation of a certificate from 1003
the board of county commissioners of any county, certifying that 1004
any county or independent agricultural society that is then 1005
receiving state or county aid has expended a definite sum of 1006
money, not less than one hundred dollars, in the furtherance and 1007
carrying on of junior club work in the county, the county 1008
auditor of such county annually shall draw an order on the 1009
county treasurer of such county in favor of said society for an 1010
amount equal to the amount so expended in junior club work, if 1011
said amount does not exceed five hundred dollars; and in case 1012
such amount exceeds five hundred dollars, then such order shall 1013
be for five hundred dollars. Said treasurer shall pay said order 1014
upon presentation thereof. 1015~~

~~In (A) (1) The board of county commissioners of a county, 1016
in which a county or independent agricultural society is located 1017
that receives state or county aid, annually shall appropriate an 1018~~

amount determined by the board for the society's junior club. 1019
The board shall ensure that the amount appropriated is at least 1020
one hundred dollars. The board shall certify the amount 1021
appropriated to the county auditor. 1022

(2) The county auditor shall request the county treasurer 1023
to pay the certified amount to the appropriate county or 1024
independent agricultural society. Upon receipt of the request, 1025
the county treasurer shall pay the requested amount to the 1026
society. 1027

(B) (1) In any county in which there is no agricultural 1028
society, either county or independent, that is then receiving 1029
state or county aid, the board of county commissioners of said 1030
the county annually may appropriate annually to any such 1031
society, either county or independent, located in an adjoining 1032
county, a sum not greater than five hundred dollars an amount of 1033
money for the purpose of encouraging junior club work in the 1034
county having no such society. Upon certification by the board 1035
of county commissioners of the county having no such society to 1036
the auditor of the county having no such society that such an 1037
appropriation has been made to an agricultural society in an 1038
adjoining county, said The board shall certify the amount 1039
appropriated to the county auditor. 1040

(2) The county auditor shall draw an order on request the 1041
county treasurer of the county having no such society in favor 1042
of such society in the adjoining county and said treasurer shall 1043
to pay said order upon presentation thereof the certified amount 1044
to the appropriate county or independent agricultural society. 1045
Upon receipt of the request, the county treasurer shall pay the 1046
requested amount to the society. 1047

Sec. 1711.05. Every county agricultural society annually 1048

shall ~~publish~~ do all of the following: 1049

~~an abstract of its treasurer's account in a newspaper of
general circulation in the county and make~~ 1050
1051

(A) Make a report of its proceedings during the year. ~~It
shall also make;~~ 1052
1053

(B) File a financial report, in accordance with ~~the rules
of the department section 117.38 of agriculture, a synopsis of
its awards for improvement in agriculture and in household
manufactures the Revised Code and forward such synopsis it to
the director of agriculture at or before the annual meeting of
the directors of the society with the director of agriculture,
as provided for in section 901.06-1711.06 of the Revised Code.
No payment after such date shall be made from the county
treasury to such society unless a certificate from the director
is presented to the county auditor showing that such reports
have the report has been made;~~ 1054
1055
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(C) Publish an announcement in either a newspaper of
general circulation in the county or on the society's web site
for not less than two weeks that contains all of the following: 1065
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1067

(1) A statement indicating that the annual financial
report has been filed in accordance with division (B) of this
section; 1068
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(2) A statement indicating that any person who wishes to
obtain a copy of the report may contact the treasurer of the
society; 1071
1072
1073

(3) The treasurer of the society's contact information
that a person may use to obtain a copy of the report. 1074
1075

Sec. 901.06 1711.06. (A) Prior to the first day of 1076

December of each year, the director of agriculture shall set a 1077
date in January of the following year, on which the director 1078
shall meet with the presidents or other authorized delegates of 1079
agricultural societies which conduct fairs in compliance with 1080
~~sections 1711.01 to 1711.35, inclusive, of the Revised Code,~~this 1081
chapter and regulations of the department of agriculture. At 1082
such meeting the director shall consult with such presidents and 1083
delegates about the wants, prospects, and conditions of 1084
agricultural societies throughout the state. 1085

(B) Each society shall prepare and deliver its ~~an~~ annual 1086
report to the director at or before each meeting required by 1087
division (A) of this section. 1088

(C) The director shall do both of the following: 1089

(1) Notify the president and the secretary of each ~~such~~ 1090
society of the date of ~~such the annual meeting not less than at~~ 1091
least thirty days prior to the meeting; 1092

(2) Adopt ~~regulations which~~ rules in accordance with 1093
Chapter 119. of the Revised Code that provide for both of the 1094
following: 1095

(a) A uniform method for the election of the directors and 1096
officers of all agricultural societies ~~which that~~ receive any 1097
support out of the state or county treasuries, except the date 1098
for holding ~~such the~~ election; 1099

