

As Introduced

135th General Assembly

Regular Session

2023-2024

H. B. No. 503

Representatives Peterson, Jones

A BILL

To amend sections 901.43, 942.01, 942.02, 943.23, 1
943.26, 1531.01, 1533.01, 1533.731, 1533.99, and 2
4745.01; to amend, for the purpose of adopting a 3
new section number as indicated in parentheses, 4
section 942.13 (942.05); to enact new sections 5
942.03 and 942.04 and sections 1533.75 and 6
1533.751; and to repeal sections 942.03, 942.04, 7
942.05, 942.06, 942.07, 942.10, 942.11, 942.12, 8
and 942.99 of the Revised Code to prohibit 9
certain activities regarding garbage-fed swine, 10
feral swine, and wild boar. 11

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

Section 1. That sections 901.43, 942.01, 942.02, 943.23, 12
943.26, 1531.01, 1533.01, 1533.731, 1533.99, and 4745.01 be 13
amended; section 942.13 (942.05) be amended for the purpose of 14
adopting a new section number as indicated in parentheses; and 15
new sections 942.03 and 942.04 and sections 1533.75 and 1533.751 16
of the Revised Code be enacted to read as follows: 17

Sec. 901.43. (A) The director of agriculture may authorize 18
any department of agriculture laboratory to perform a laboratory 19

service for any person, organization, political subdivision, 20
state agency, federal agency, or other entity, whether public or 21
private. The director shall adopt and enforce rules to provide 22
for the rendering of a laboratory service. 23

(B) The director may charge a reasonable fee for the 24
performance of a laboratory service, except when the service is 25
performed on an official sample taken by the director acting 26
pursuant to Title IX, Chapter 3715., or Chapter 3717. of the 27
Revised Code; by a board of health acting as the licensor of 28
retail food establishments or food service operations under 29
Chapter 3717. of the Revised Code; or by the director of health 30
acting as the licensor of food service operations under Chapter 31
3717. of the Revised Code. The director of agriculture shall 32
adopt rules specifying what constitutes an official sample. 33

The director shall publish a list of laboratory services 34
offered, together with the fee for each service. 35

(C) The director may enter into a contract with any 36
person, organization, political subdivision, state agency, 37
federal agency, or other entity for the provision of a 38
laboratory service. 39

(D) (1) The director may adopt rules establishing standards 40
for accreditation of laboratories and laboratory services and in 41
doing so may adopt by reference existing or recognized standards 42
or practices. 43

(2) The director may inspect and accredit laboratories and 44
laboratory services, and may charge a reasonable fee for the 45
inspections and accreditation. 46

(E) (1) There is hereby created in the state treasury the 47
animal and consumer protection laboratory fund. Moneys from the 48

following sources shall be deposited into the state treasury to 49
the credit of the fund: all moneys collected by the director 50
under this section that are from fees generated by a laboratory 51
service performed by the department and related to the diseases 52
of animals, all moneys so collected that are from fees generated 53
for the inspection and accreditation of laboratories and 54
laboratory services related to the diseases of animals, all 55
moneys collected by the director under this section that are 56
from fees generated by a laboratory service performed by the 57
consumer protection laboratory, all moneys so collected that are 58
from fees generated for the inspection and accreditation of 59
laboratories and laboratory services not related to weights and 60
measures, money received by the director under sections 947.01 61
to 947.06 of the Revised Code, and all moneys collected under 62
Chapters ~~942.,~~ 943., and 953. of the Revised Code. The director 63
may use the moneys held in the fund to pay the expenses 64
necessary to operate the animal industry laboratory and the 65
consumer protection laboratory, including the purchase of 66
supplies and equipment. 67

(2) All moneys collected by the director under this 68
section that are from fees generated by a laboratory service 69
performed by the weights and measures laboratory, and all moneys 70
so collected that are from fees generated for the inspection and 71
accreditation of laboratories and laboratory services related to 72
weights and measures, shall be deposited in the state treasury 73
to the credit of the weights and measures laboratory fund, which 74
is hereby created in the state treasury. The moneys held in the 75
fund may be used to pay the expenses necessary to operate the 76
division of weights and measures, including the purchase of 77
supplies and equipment. 78

Sec. 942.01. As used in sections 942.01 to ~~942.13~~ 942.05 79

of the Revised Code: 80

(A) ~~"Conveyance" means a vehicle, trailer, or compartment that is used to transport raw rendering material.~~ 81
82

~~(B)~~—"Garbage" means all waste material derived in whole or 83
in part from the meat of any animal, including fish and poultry, 84
or other animal material, and other refuse of any character that 85
has been associated with such waste material resulting from the 86
handling, preparation, cooking, or consumption of food. 87

~~(C)~~—(B) "Person" means any individual, corporation, 88
partnership, association, society, company, firm, or other legal 89
entity. 90

~~(D)~~—(C) "Raw rendering material" has the same meaning as 91
in section 953.21 of the Revised Code. 92

~~(E)~~—(D) "Treated garbage" means any edible garbage for 93
consumption by swine that has been heated at boiling point while 94
being agitated, except in steam cooking equipment, to ensure 95
that the garbage is heated throughout for thirty minutes ~~under~~ 96
~~the supervision of a person licensed pursuant to section 942.02~~ 97
~~of the Revised Code.~~ 98

Sec. 942.02. (A) No person shall feed on the person's 99
premises, or permit the feeding of, garbage or treated garbage 100
to swine ~~without a license to do so issued by the department of~~ 101
~~agriculture.~~ 102

