

**As Reported by the House Agriculture and Rural Development Committee**

**133rd General Assembly**

**Regular Session**

**2019-2020**

**Sub. H. B. No. 665**

**Representatives Jones, Wilkin**

**Cosponsors: Representatives Smith, T., Baldrige, Stoltzfus**

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**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
<b>Sec. <del>1711.51</del> 993.02.</b> (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 <del>7.</del>	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 <del>the effective date of this amendment</del> <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

485

	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. 486  
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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 488  
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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  
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(1) Rides that do not require electrical current; 653

(2) Rides that the director exempts in rules the director adopts. 654  
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(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  
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(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 an annual membership fee in an amount fixed by each society or its board of directors. The member shall pay the fee to the society's secretary or treasurer as the society's bylaws direct. 902  
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904  
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(2) A county agricultural society shall issue a printed certificate of membership to each member who pays the required fee. The society shall issue the certificates from a book in which duplicate stubs of the certificates are properly filled out. The society shall keep each stub for not less than five years after the date on which the corresponding certificate is issued. The society shall ensure that all certificates are numbered consecutively. 906  
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(E) No person shall pay for or secure more than one membership. No person shall secure a membership for any other person. 914  
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(F) A society shall keep a list of the members of the society in the office of the society secretary. The society shall make the list available for public inspection upon request. 917  
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(G) (1) The county auditor of ~~a~~ the county in which a county agricultural society has been created shall request the county treasurer to transfer sixteen hundred dollars to the society each year. The county treasurer shall transfer the money if all of the following have occurred: 921  
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923  
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(a) The society has held an annual exhibition in accordance with sections 1711.04 and 1711.05 of the Revised Code. 926  
927  
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(b) The society has made a report to the director of agriculture in accordance with section 1711.06 of the Revised 929  
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~~ 1050  
~~general circulation in the county and make~~ 1051

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

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

(C) Publish an announcement in either a newspaper of 1065  
general circulation in the county or on the society's web site 1066  
for not less than two weeks that contains all of the following: 1067

(1) A statement indicating that the annual financial 1068  
report has been filed in accordance with division (B) of this 1069  
section; 1070

(2) A statement indicating that any person who wishes to 1071  
obtain a copy of the report may contact the treasurer of the 1072  
society; 1073

(3) The treasurer of the society's contact information 1074  
that a person may use to obtain a copy of the report. 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 independent agricultural society shall annually meet not later than ~~the first Saturday of January 1995, and beginning in 1995~~ not later than the thirtieth day of November, ~~and at~~. At such meeting, the board shall elect a president, a vice-president, a treasurer, a secretary, and such other officers as it may deem proper. ~~The~~

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

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

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

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.

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

~~(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.~~

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

(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.

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

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

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

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

(F) "Private residential swimming pool" means any indoor 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 expositions commission due to unfavorable weather or other unavoidable cause, the races may be transferred to a suitable track approved by the director of agriculture and the commission. 1668  
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(2) If the unavoidable cause occurs during a state of emergency declared by the governor, or receipt of the director's approval is not practical, the Ohio expositions commission and the Ohio harness horsemen's association may agree to alternative accommodations, including the rescheduling of the dates and location of any horse race. Such an agreement is not subject to the approval of the director. 1673  
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**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) 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.

(B) This section does not exempt county agricultural societies from paying water usage bills and sewer usage bills.

**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.

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

**Section 4.** During the period of time between the effective date of this section and December 1, 2020, all of the following apply:

(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.

(B) Notwithstanding such Executive Order, section 3701.13 of the Revised Code, or any other provision of law to the contrary, any amusement park or water park in this state that operates amusement rides as defined in section 993.01 of the

Revised Code may open and begin operation beginning on the 1727  
effective date of this section. The Director of Agriculture, in 1728  
consultation with the Director of Health, shall establish 1729  
standards and guidelines to limit the spread of infectious 1730  
disease at such amusement parks and water parks. The owners of 1731  
an amusement park and the owners of a water park shall ensure 1732  
compliance with the standards and guidelines. 1733