(b) ~~General Any other rules under which such societies~~ 1100
~~shall be conducted that the director determines are necessary to~~ 1101
carry out this chapter. 1102

(D) Except for section 1711.11 of the Revised Code, 1103
references made in this chapter to rules adopted by the director 1104
mean rules adopted under division (C) of this section. 1105

Sec. 1711.07. (A) The board of directors of a county or 1106
independent agricultural society shall consist of at least eight 1107
members. An employee of the OSU extension ~~and the county school-~~ 1108
~~superintendent shall be members ex officio~~ serve with the board 1109
as a nonvoting member. ~~Their~~ The director of agriculture shall 1110
determine the terms of office ~~shall be determined by the~~ for 1111
members of the board in accordance with rules of the department- 1112
adopted by the director of agriculture. ~~Any-~~ 1113

(B) The board may fill any vacancy in ~~on~~ the board caused 1114
by death, resignation, refusal to qualify, removal from county, 1115
or other cause ~~may be filled by the board until the society's~~ 1116
next annual election, ~~when~~. At that election, a new director 1117
shall be elected for the unexpired term. ~~There-~~ 1118

(C) (1) There shall be an annual election of directors by 1119
ballot at a time and a place fixed by the board, ~~but this~~. The 1120
election shall ~~not be held later than the first Saturday in~~ 1121
~~December 1994, and not later than by~~ the fifteenth day of 1122
November each year ~~thereafter, beginning in 1995.~~ ~~The-~~ 1123

(2) The secretary of the society shall give notice of the 1124
election, for three weeks prior to the ~~holding thereof~~ election, 1125
~~in~~ by doing one of the following: 1126

(a) Publishing the notice in a newspaper of general 1127
circulation in the county or as provided in section 7.16 of the 1128
Revised Code, ~~or by letter mailed;~~ 1129

(b) Mailing the notice to each member of the society; 1130

(c) Publishing the notice on the society's web site. ~~Only-~~ 1131

(D) Only the following persons holding ~~may vote in an~~ 1132
election held in accordance with this section: 1133

(1) Those who hold membership certificates at the close of 1134
the annual county fair, or at least fifteen calendar days before 1135
the date of election, as may be fixed by the board, ~~may vote,~~ 1136
~~unless the election is held on the fairground during the fair,~~ 1137
~~in which case all persons holding;~~ 1138

(2) Those who hold membership certificates on the date and 1139
hour of the election ~~may vote~~ if the election is held on the 1140
fairground during the fair. When the election is to be held 1141
during the fair, notice of the election also shall be 1142
prominently mentioned in the premium list, ~~in addition to the~~ 1143
~~notice required in a newspaper. The~~ 1144

(E) The terms of office of the retiring directors shall 1145
expire, and those of the directors-elect shall begin, not later 1146
than the ~~first Saturday in January 1995,~~ and not later than the 1147
thirtieth day of November each year ~~thereafter, beginning in~~ 1148
~~1995.~~ 1149

(F) The secretary of the society shall send the name and 1150
~~address of each member of its board to the director of~~ 1151
~~agriculture,~~ within ten days after the election, both of the 1152
following to the director: 1153

(1) The name and address of each member of its board; 1154

(2) A copy of the document containing the member's 1155
signature verifying that the member voted in the election. 1156

(G) A candidate for director shall not count or record 1157
votes in any election conducted in accordance with this section. 1158

Sec. 1711.071. The treasurer of a county or independent 1159
agricultural society, or a person under the supervision of the 1160
treasurer, shall collect, account for, record, deposit, and 1161
disburse all funds of the society. 1162

Sec. 1711.08. (A) The board of directors of a county or 1163
independent agricultural society shall annually meet not later 1164
than ~~the first Saturday of January 1995, and beginning in 1995~~ 1165
~~not later than~~ the thirtieth day of November, ~~and at~~. At such 1166
meeting, the board shall elect a president, a vice-president, a 1167
treasurer, a secretary, and such other officers as it may deem 1168
proper. ~~The~~ 1169

(B) The president, the vice-president, and the treasurer 1170
shall serve one year, and the secretary not more than three 1171
years as the board may determine, and until their successors are 1172
elected and qualified. The president and the vice-president 1173
shall be directors. The secretary and the treasurer may ~~or may~~ 1174
~~not~~ be directors. Before election of officers the newly elected 1175
directors shall qualify by taking oath or affirmation before a 1176
competent authority, and in electing officers the board shall 1177
conform to the rules ~~of the department~~ adopted by the director 1178
of agriculture. 1179

Sec. 1711.09. (A) Except as otherwise provided in this 1180
section, county agricultural societies, independent agricultural 1181
societies, and the Ohio expositions commission shall not permit 1182
during any fair, or for one week before or three days after any 1183
fair, any dealing in spirituous liquors, or at any time allow or 1184
tolerate immoral shows, lottery devices, games of chance, or 1185
gambling of any kind, including pool selling and paddle wheels, 1186
anywhere on the fairground; ~~and shall~~. 1187