(B) ~~An application for a license to feed treated garbage~~ 103
~~shall be made in writing on a form prescribed by the director of~~ 104
~~agriculture~~No person shall bring into this state a swine that 105
has been fed garbage or treated garbage. 106

~~(C) A license shall be renewed before the thirty-first day~~ 107

~~of December of each year, and an application for renewal shall~~ 108
~~be filed before the thirtieth day of November of each year.~~ 109

~~(D) The fee for the license shall be one hundred dollars~~ 110
~~per annum. A late fee of fifty dollars shall be paid for each~~ 111
~~application that is received after the thirtieth day of November~~ 112
~~each year.~~ 113

~~(E) All money collected under this section shall be~~ 114
~~credited to the animal and consumer protection laboratory fund~~ 115
~~created in section 901.43 of the Revised Code.~~ 116

Sec. 942.03. (A) Upon receipt of a complaint or on the 117
director of agriculture's own initiative, the director may 118
investigate violations of section 942.02 of the Revised Code and 119
make inquiries into any alleged violations as are necessary to 120
secure compliance with this chapter and orders issued under it. 121

(B) With the consent of the owner of a premises, lessee of 122
a premises, or the owner, keeper, or harbinger of a swine that is 123
kept or harbored on a premises, the director or the director's 124
authorized representative may enter at all reasonable times on 125
any premises where swine are kept or harbored for the purpose of 126
determining compliance with section 942.02 of the Revised Code. 127
If the director or the director's authorized representative is 128
denied access to the premises and suspects that section 942.02 129
of the Revised Code is not being complied with, the director may 130
apply for a search warrant authorizing access from a court of 131
competent jurisdiction. The court shall issue the search warrant 132
if there is probable cause. Probable cause may be based on 133
hearsay, provided that there is substantial basis for believing 134
the source is credible and there is factual basis for the 135
information. 136

(C) Upon entering a premises in accordance with division 137
(B) of this section, the director or the director's authorized 138
representative shall observe biosecurity measures in order to 139
prevent spreading disease and infecting livestock. 140

Sec. 942.04. (A) The director of agriculture may assess a 141
civil penalty against a person that violates section 942.02 of 142
the Revised Code. The director may assess a civil penalty only 143
if the director affords the person an opportunity for an 144
adjudication hearing under Chapter 119. of the Revised Code. The 145
person may waive the right to an adjudication hearing. 146

(B) If the opportunity for an adjudication hearing is 147
waived or if, after an adjudication hearing, the director 148
determines that a violation has occurred or is occurring, the 149
director may issue an order requiring compliance with section 150
942.02 of the Revised Code and assess the civil penalty. The 151
order and assessment of the civil penalty may be appealed in 152
accordance with section 119.12 of the Revised Code. 153

(C) The director may assess a civil penalty for a 154
violation of section 942.02 of the Revised Code in the following 155
amounts: 156

(1) For a first violation, not more than five hundred 157
dollars; 158

(2) For each subsequent violation, not more than one 159
thousand dollars. 160

(D) Money collected under division (C) of this section 161
shall be credited to the animal and consumer protection fund 162
created in section 943.26 of the Revised Code. 163

Sec. 942.13 942.05. This chapter does not apply to either 164
of the following: 165

(A) An individual who feeds garbage from the individual's household to the individual's own animals or an individual who only feeds bakery waste, candy waste, eggs, vegetables, or dairy products to swine;

(B) Rendered products. As used in this division, "rendered product" means raw rendering material that has been ground and heated to a minimum temperature of two hundred thirty degrees Fahrenheit to make products such as animal, poultry, or fish protein, grease, or tallow.

Sec. 943.23. (A) A captive whitetail deer licensee shall comply with the requirements established in sections 943.20 to 943.26 of the Revised Code and in rules. The director of agriculture may suspend or revoke a license issued under section 943.03 or 943.031 of the Revised Code regarding monitored captive deer, captive deer with status, or captive deer with certified chronic wasting disease status if the licensee fails to comply with those requirements.

(B) (1) The director, after providing an opportunity for an adjudication hearing under Chapter 119. of the Revised Code, may assess a civil penalty against a person who has violated or is in violation of section 943.20 of the Revised Code. If the director assesses a civil penalty, the director shall do so as follows:

(a) If, within five years of the violation, the director has not previously assessed a civil penalty against the person under this section, in an amount not exceeding five hundred dollars;

(b) If, within five years of the violation, the director has previously assessed one civil penalty against the person

under this section, in an amount not exceeding two thousand five hundred dollars; 195
196

(c) If, within five years of the violation, the director has previously assessed two or more civil penalties against the person under this section, in an amount not exceeding ten thousand dollars. 197
198
199
200

(2) Money collected under division (B) (1) of this section shall be deposited in the state treasury to the credit of the ~~captive deer animal and consumer protection~~ fund created in section 943.26 of the Revised Code. 201
202
203
204

Sec. 943.26. Notwithstanding section 943.04 of the Revised Code, all money collected through the issuance of licenses to captive whitetail deer licensees under this chapter and all money collected under section 942.04 of the Revised Code shall be credited to the ~~captive deer animal and consumer protection~~ fund, which is hereby created in the state treasury. The director of agriculture shall use money in the fund to administer Chapter 942. and sections 943.20 to 943.26 of the Revised Code and rules. 205
206
207
208
209
210
211
212
213

Sec. 1531.01. As used in this chapter and Chapter 1533. of the Revised Code: 214
215

(A) "Person" means a person as defined in section 1.59 of the Revised Code or a company; an employee, agent, or officer of such a person or company; a combination of individuals; the state; a political subdivision of the state; an interstate body created by a compact; or the federal government or a department, agency, or instrumentality of it. 216
217
218
219
220
221