(B) A county or independent agricultural society or the 1188
Ohio expositions commission shall not permit ~~no~~ a person at any 1189
time to operate any side show, amusement, game, or device, or 1190
offer for sale any novelty by auction or solicitation, on the 1191
fairground who has not first obtained from the director of 1192

agriculture a license under section 1711.11 of the Revised Code. 1193

~~This~~ 1194

(C) This section does not prohibit the sale of lottery 1195
tickets by the state lottery commission pursuant to Chapter 1196
3770. of the Revised Code at the state fairground during the 1197
state fair. In addition, a county or independent agricultural 1198
society may permit, at any time except during a fair or for one 1199
week before or three days after a fair, a charitable 1200
organization to conduct in accordance with Chapter 2915. of the 1201
Revised Code games of chance or bingo on the fairground of any 1202
county. A charitable organization may lease all or part of the 1203
fairground from the agricultural society for that purpose. 1204

(D) Any sales of intoxicating liquor transacted on the 1205
fairground ~~shall be~~ is subject to Chapters 4301., 4303., and 1206
4399. of the Revised Code. 1207

~~Any agricultural society that permits the sale of~~ 1208
~~intoxicating liquor on its fairground shall apply any proceeds~~ 1209
~~gained by the society from the permit holder and from activities~~ 1210
~~coincident to the sale of intoxicating liquor first to pay the~~ 1211
~~cost of insurance on all buildings on the fairground, and then~~ 1212
~~for any other purpose authorized by law.~~ 1213

Sec. 1711.091. (A) Any member of a county or independent 1214
agricultural society may sell seasonal tickets or passes for the 1215
society's annual exhibition. The sale of such tickets or passes 1216
need not be conducted on the premises of the fairgrounds. 1217

(B) Any person may sell tickets for fundraisers held by a 1218
county or independent agricultural society, or for the benefit 1219
of the society, during the society's annual exhibition. The 1220
treasurer of the society shall transfer any funds generated from 1221

such ticket sales to the county treasurer for deposit in an 1222
appropriate fund used by or for the benefit of the society. 1223

Sec. 1711.11. (A) No person shall operate any concession 1224
at any fair or exposition conducted by a county or independent 1225
agricultural society or by the Ohio expositions commission 1226
without first obtaining from the director of agriculture a 1227
license to do so under division (B) of this section, nor shall 1228
any officer, agent, or employee of a county or independent 1229
agricultural society or of the Ohio expositions commission grant 1230
a privilege or concession to any person to do so, unless the 1231
person holds a license. 1232

For the purposes of this section, "concession" means any 1233
show, amusement other than an amusement ride as defined in 1234
section ~~1711.50~~993.01 of the Revised Code, game, or novelty 1235
stand operation at a fair or exposition, but does not include 1236
food or drink operations. 1237

(B) ~~A~~The director shall issue a license shall be issued 1238
~~by the director~~ only upon a written application containing a 1239
detailed description of the concession. ~~Blank~~The director shall 1240
prepare and furnish blank applications for licenses shall be 1241
~~prepared and furnished by the director.~~ 1242

(C) ~~No~~The director shall not issue a license shall be 1243
~~issued~~ until the applicant has paid a fee of seventy dollars to 1244
the director, ~~except that no~~. However, the director shall not 1245
collect a fee shall be collected from a nonprofit organizations 1246
~~which are organization that is~~ recorded as such by the secretary 1247
of state or with the internal revenue service. The director 1248
shall pay the fee into the state treasury to the credit of the 1249
amusement ride inspection fund established by section ~~1711.53~~ 1250
993.04 of the Revised Code. 1251

(D) ~~A~~ The director shall include on a license issued under 1252
this section ~~shall contain~~ a detailed description of the 1253
concession licensed, ~~shall expire~~. A license expires on the 1254
thirty-first day of December following the date of issue, ~~and~~. 1255
A licensee shall be kept by the licensee keep the license in a 1256
conspicuous place where the licensee's concession is in 1257
operation. 1258

(E) (1) The director shall employ and provide training for 1259
a chief inspector and additional inspectors and employees as 1260
necessary to administer and enforce this section. The director 1261
may appoint or contract with other persons to perform 1262
inspections of concessions, provided that the persons meet the 1263
qualifications for inspectors established by rules adopted under 1264
division (G) of this section and are not owners or employees of 1265
owners of any concession subject to inspection under this 1266
section. No person shall inspect a concession who, within six 1267
months prior to the date of inspection, was an employee of the 1268
owner of the concession. 1269

(2) Before the director contracts with other persons to 1270
inspect concessions, the director shall seek the advice of the 1271
advisory council on amusement ride safety on whether to contract 1272
with those persons. The advice ~~shall is not be~~ binding upon the 1273
director. After ~~having received~~ receiving the advice of the 1274
council, the director may proceed to contract for amusement ride 1275
inspectors and award the contract to the lowest responsive and 1276
responsible bidder in accordance with section 9.312 of the 1277
Revised Code. In order to determine the lowest responsive and 1278
responsible bid, the director, with the advice of the council, 1279
shall adopt rules governing the terms of the contract between 1280
the department of agriculture and the inspector. The rules shall 1281
prescribe the training and work experience required of an 1282

inspector, any insurance or bonds required of an inspector, and 1283
all the services the inspector will be required to perform on 1284
behalf of the department in an efficient professional manner. 1285

(F) This section does not require the officers of any 1286
county or independent agricultural society or of the Ohio 1287
expositions commission to grant any privilege or concession to 1288
any licensee. 1289

(G) The director shall enforce this section and, in 1290
accordance with Chapter 119. of the Revised Code, adopt all 1291
rules that are necessary for its enforcement. If the director 1292
finds that this section has been violated or that the licensee 1293
has been dishonest or has been fraudulent in dealings with the 1294
public, the director, in accordance with Chapter 119. of the 1295
Revised Code, shall revoke the licensee's license or fine the 1296
licensee not more than one thousand dollars, or both. The 1297
director, for a period not exceeding two years from the date of 1298
revocation, may refuse to issue another license to a person for 1299
a concession for which the person's license has been revoked. 1300
Notwithstanding section 119.12 of the Revised Code, all appeals 1301
from any fine by, or order of, the director shall be to the 1302
court of common pleas of the county where the place of business 1303
of the person is located or to the common pleas court of the 1304
county in which the person is a resident or in which the 1305
concession is located. 1306

(H) Any person holding a license issued under this section 1307
who permits or tolerates at any place on the fairground where 1308
the person's concession is in operation, any immoral show, 1309
lottery device, game of chance, or gambling of any kind, 1310
including pool selling and paddle wheels, or who violates the 1311
terms of the license issued to the person, shall forfeit the 1312

license, and the director shall not issue any other license to 1313
the person until after a period of two years from the 1314
forfeiture. For the purposes of this division, "lottery device," 1315
"game of chance," and "gambling of any kind" do not include the 1316
sale of lottery tickets by the state lottery commission pursuant 1317
to Chapter 3770. of the Revised Code at the state fairground 1318
during the state fair. For the purposes of this section and 1319
section 1711.09 of the Revised Code, contests, games, 1320
tournaments, and other activities, the outcome of which is 1321
predominantly determined by the skill of the contestants, 1322
participants, or players, whether or not the contestants, 1323
participants, or players pay a price for the opportunity to win 1324
a prize, do not constitute a game of chance or gambling within 1325
the meaning, purpose, and intent of this section and section 1326
1711.09 of the Revised Code or sections 2915.01 to 2915.04 of 1327
the Revised Code. The foregoing definition does not apply where 1328
the contest, game, tournament, or other activity contains or 1329
includes any mechanical or physical device which directly or 1330
indirectly impedes, impairs, or thwarts the skill of the 1331
contestant, participant, or player. 1332

Sec. 1711.13. County agricultural societies are hereby 1333
declared bodies corporate and politic, and as such they ~~shall be~~ 1334
are capable of suing and being sued and of holding in fee simple 1335
any real estate purchased by them as sites for their fairs. In 1336
addition, they may do either or both of the following: 1337

(A) Mortgage their grounds for the purpose of renewing or 1338
extending pre-existing debts, and for the purpose of furnishing 1339
money to purchase additional land, but if the board of county 1340
commissioners has caused money to be paid out of the county 1341
treasury to aid in the purchase of the grounds, no mortgage 1342
shall be given without the consent of the board. 1343

Deeds, conveyances, and agreements in writing, made to and 1344
by such societies, for the purchase of real estate as sites for 1345
their fairs, shall vest a title in fee simple to the real estate 1346
described in those documents, without words of inheritance. 1347

(B) ~~Enter~~ Subject to section 1711.33 of the Revised Code, 1348
enter into agreements to obtain loans and credit for expenses 1349
related to the purposes of the county agricultural society, 1350
provided that the agreements are in writing and are first 1351
approved by the board of directors of the society. The total ~~net~~ 1352
~~indebtedness~~ annual payments for debt obligation incurred by a 1353
county agricultural society pursuant to this division shall not 1354
exceed an amount equal to twenty-five per cent of its prior 1355
three-year average of annual revenues. 1356

Sec. 1711.22. (A) (1) When a county or a county 1357
agricultural society owns or holds under a lease real estate 1358
used as a fairground, and such society has the control and 1359
management of such lands and buildings, the board of county 1360
commissioners shall, on the request of such society, annually 1361
appropriate from the general fund not ~~more than two thousand~~ 1362
~~dollars nor~~ less than fifteen hundred dollars for the purpose of 1363
encouraging agricultural fairs. 1364