(B) "Resident" means either of the following: 222

(1) An individual who has resided in this state for not 223

less than six months preceding the date of making application	224
for a license or permit;	225
(2) An individual who is a full-time student enrolled in	226
an accredited Ohio public or private college or university and	227
who resides in this state at the time the individual makes	228
application for a license or permit and who attests to the	229
individual's full-time student status in a manner determined by	230
the chief of the division of wildlife.	231
(C) "Nonresident" means any individual who does not	232
qualify as a resident.	233
(D) "Division rule" or "rule" means any rule adopted by	234
the chief of the division of wildlife under section 1531.10 of	235
the Revised Code unless the context indicates otherwise.	236
(E) "Closed season" means that period of time during which	237
the taking of wild animals protected by this chapter and Chapter	238
1533. of the Revised Code is prohibited.	239
(F) "Open season" means that period of time during which	240
the taking of wild animals protected by this chapter and Chapter	241
1533. of the Revised Code is permitted.	242
(G) "Take or taking" includes pursuing, shooting, hunting,	243
killing, trapping, angling, fishing with a trotline, or netting	244
any clam, mussel, crayfish, aquatic insect, fish, frog, turtle,	245
wild bird, or wild quadruped, and any lesser act, such as	246
wounding, or placing, setting, drawing, or using any other	247
device for killing or capturing any wild animal, whether it	248
results in killing or capturing the animal or not. "Take or	249
taking" includes every attempt to kill or capture and every act	250
of assistance to any other person in killing or capturing or	251
attempting to kill or capture a wild animal.	252

(H) "Possession" means both actual and constructive possession and any control of things referred to.	253 254
(I) "Bag limit" means the number, measurement, or weight of any kind of crayfish, aquatic insects, fish, frogs, turtles, wild birds, and wild quadrupeds permitted to be taken.	255 256 257
(J) "Transport and transportation" means carrying or moving or causing to be carried or moved.	258 259
(K) "Sell and sale" means barter, exchange, or offer or expose for sale.	260 261
(L) "Whole to include part" means that every provision relating to any wild animal protected by this chapter and Chapter 1533. of the Revised Code applies to any part of the wild animal with the same effect as it applies to the whole.	262 263 264 265
(M) "Angling" means fishing with not more than two hand lines, not more than two units of rod and line, or a combination of not more than one hand line and one rod and line, either in hand or under control at any time while fishing. The hand line or rod and line shall have attached to it not more than three baited hooks, not more than three artificial fly rod lures, or one artificial bait casting lure equipped with not more than three sets of three hooks each.	266 267 268 269 270 271 272 273
(N) "Trotline" means a device for catching fish that consists of a line having suspended from it, at frequent intervals, vertical lines with hooks attached.	274 275 276
(O) "Fish" means a cold-blooded vertebrate having fins.	277
(P) "Measurement of fish" means length from the end of the nose to the longest tip or end of the tail.	278 279
(Q) "Wild birds" includes game birds and nongame birds.	280

(R) "Game" includes game birds, game quadrupeds, and fur-bearing animals.	281 282
(S) "Game birds" includes mourning doves, ringneck pheasants, bobwhite quail, ruffed grouse, sharp-tailed grouse, pinnated grouse, wild turkey, Hungarian partridge, Chukar partridge, woodcocks, black-breasted plover, golden plover, Wilson's snipe or jacksnipe, greater and lesser yellowlegs, rail, coots, gallinules, duck, geese, brant, and crows.	283 284 285 286 287 288
(T) "Nongame birds" includes all other wild birds not included and defined as game birds or migratory game birds.	289 290
(U) "Wild quadrupeds" includes game quadrupeds and , <u>fur-bearing animals, and wild boar or feral swine.</u>	291 292
(V) "Game quadrupeds" includes cottontail rabbits, gray squirrels, black squirrels, fox squirrels, red squirrels, flying squirrels, chipmunks, groundhogs or woodchucks, white-tailed deer, wild bear, elk, and black bears.	293 294 295 296
(W) "Fur-bearing animals" includes minks, weasels, raccoons, skunks, opossums, muskrats, fox, beavers, badgers, otters, coyotes, and bobcats.	297 298 299
(X) "Wild animals" includes mollusks, crustaceans, aquatic insects, fish, reptiles, amphibians, wild birds, wild quadrupeds, and all other wild mammals, but does not include domestic deer.	300 301 302 303
(Y) "Hunting" means pursuing, shooting, killing, following after or on the trail of, lying in wait for, shooting at, or wounding wild birds or wild quadrupeds while employing any device commonly used to kill or wound wild birds or wild quadrupeds whether or not the acts result in killing or wounding. "Hunting" includes every attempt to kill or wound and	304 305 306 307 308 309

every act of assistance to any other person in killing or 310
wounding or attempting to kill or wound wild birds or wild 311
quadrupeds. 312

(Z) "Trapping" means securing or attempting to secure 313
possession of a wild bird or wild quadruped by means of setting, 314
placing, drawing, or using any device that is designed to close 315
upon, hold fast, confine, or otherwise capture a wild bird or 316
wild quadruped whether or not the means results in capture. 317
"Trapping" includes every act of assistance to any other person 318
in capturing wild birds or wild quadrupeds by means of the 319
device whether or not the means results in capture. 320

(AA) "Muskrat spear" means any device used in spearing 321
muskrats. 322

(BB) "Channels and passages" means those narrow bodies of 323
water lying between islands or between an island and the 324
mainland in Lake Erie. 325

(CC) "Island" means a rock or land elevation above the 326
waters of Lake Erie having an area of five or more acres above 327
water. 328

(DD) "Reef" means an elevation of rock, either broken or 329
in place, or gravel shown by the latest United States chart to 330
be above the common level of the surrounding bottom of the lake, 331
other than the rock bottom, or in place forming the base or 332
foundation rock of an island or mainland and sloping from the 333
shore of it. "Reef" also means all elevations shown by that 334
chart to be above the common level of the sloping base or 335
foundation rock of an island or mainland, whether running from 336
the shore of an island or parallel with the contour of the shore 337
of an island or in any other way and whether formed by rock, 338

broken or in place, or from gravel.	339
(EE) "Fur farm" means any area used exclusively for	340
raising fur-bearing animals or in addition thereto used for	341
hunting game, the boundaries of which are plainly marked as	342
such.	343
(FF) "Waters" includes any lake, pond, reservoir, stream,	344
channel, lagoon, or other body of water, or any part thereof,	345
whether natural or artificial.	346
(GG) "Crib" or "car" refers to that particular compartment	347
of the net from which the fish are taken when the net is lifted.	348
(HH) "Commercial fish" means those species of fish	349
permitted to be taken, possessed, bought, or sold unless	350
otherwise restricted by the Revised Code or division rule and	351
are alewife (<i>Alosa pseudoharengus</i>), American eel (<i>Anguilla</i>	352
<i>rostrata</i>), bowfin (<i>Amia calva</i>), burbot (<i>Lota lota</i>), carp	353
(<i>Cyprinus carpio</i>), smallmouth buffalo (<i>Ictiobus bubalus</i>),	354
bigmouth buffalo (<i>Ictiobus cyprinellus</i>), black bullhead	355
(<i>Ictalurus melas</i>), yellow bullhead (<i>Ictalurus natalis</i>), brown	356
bullhead (<i>Ictalurus nebulosus</i>), channel catfish (<i>Ictalurus</i>	357
<i>punctatus</i>), flathead catfish (<i>Pylodictis olivaris</i>), whitefish	358
(<i>Coregonus</i> sp.), cisco (<i>Coregonus</i> sp.), freshwater drum or	359
sheepshead (<i>Aplodinotus grunniens</i>), gar (<i>Lepisosteus</i> sp.),	360
gizzard shad (<i>Dorosoma cepedianum</i>), goldfish (<i>Carassius</i>	361
<i>auratus</i>), lake trout (<i>Salvelinus namaycush</i>), mooneye (<i>Hiodon</i>	362
<i>tergisus</i>), quillback (<i>Carpiodes cyprinus</i>), smelt (<i>Allosmerus</i>	363
<i>elongatus</i> , <i>Hypomesus</i> sp., <i>Osmerus</i> sp., <i>Spirinchus</i> sp.), sturgeon	364
(<i>Acipenser</i> sp., <i>Scaphirhynchus</i> sp.), sucker other than buffalo	365
and quillback (<i>Carpiodes</i> sp., <i>Catostomus</i> sp., <i>Hypentelium</i> sp.,	366
<i>Minytrema</i> sp., <i>Moxostoma</i> sp.), white bass (<i>Morone chrysops</i>),	367
white perch (<i>Roccus americanus</i>), and yellow perch (<i>Perca</i>	368

flavescens). When the common name of a fish is used in this 369
chapter or Chapter 1533. of the Revised Code, it refers to the 370
fish designated by the scientific name in this definition. 371

(II) "Fishing" means taking or attempting to take fish by 372
any method, and all other acts such as placing, setting, 373
drawing, or using any device commonly used to take fish whether 374
resulting in a taking or not. 375

(JJ) "Fillet" means the pieces of flesh taken or cut from 376
both sides of a fish, joined to form one piece of flesh. 377

(KK) "Part fillet" means a piece of flesh taken or cut 378
from one side of a fish. 379

(LL) "Round" when used in describing fish means with head 380
and tail intact. 381

(MM) "Migrate" means the transit or movement of fish to or 382
from one place to another as a result of natural forces or 383
instinct and includes, but is not limited to, movement of fish 384
induced or caused by changes in the water flow. 385

(NN) "Spreader bar" means a brail or rigid bar placed 386
across the entire width of the back, at the top and bottom of 387
the cars in all trap, crib, and fyke nets for the purpose of 388
keeping the meshes hanging squarely while the nets are fishing. 389

(OO) "Fishing guide" means any person who, for 390
consideration or hire, operates a boat, rents, leases, or 391
otherwise furnishes angling devices, ice fishing shanties or 392
shelters of any kind, or other fishing equipment, and 393
accompanies, guides, directs, or assists any other person in 394
order for the other person to engage in fishing. 395

(PP) "Net" means fishing devices with meshes composed of 396

twine or synthetic material and includes, but is not limited to, 397
trap nets, fyke nets, crib nets, carp aprons, dip nets, and 398
seines, except minnow seines and minnow dip nets. 399

(QQ) "Commercial fishing gear" means seines, trap nets, 400
fyke nets, dip nets, carp aprons, trotlines, other similar gear, 401
and any boat used in conjunction with that gear, but does not 402
include gill nets. 403

(RR) "Native wildlife" means any species of the animal 404
kingdom indigenous to this state. 405

(SS) "Gill net" means a single section of fabric or 406
netting seamed to a float line at the top and a lead line at the 407
bottom, which is designed to entangle fish in the net openings 408
as they swim into it. 409