(2) In any county in which there is located one or more 1365
independent agricultural societies, the board, for the purpose 1366
of encouraging such societies, may appropriate, in addition to 1367
the sum appropriated for the county agricultural society, a sum 1368
not greater than the amount appropriated for the county society. 1369

(B) In a county in which there is no county agricultural 1370
society, or in which there is no fair held by such a society, 1371
but in which there exists an independent agricultural society 1372
~~that has held an annual exposition in each of three years~~ 1373

~~previous to January 1, 1933,~~ the board shall, on the request of 1374
the independent agricultural society, annually appropriate from 1375
the general fund not ~~more than two thousand nor less than five-~~ 1376
fifteen hundred dollars for the purpose of encouraging such 1377
independent agricultural fairs. 1378

(C) No board shall appropriate money as provided by this 1379
section unless the director of agriculture has certified to the 1380
board that the county or independent agricultural society is 1381
complying with all laws, rules and regulations governing the 1382
operation of county or independent agricultural societies. 1383

~~An appropriation so made shall be paid by the~~ (D) The 1384
county treasurer shall pay any money appropriated in accordance 1385
with this section to the treasurer of the society for whose use 1386
it was made, upon an order issued from the county auditor ~~issued~~ 1387
~~therefor.~~ 1388

Sec. 1711.26. ~~When the premises in the possession or under~~ 1389
~~the control of a county or independent agricultural society and~~ 1390
~~used by it as a site on which to hold annual exhibitions are~~ 1391
~~greater in size than is necessary for the purposes to which they~~ 1392
~~are devoted, or are not suitable in their formation or character~~ 1393
~~for such purposes, such society, or, if the title to such~~ 1394
~~premises is in the county, the board of county commissioners,~~ 1395
(A) A county agricultural society or independent agricultural 1396
society may sell any part thereof, of the premises that are used 1397
by the society as a site on which to hold annual exhibitions or 1398
exchange any part thereof for other lands, ~~so as to reduce the~~ 1399
~~size of such premises or change their formation or character~~ if 1400
such premises are in the possession or under the control of the 1401
society and either of the following apply: 1402

(1) The premises are greater in size than is necessary for 1403

the purposes to which they are devoted. 1404

(2) The premises are not suitable in their formation or 1405
character for the purposes to which they are devoted. 1406

(B) If the title to the premises described in division (A) 1407
of this section is held by the county, the board of county 1408
commissioners may sell any part of the premises or exchange any 1409
part thereof for other lands if division (A) (1) or (2) of this 1410
section applies. The board shall notify the applicable society 1411
of its intention to make such a sale or exchange. The board 1412
shall provide the notice in writing fourteen days prior to the 1413
sale or exchange. 1414

Sec. 1711.33. (A) When a board of county commissioners 1415
pays or has paid money out of the county treasury for the 1416
purchase of real estate as a site for the holding of fairs by a 1417
county agricultural society, the society shall not ~~encumber such~~ 1418
~~real estate with~~ incur any debt, by mortgage or otherwise, 1419
without the consent of the board, entered upon its journal. 1420

~~When such~~ (B) With respect to real estate debt for which 1421
consent is obtained under division (A) of this section, ~~the a~~ 1422
society may encumber such real estate, in order to pay the cost 1423
of necessary repairs and improvements thereon, up to an amount 1424
not exceeding fifty per cent of its value. In order to ascertain 1425
the value of such real estate the board shall appoint three 1426
disinterested freeholders who are residents of the county to 1427
appraise such real estate. The appraisers so appointed shall, 1428
within ten days after their appointment, upon actual view of 1429
such real estate, appraise it and return such appraisement under 1430
oath to the board. The appraisement so made shall be considered 1431
the value of such real estate for the purpose of mortgage or 1432
other encumbrance. 1433

Sec. 1711.99. (A) Whoever violates section 1711.11 of the Revised Code shall be fined not less than one hundred nor more than five hundred dollars. 1434
1435
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(B) Whoever violates section 1711.12 of the Revised Code shall be fined not less than ten nor more than fifty dollars. 1437
1438

~~(C) Whoever violates section 1711.551 of the Revised Code is guilty of a minor misdemeanor; on each subsequent offense such person is guilty of a misdemeanor of the fourth degree.~~ 1439
1440
1441

Sec. 3749.01. As used in sections 3749.01 to 3749.10 of the Revised Code: 1442
1443

(A) "Board of health" means a city board of health or a general health district, or an authority having the duties of a city board of health as authorized by section 3709.05 of the Revised Code. 1444
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1446
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(B) "Health district" means any city or general health district created pursuant to section 3709.01 of the Revised Code. 1448
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1450

(C) "Person" means the state, any political subdivision, special district, public or private corporation, individual, firm, partnership, association, or any other entity. 1451
1452
1453