(TT) "Tag fishing tournament" means a contest in which a 410
participant pays a fee, or gives other valuable consideration, 411
for a chance to win a prize by virtue of catching a tagged or 412
otherwise specifically marked fish within a limited period of 413
time. 414

(UU) "Tenant" means an individual who resides on land for 415
which the individual pays rent and whose annual income is 416
primarily derived from agricultural production conducted on that 417
land, as "agricultural production" is defined in section 929.01 418
of the Revised Code. 419

(VV) "Nonnative wildlife" means any wild animal not 420
indigenous to this state, but does not include domestic deer. 421

(WW) "Reptiles" includes common musk turtle (*sternotherus* 422
odoratus), common snapping turtle (*Chelydra serpentina* 423
serpentina), spotted turtle (*Clemmys guttata*), eastern box 424
turtle (*Terrapene carolina carolina*), Blanding's turtle 425

(<i>Emydoidea blandingii</i>), common map turtle (<i>Graptemys</i>	426
<i>geographica</i>), ouachita map turtle (<i>Graptemys pseudogeographica</i>	427
<i>ouachitensis</i>), midland painted turtle (<i>Chrysemys picta</i>	428
<i>marginata</i>), red-eared slider (<i>Trachemys scripta elegans</i>),	429
eastern spiny softshell turtle (<i>Apalone spinifera spinifera</i>),	430
midland smooth softshell turtle (<i>Apalone mutica mutica</i>),	431
northern fence lizard (<i>Sceloporus undulatus hyacinthinus</i>),	432
ground skink (<i>Scincella lateralis</i>), five-lined skink (<i>Eumeces</i>	433
<i>fasciatus</i>), broadhead skink (<i>Eumeces laticeps</i>), northern coal	434
skink (<i>Eumeces anthracinus anthracinus</i>), European wall lizard	435
(<i>Podarcis muralis</i>), queen snake (<i>Regina septemvittata</i>),	436
Kirtland's snake (<i>Clonophis kirtlandii</i>), northern water snake	437
(<i>Nerodia sipedon sipedon</i>), Lake Erie watersnake (<i>Nerodia sipedon</i>	438
<i>insularum</i>), copperbelly water snake (<i>Nerodia erythrogaster</i>	439
<i>neglecta</i>), northern brown snake (<i>Storeria dekayi dekayi</i>),	440
midland brown snake (<i>Storeria dekayi wrightorum</i>), northern	441
redbelly snake (<i>Storeria occipitomaculata occipitomaculata</i>),	442
eastern garter snake (<i>Thamnophis sirtalis sirtalis</i>), eastern	443
plains garter snake (<i>Thamnophis radix radix</i>), Butler's garter	444
snake (<i>Thamnophis butleri</i>), shorthead garter snake (<i>Thamnophis</i>	445
<i>brachystoma</i>), eastern ribbon snake (<i>Thamnophis sauritus</i>	446
<i>sauritus</i>), northern ribbon snake (<i>Thamnophis sauritus</i>	447
<i>septentrionalis</i>), eastern hognose snake (<i>Heterodon platirhinos</i>),	448
eastern smooth earth snake (<i>Virginia valeriae valeriae</i>),	449
northern ringneck snake (<i>Diadophis punctatus edwardsii</i>), midwest	450
worm snake (<i>Carphophis amoenus helena</i>), eastern worm snake	451
(<i>Carphophis amoenus amoenus</i>), black racer (<i>Coluber constrictor</i>	452
<i>constrictor</i>), blue racer (<i>Coluber constrictor foxii</i>), rough	453
green snake (<i>Opheodrys aestivus</i>), smooth green snake (<i>Opheodrys</i>	454
<i>vernalis vernalis</i>), black rat snake (<i>Elaphe obsoleta obsoleta</i>),	455
eastern fox snake (<i>Elaphe vulpina gloydi</i>), black kingsnake	456
(<i>Lampropeltis getula nigra</i>), eastern milk snake (<i>Lampropeltis</i>	457

triangulum triangulum), northern copperhead (<i>Agkistrodon</i>	458
<i>contortrix mokasen</i>), eastern massasauga (<i>Sistrurus catenatus</i>	459
<i>catenatus</i>), and timber rattlesnake (<i>Crotalus horridus horridus</i>).	460
(XX) "Amphibians" includes eastern hellbender	461
(<i>Cryptobranchus alleganiensis alleganiensis</i>), mudpuppy (<i>Necturus</i>	462
<i>maculosus maculosus</i>), red-spotted newt (<i>Notophthalmus</i>	463
<i>viridescens viridescens</i>), Jefferson salamander (<i>Ambystoma</i>	464
<i>jeffersonianum</i>), spotted salamander (<i>Ambystoma maculatum</i>), blue-	465
spotted salamander (<i>Ambystoma laterale</i>), smallmouth salamander	466
(<i>Ambystoma texanum</i>), streamside salamander (<i>Ambystoma barbouri</i>),	467
marbled salamander (<i>Ambystoma opacum</i>), eastern tiger salamander	468
(<i>Ambystoma tigrinum tigrinum</i>), northern dusky salamander	469
(<i>Desmognathus fuscus fuscus</i>), mountain dusky salamander	470
(<i>Desmognathus ochrophaeus</i>), redback salamander (<i>Plethodon</i>	471
<i>cinereus</i>), ravine salamander (<i>Plethodon richmondi</i>), northern	472
slimy salamander (<i>Plethodon glutinosus</i>), Wehrle's salamander	473
(<i>Plethodon wehrlei</i>), four-toed salamander (<i>Hemidactylium</i>	474
<i>scutatum</i>), Kentucky spring salamander (<i>Gyrinophilus</i>	475
<i>porphyriticus duryi</i>), northern spring salamander (<i>Gyrinophilus</i>	476
<i>porphyriticus porphyriticus</i>), mud salamander (<i>Pseudotriton</i>	477
<i>montanus</i>), northern red salamander (<i>Pseudotriton ruber ruber</i>),	478
green salamander (<i>Aneides aeneus</i>), northern two-lined salamander	479
(<i>Eurycea bislineata</i>), longtail salamander (<i>Eurycea longicauda</i>	480
<i>longicauda</i>), cave salamander (<i>Eurycea lucifuga</i>), southern two-	481
lined salamander (<i>Eurycea cirrigera</i>), Fowler's toad (<i>Bufo</i>	482
<i>woodhousii fowleri</i>), American toad (<i>Bufo americanus</i>), eastern	483
spadefoot (<i>Scaphiopus holbrookii</i>), Blanchard's cricket frog	484
(<i>Acris crepitans blanchardi</i>), northern spring peeper (<i>Pseudacris</i>	485
<i>crucifer crucifer</i>), gray treefrog (<i>Hyla versicolor</i>), Cope's gray	486
treefrog (<i>Hyla chrysoscelis</i>), western chorus frog (<i>Pseudacris</i>	487
<i>triseriata triseriata</i>), mountain chorus frog (<i>Pseudacris</i>	488