(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. 1454
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(E) "Director" means the director of ~~the department of~~ health or his an authorized representative of the director of health. 1459
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1461

(F) "Private residential swimming pool" means any indoor 1462
or outdoor structure, chamber, or tank containing a body of 1463
water for swimming, diving, or bathing located at a dwelling 1464
housing no more than three families and used exclusively by the 1465
residents and their nonpaying guests. 1466

(G) "Public swimming pool" means any indoor or outdoor 1467
structure, chamber, or tank containing a body of water for 1468
swimming, diving, or bathing that is intended to be used 1469
collectively for swimming, diving, or bathing and is operated by 1470
any person whether as the owner, lessee, operator, licensee, or 1471
concessionaire, regardless of whether or not a fee is charged 1472
for use, but does not mean any public bathing area or private 1473
residential swimming pool. 1474

(H) "Public spa" means any public swimming pool that is 1475
typically operated as a smaller, higher temperature pool for 1476
recreational or nonmedical uses. 1477

(I) "Special use pool" means a public swimming pool 1478
containing flume slides, wave generating equipment, or other 1479
special features that necessitate different design and safety 1480
requirements. "Special use pool" does not include any water 1481
slide or wave generating pool at a public amusement area which 1482
is licensed and inspected by the department of agriculture 1483
pursuant to ~~sections 1711.50 to 1711.57~~ Chapter 993. of the 1484
Revised Code. 1485

(J) "Public bathing area" means an impounding reservoir, 1486
basin, lake, pond, creek, river, or other similar natural body 1487
of water. 1488

Sec. 3769.082. (A) There is hereby created in the state 1489
treasury the Ohio fairs fund. ~~Moneys to the credit of The~~ 1490

~~director of agriculture shall distribute money in the fund shall~~ 1491
~~be distributed by the director of agriculture annually, on or~~ 1492
before the first day of March, as follows: 1493

(1) To each county agricultural society and to each 1494
independent agricultural society conducting an annual fair, 1495
twelve per cent of the total ~~moneys~~ money in the Ohio fairs 1496
fund, to be allocated for general operations; 1497

(2) To the Ohio expositions commission, the sum of one 1498
hundred twenty thousand dollars annually, to be divided equally 1499
as purse money among four stake races for two-year-old and 1500
three-year-old colts and for four stake races for two-year-old 1501
and three-year-old fillies at each gait of trotting and pacing; 1502
provided, that five thousand dollars and all entry fees shall be 1503
added to each race by the Ohio expositions commission. 1504

~~If the races in this division cannot be contested due to~~ 1505
~~unfavorable weather or other unavoidable cause, the races may be~~ 1506
~~transferred to a suitable track approved by the director of~~ 1507
~~agriculture and the Ohio exposition commission.~~ 1508

(3) To each county agricultural society and each 1509
independent agricultural society conducting horse races during 1510
~~their~~ its annual fair, the sum of four thousand dollars, to be 1511
used as purse money for horse races in accordance with this 1512
section, and the additional sum of one thousand dollars to each 1513
such county agricultural society and independent agricultural 1514
society to be used for race track maintenance and other expenses 1515
necessary for the conduct of such horse races or colt stakes. 1516

A grant of four thousand dollars shall be available to 1517
each county or independent agricultural society for the conduct 1518
of four stake races for two-year-old and three-year-old colts 1519

and for four stake races for two-year-old and three-year-old fillies at each gait of trotting and pacing; provided, that at least five hundred dollars shall be added to each race. Exclusive of entrance fees and the excess ~~moneys~~ money provided in division (A) (4) of this section from the grant of four thousand dollars for purse money provided in this division, a sum not to exceed three thousand dollars may be used by a society to reach the required purse for each of the eight stake races. Such stake races shall be distributed as evenly as possible throughout the racing season.

(4) In the event that the ~~moneys~~ money available on the first day of March of any year are less than that required to carry out divisions (A) (1), (2), and (3) of this section, the ~~moneys~~ money so available in the Ohio fairs fund shall be prorated equally to the items set forth in such divisions. In the event that the ~~moneys~~ money available on the first day of March of any year are in excess of that required to carry out divisions (A) (1), (2), and (3) of this section, such excess shall be distributed equally to those county agricultural societies and independent agricultural societies conducting stake races, such excess to be added to the stake races conducted under division (A) (3) of this section. The balance of such excess shall be distributed to provide four per cent of such excess to the Ohio expositions commission to be added to the purses pursuant to division (A) (2) of this section, and the balance shall be distributed to the county and independent agricultural societies conducting stake races, such excess to be added to and divided equally among the stake races conducted under division (A) (3) of this section.