brachyphona), bullfrog (<i>Rana catesbeiana</i>), green frog (<i>Rana clamitans melanota</i>), northern leopard frog (<i>Rana pipiens</i>),	489
pickerel frog (<i>Rana palustris</i>), southern leopard frog (<i>Rana utricularia</i>), and wood frog (<i>Rana sylvatica</i>).	490
	491
	492
(YY) "Deer" means white-tailed deer (<i>Odocoileus virginianus</i>).	493
	494
(ZZ) "Domestic deer" means nonnative deer that have been	495
legally acquired or their offspring and that are held in private	496
ownership for primarily agricultural purposes.	497
(AAA) "Migratory game bird" includes waterfowl (<i>Anatidae</i>);	498
doves (<i>Columbidae</i>); cranes (<i>Gruidae</i>); cormorants	499
(<i>Phalacrocoracidae</i>); rails, coots, and gallinules (<i>Rallidae</i>);	500
and woodcock and snipe (<i>Scolopacidae</i>).	501
(BBB) "Accompany" means to go along with another person	502
while staying within a distance from the person that enables	503
uninterrupted, unaided visual and auditory communication.	504
(CCC) "All-purpose vehicle" means any vehicle that is	505
designed primarily for cross-country travel on land, water, or	506
land and water and that is steered by wheels, caterpillar	507
treads, or a combination of wheels and caterpillar treads and	508
includes vehicles that operate on a cushion of air, vehicles	509
commonly known as all-terrain vehicles, all-season vehicles,	510
mini-bikes, and trail bikes.	511
(DDD) "Wholly enclosed preserve" means an area of land	512
that is surrounded by a fence that is at least six feet in	513
height, unless otherwise specified in division rule, and is	514
constructed of a woven wire mesh, or another enclosure that the	515
division of wildlife may approve, where game birds, game	516
quadrupeds, reptiles, amphibians, or fur-bearing animals are	517

raised and may be sold under the authority of a commercial 518
propagating license or captive white-tailed deer propagation 519
license obtained under section 1533.71 of the Revised Code. 520

(EEE) "Commercial bird shooting preserve" means an area of 521
land where game birds are released and hunted by shooting as 522
authorized by a commercial bird shooting preserve license 523
obtained under section 1533.72 of the Revised Code. 524

(FFF) "Wild animal hunting preserve" means an area of land 525
where game, captive white-tailed deer, and nonnative wildlife, 526
other than game birds, are released and hunted as authorized by 527
a wild animal hunting preserve license obtained under section 528
1533.721 of the Revised Code. 529

(GGG) "Captive white-tailed deer" means legally acquired 530
deer that are held in private ownership at a facility licensed 531
under section 943.03 or 943.031 of the Revised Code and under 532
section 1533.71 or 1533.721 of the Revised Code. 533

(HHH) "Wild boar" or "feral swine" means either of the 534
following: 535

(1) Members of the family suidae, including both of the 536
following: 537

(a) Wild pig, wild hog, feral hog, and feral pig; 538

(b) Old world swine, razorbacks, European wild boar, and 539
Russian wild boar, and any hybrids or crossbreeds thereof; 540

(2) Members of the family tayassuidae, including collared 541
peccary and javelina, and any hybrids or crossbreeds of members 542
of the family tayassuidea. 543

Sec. 1533.01. As used in this chapter, "person," 544
"resident," "nonresident," "division rule," "rule," "closed 545

season," "open season," "take or taking," "possession," "bag 546
limit," "transport and transportation," "sell and sale," "whole 547
to include part," "angling," "trotline," "fish," "measurement of 548
fish," "wild birds," "game," "game birds," "nongame birds," 549
"wild quadrupeds," "game quadrupeds," "fur-bearing animals," 550
"wild animals," "hunting," "trapping," "muskrat spear," 551
"channels and passages," "island," "reef," "fur farm," "waters," 552
"crib," "car," "commercial fish," "fishing," "fillet," "part 553
fillet," "round," "migrate," "spreader bar," "fishing guide," 554
"net," "commercial fishing gear," "native wildlife," "gill net," 555
"tag fishing tournament," "tenant," "nonnative wildlife," 556
"reptiles," "amphibians," "deer," "domestic deer," "migratory 557
game bird," "accompany," "all-purpose vehicle," "wholly enclosed 558
preserve," "commercial bird shooting preserve," "wild animal 559
hunting preserve," "wild boar," "feral swine," and "captive 560
white-tailed deer" have the same meanings as in section 1531.01 561
of the Revised Code. 562

Sec. 1533.731. (A) No wild animal hunting preserve shall 563
be less than eighty acres in area. Each such preserve shall be 564
in one continuous block of land, except that the block of land 565
may be intersected by highways or roads. No wild animal hunting 566
preserve shall be located within one thousand five hundred feet 567
of another such preserve. 568

The boundaries of each wild animal hunting preserve shall 569
be clearly defined by posting, at intervals of not more than 570
four hundred feet, with signs prescribed by the division of 571
wildlife. Each wild animal hunting preserve shall be surrounded 572
by a fence at least eight feet in height, with a minimal 573
deviation not to exceed four per cent, that is constructed of a 574
woven wire mesh, or such other enclosure approved by the chief 575
of the division of wildlife. 576

(B) (1) Except as provided in divisions (B) (2) and (3) of 577
this section, game and nonnative wildlife that have been 578
approved by the chief for such use and that have been legally 579
acquired or propagated under the authority of a propagating 580
license issued under section 1533.71 of the Revised Code or 581
propagated within the confines of a licensed wild animal hunting 582
preserve may be released and hunted within the confines of the 583
licensed wild animal hunting preserve between one-half hour 584
before sunrise and one-half hour after sunset, without regard to 585
sex, bag limit, or open season, by hunters authorized by the 586
holder of the wild animal hunting preserve license to hunt on 587
those lands. The chief shall establish, by rule, the allowable 588
methods of taking game and nonnative wildlife in a wild animal 589
hunting preserve. 590

(2) No game or nonnative wildlife on the federal 591
endangered species list established in accordance with the 592
"Endangered Species Act of 1973," 87 Stat. 884, 16 U.S.C.A. 593
1531, as amended, or the state endangered species list 594
established in rules adopted under section 1531.25 of the 595
Revised Code, no bears native to North America, no wild boar or 596
feral swine, and no large carnivores of the family Felidae shall 597
be released for hunting or hunted in any wild animal hunting 598
preserve in this state. 599

(3) No person shall release for hunting or hunt within a 600
wild animal hunting preserve any game or nonnative wildlife not 601
listed in the application for a license for that preserve. 602

(C) Unless otherwise specified by division rule, all game 603
and nonnative wildlife released on a wild animal hunting 604
preserve shall be identified with a tag that shall bear upon it 605
a symbol identifying the preserve. 606

(D) No person shall remove living game or nonnative
wildlife from a wild animal hunting preserve unless the game or
nonnative wildlife are being transferred to another wild animal
hunting preserve in accordance with rules adopted by the
director of agriculture under section 943.24 of the Revised
Code.

(E) The holder of a wild animal hunting preserve license
shall keep a record of all animals that have been released into
the preserve. The record shall include all of the following:

(1) The date on which each animal was released into the
preserve;

(2) The number of each species of animals;

(3) The number of males and females of each species of
animals;

(4) The name and address of each person from whom each
animal was obtained.

The licensee shall record in a manner specified by the
division the name and address of each person that takes any game
or nonnative wildlife from the preserve. The licensee shall
maintain those records for a period of two years and make them
available for inspection by the division at all reasonable times
in conjunction with an active criminal investigation.

(F) In addition to complying with the requirements
established by division (E) of this section, the holder of a
wild animal hunting preserve license who has captive white-
tailed deer in the preserve shall keep a record of all known
escapes of those deer, deaths of those deer that were not a
result of hunting, and laboratory results for testing for
chronic wasting disease of those deer that is required by

section 943.21 of the Revised Code and rules adopted under 636
section 943.24 of the Revised Code. 637

(G) For the purposes of division (B) of section 1533.02 of 638
the Revised Code, the owner or operator of a wild animal hunting 639
preserve shall furnish each person who takes any game or 640
nonnative wildlife from the preserve a certificate bearing a 641
description of the animal, the date the animal was taken, and 642
the name of the preserve. 643

(H) The holder of a wild animal hunting preserve license 644
prominently shall display the license at the place of business 645
that is specified in the license. 646

(I) The chief shall adopt rules under section 1531.10 of 647
the Revised Code that provide for the safety of the public and 648
for the protection of the game and nonnative wildlife to be 649
hunted in a wild animal hunting preserve prior to their release 650
in the preserve. 651

(J) No holder of a wild animal hunting preserve license 652
shall violate this chapter or Chapter 1531. of the Revised Code 653
or any division rule. 654

(K) This section does not authorize the hunting of game 655
birds in a licensed wild animal hunting preserve unless the 656
licensee also possesses a valid commercial bird shooting 657
preserve license issued under section 1533.72 of the Revised 658
Code for the same land for which the wild animal hunting 659
preserve license was issued. 660

(L) A person may hunt game and nonnative wildlife in a 661
licensed wild animal hunting preserve without obtaining a 662
hunting license otherwise required by section 1533.10 of the 663
Revised Code or a deer permit otherwise required by section 664

1533.11 of the Revised Code. 665

Sec. 1533.75. (A) No person shall do any of the following: 666

(1) Import, transport, or possess live wild boar or feral swine; 667
668

(2) Release wild boar or feral swine into the wild or expand the range of a wild boar or feral swine by introducing the wild boar or feral swine to a new location; 669
670
671

(3) Allow a swine that is under the ownership or possession of the person to live in a feral state; 672
673