(B) County agricultural societies and independent agricultural societies participating under division (A) (3) of

this section shall, on or before the first day of November in 1551
the year immediately preceding the year in which the ~~moneys~~ 1552
money are to be distributed, make application for participation 1553
in such distribution to the director of agriculture on forms 1554
provided by the director. 1555

(C) Distribution of ~~moneys~~money pursuant to division (A) 1556
(3) of this section shall not be paid to county agricultural 1557
societies and independent agricultural societies that conduct on 1558
their race courses automobile or motorcycle races during any 1559
year for which such distribution is requested, unless such 1560
automobile or motorcycle races are not conducted during the days 1561
and nights that horse racing is being conducted at such fair. 1562

(D) All the foals in stake races conducted for two-year- 1563
old and three-year-old colts and fillies under this section 1564
shall have been sired by a stallion registered with the state 1565
racing commission. To be eligible for registration, a stallion 1566
shall be one of the following: 1567

(1) Owned by a resident of Ohio and regularly standing the 1568
entire stud season in Ohio; 1569

(2) Owned by a resident of a state other than Ohio but 1570
regularly standing the entire stud season in Ohio and leased by 1571
a resident of Ohio for a term of not less than ten years; 1572

(3) Owned jointly by a resident of a state other than Ohio 1573
and a resident of Ohio, regularly standing the entire stud 1574
season in Ohio, and leased by a resident of Ohio for a term of 1575
not less than ten years. 1576

Each race shall be conditioned to admit only registered 1577
two-year-old and three-year-old colts and fillies sired by a 1578
registered stallion owned or leased and permanently standing for 1579

service at and within this state at the time of the foal's 1580
conception. All other conditions for the scheduling and conduct 1581
of these races shall be approved by the state racing commission. 1582
The races shall be scheduled subject to the right of the 1583
commission to prevent conflicts in the event of contemporaneous 1584
meetings. 1585

Such stake races shall be open for nomination not earlier 1586
than the fifteenth day of February in the year the race is to be 1587
held. All entrance fees in such events shall be added to the 1588
~~moneys~~ money distributed under this section as purse money. 1589

(E) The state racing commission shall make unannounced 1590
periodic urine, saliva, or blood tests of horses competing in 1591
the events raced under this section. 1592

(F) The director of agriculture shall provide forms for 1593
application for distribution under division (A) (3) of this 1594
section, shall adopt such rules as are necessary for carrying 1595
out this section, and may make such investigations as are 1596
necessary to determine the validity of any claims and 1597
applications for distribution of ~~moneys~~ money under this 1598
section. 1599

(G) Any county agricultural society or independent 1600
agricultural society which uses the ~~moneys~~ money distributed 1601
under this section for any purpose other than that provided in 1602
this section is not eligible to receive distribution from the 1603
Ohio fairs fund for a period of two years after such misuse of 1604
such ~~moneys~~ money occurs. 1605

(H) As used in this section, "horse races" and "stake 1606
races" include either harness races or running races. 1607

Sec. 3769.086. (A) If a county agricultural society or 1608

independent agricultural society is unable to conduct races in 1609
accordance with section 3769.082 of the Revised Code because of 1610
unfavorable weather or another cause or if the number of horse 1611
races and stake races that are conducted by an agricultural 1612
society is fewer than the number that was scheduled to be 1613
conducted, the pro rata remainder of the money distributed from 1614
the Ohio fairs fund under division (A) (3) of section 3769.082 of 1615
the Revised Code for each horse race and stake race not 1616
conducted shall be returned to the director to be credited to 1617
the fund. 1618

(B) If a county agricultural society or independent 1619
agricultural society is unable to conduct an annual fair, the 1620
society shall return the money distributed by the director in 1621
accordance with division (A) (1) of section 3769.082 of the 1622
Revised Code. However, the society may keep such money if the 1623
society cancels the annual fair because of unfavorable weather 1624
or another cause, provided that the society still conducts live 1625
horse racing. 1626

(C) If the Ohio expositions commission is unable to 1627
conduct an annual fair, the commission shall return the money 1628
distributed by the director in accordance with division (A) (2) 1629
of section 3769.082 of the Revised Code. However, the commission 1630
may keep such money if the society cancels the annual fair 1631
because of unfavorable weather or another cause, provided that 1632
the commission still conducts live horse racing. 1633

Sec. 3769.0811. ~~Horse~~ (A) (1) Except as provided in 1634
division(A) (2) of this section, horse races that are conducted 1635
by a county agricultural society or independent agricultural 1636
society in accordance with section 3769.082 of the Revised Code 1637
shall be conducted at the fairgrounds of the sponsoring 1638

agricultural society or, with the approval of the director of 1639
agriculture, at a track designated by the agricultural society 1640
in the applicable county. ~~If The horse races may be transferred~~ 1641
~~to a suitable track with the approval of the director if the~~ 1642
~~horse races cannot be contested due to unfavorable either of the~~ 1643
~~following:~~ 1644

~~(a) Unfavorable weather or another;~~ 1645

~~(b) Another cause, the races may be transferred to a 1646
suitable track with the approval of the director. 1647~~

~~If a county agricultural society or independent 1648
agricultural society is unable to conduct races in accordance 1649
with section 3769.082 of the Revised Code because of unfavorable 1650
weather or another cause or if the number of horse races and 1651
stake races that are conducted by an agricultural society is 1652
fewer than the number that was scheduled to be conducted, the 1653
pro rata remainder of the money distributed from the Ohio fairs- 1654
fund created in section 3769.082 of the Revised Code for each 1655
horse race and stake race not conducted shall be returned to the 1656
director to be credited to the fund. 1657~~

~~(2) If the cause specified in division (A)(1)(b) of this 1658
section occurs during a state of emergency declared by the 1659
governor, or receipt of the director's approval is not 1660
practical, the county or independent agricultural society and 1661
the Ohio harness horsemen's association may agree to alternate 1662
accommodations, including the rescheduling of the dates and 1663
location of any horse race. Such an agreement is not subject to 1664
the approval of the director. 1665~~

~~(B)(1) Except as provided in division (B)(2) of this 1666
section, if the races specified in division (A)(2) of section 1667~~

3769.082 of the Revised Code cannot be contested by the Ohio 1668
expositions commission due to unfavorable weather or other 1669
unavoidable cause, the races may be transferred to a suitable 1670
track approved by the director of agriculture and the 1671
commission. 1672

(2) If the unavoidable cause occurs during a state of 1673
emergency declared by the governor, or receipt of the director's 1674
approval is not practical, the Ohio expositions commission and 1675
the Ohio harness horsemen's association may agree to alternative 1676
accommodations, including the rescheduling of the dates and 1677
location of any horse race. Such an agreement is not subject to 1678
the approval of the director. 1679

Sec. 5709.10. Market houses and other houses or halls, 1680
public squares, or other public grounds of a municipal 1681
corporation or township used exclusively for public purposes or 1682
erected by taxation for such purposes, land and multi-level 1683
parking structures used exclusively for a public purpose and 1684
owned and operated by a municipal corporation under section 1685
717.05 of the Revised Code or by an urban township that has 1686
adopted a limited home rule form of government under section 1687
504.02 of the Revised Code that charges no fee for the privilege 1688
of parking thereon, property used as a county fairgrounds that 1689
is owned by the board of county commissioners ~~or~~, property owned 1690
by a county agricultural society that is used in furtherance of 1691
the purposes of the society, and property of housing authorities 1692
created and organized under and for the purposes of sections 1693
3735.27 to 3735.50 of the Revised Code, which property is hereby 1694
declared to be public property used exclusively for a public 1695
purpose, notwithstanding that parts thereof may be lawfully 1696
leased, shall be exempt from taxation. 1697

Sec. 6119.092. (A) Except as provided in division (B) or (C) of this section, the board of trustees of a regional water and sewer district shall not charge rentals, assessments, or any other fees to real property exempt from taxation under section 5709.10 of the Revised Code that is owned by a county agricultural society. 1698
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(B) This section does not exempt county agricultural societies from paying water usage bills and sewer usage bills. 1704
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(C) Division (A) and (B) of this section does not apply to real property over two hundred fifty acres that is owned by a county agricultural society until one year after the effective date of this section. 1706
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Section 2. That existing sections 901.06, 901.71, 901.74, 1711.01, 1711.02, 1711.03, 1711.05, 1711.07, 1711.08, 1711.09, 1711.11, 1711.13, 1711.22, 1711.26, 1711.33, 1711.50, 1711.51, 1711.52, 1711.53, 1711.531, 1711.532, 1711.533, 1711.534, 1711.54, 1711.55, 1711.551, 1711.552, 1711.56, 1711.57, 1711.99, 3749.01, 3769.082, 3769.0811, and 5709.10 of the Revised Code are hereby repealed. 1710
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Section 3. That sections 755.35, 755.36, 755.37, 901.07, and 1711.06 of the Revised Code are hereby repealed. 1717
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Section 4. During the period of time between the effective date of this section and December 1, 2020, all of the following apply: 1719
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(A) Notwithstanding section 1711.31 of the Revised Code or any other provision of law to the contrary, an agricultural society retains control and management of the land occupied by the agricultural society if an annual fair is not able to be held. 1722
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(B) Notwithstanding such Executive Order, section 3701.13 1727
of the Revised Code, or any other provision of law to the 1728
contrary, any amusement park or water park in this state that 1729
operates amusement rides as defined in section 993.01 of the 1730
Revised Code may open and begin operation beginning on the 1731
effective date of this section. The Director of Agriculture, in 1732
consultation with the Director of Health, shall establish 1733
standards and guidelines to limit the spread of infectious 1734
disease at such amusement parks and water parks. The owners of 1735
an amusement park and the owners of a water park shall ensure 1736
compliance with the standards and guidelines. 1737