(4) Except as otherwise provided in section 1533.751 of the Revised Code, hunt, trap, or kill a wild boar or feral swine or assist in the hunting, trapping, or killing of a wild boar or feral swine; 674
675
676
677

(5) Profit from the releasing, hunting, trapping, or killing of wild boar or feral swine; 678
679

(6) Fail to notify the division of wildlife in accordance with division (A) of section 1533.751 of the Revised Code. 680
681

(B) No person shall purposely feed a wild boar or feral swine. 682
683

(C) A violation of division (A) of this section is a strict liability offense and section 2901.20 of the Revised Code does not apply. 684
685
686

Sec. 1533.751. (A) Except as provided in division rules, a person, including a property owner, tenant, or person responsible for a property's management, who knows or has reason to believe a wild boar or feral swine is present on private or public property shall notify the division of wildlife within 687
688
689
690
691

twenty-four hours of the person so knowing or having reason to 692
believe of the wild boar's or feral swine's presence. 693

(B) Except as provided in division rules, a person or a 694
person's agent who encounters wild boar or feral swine on 695
property owned or leased by that person may immediately 696
eradicate the wild boar or feral swine without a hunting license 697
required under section 1533.10 of the Revised Code if the person 698
or agent does both of the following: 699

(1) Notifies the division as soon as practicable, but not 700
later than twenty-four hours after the eradication or attempted 701
eradication of the wild boar or feral swine; 702

(2) Follows the instructions provided by the division 703
including the handling, preservation for testing, and disposal 704
of any wild boar or feral swine carcass. 705

Sec. 1533.99. (A) Whoever violates section 1533.17 of the 706
Revised Code is guilty of a misdemeanor of the third degree on a 707
first offense and a misdemeanor of the second degree on each 708
subsequent offense. In addition to any other sanction imposed 709
under this division, on a second or subsequent offense occurring 710
within a period of three consecutive years after the date of 711
conviction of the immediately preceding violation of that 712
section any firearms or other hunting implements in the 713
possession or under the control of the offender at the time of 714
the violation are subject to seizure in accordance with section 715
1531.20 of the Revised Code. If the offender persists in the 716
offense after reasonable warning or request to desist, the 717
offender is guilty of a misdemeanor of the second degree. 718

(B) Whoever violates section 1533.161, 1533.23, 1533.24, 719
1533.301, 1533.40, 1533.41, 1533.45, 1533.48, 1533.511, 1533.55, 720

1533.56, 1533.58, 1533.62, 1533.631, 1533.66, 1533.71, 1533.72, 721
1533.73, 1533.74, 1533.76, 1533.77, or 1533.79, division (J) of 722
section 1533.731, or division (B) or (C) of section 1533.97 of 723
the Revised Code is guilty of a misdemeanor of the third degree. 724

(C) Whoever violates division (B) of section 1533.03, 725
section 1533.07, 1533.171, 1533.34, 1533.341, 1533.342, 1533.35, 726
1533.42, 1533.51, 1533.63, 1533.64, 1533.67, 1533.68, 1533.721, 727
1533.881, or 1533.882, division (B) (2) or (3) of section 728
1533.731, or division (A) of section 1533.97 of the Revised Code 729
is guilty of a misdemeanor of the first degree. 730

(D) Whoever violates division (D) of section 1533.97 of 731
the Revised Code is guilty of a misdemeanor of the fourth 732
degree. The court shall require any person who is convicted of 733
or pleads guilty to the offense to refund to all participants in 734
the fishing tournament operated by the person any entry fees 735
paid by the participants. 736

(E) Whoever violates division (C) or (D) of section 737
1533.632 of the Revised Code is guilty of a felony of the fifth 738
degree. 739

(F) Whoever violates any section of this chapter for which 740
no penalty is otherwise provided is guilty of a misdemeanor of 741
the fourth degree. 742

(G) A court that imposes sentence for a violation of any 743
section of this chapter governing the holding, taking, or 744
possession of wild animals may require the person who is 745
convicted of or pleads guilty to the offense, in addition to any 746
fine, term of imprisonment, seizure, and forfeiture imposed, to 747
make restitution for the minimum value of the wild animal or 748
animals illegally held, taken, or possessed as established under 749

section 1531.201 of the Revised Code. An officer who collects 750
moneys paid as restitution under this section shall pay those 751
moneys to the treasurer of state who shall deposit them in the 752
state treasury to the credit of the wildlife fund established 753
under section 1531.17 of the Revised Code. 754

(H) Except as otherwise provided in this division, whoever 755
violates section 1533.75 of the Revised Code is guilty of a 756
misdemeanor of the first degree. Whoever violates that section 757
when the violation involves the importing or releasing of a wild 758
boar or feral swine is guilty of a felony of the fifth degree. 759
In addition to any other penalty, the court shall require any 760
person who is convicted of or pleads guilty to a violation of 761
that section to pay the costs incurred by any state or federal 762
agency for the investigation, control, and eradication of wild 763
boar or feral swine that resulted from the violation. Money paid 764
to the division of wildlife shall be credited to the wildlife 765
fund established under section 1531.17 of the Revised Code. 766

Sec. 4745.01. (A) "Standard renewal procedure," as used in 767
Chapters 905., 907., 909., 911., 913., 915., 918., 921., 923., 768
927., ~~942.~~ 943., 953., 1321., 3710., 3713., 3719., 3742., 769
3748., 3769., 3783., 3921., 3951., 4104., 4105., 4169., 4561., 770
4703., 4707., 4709., 4713., 4715., 4717., 4723., 4725., 4727., 771
4728., 4729., 4731., 4733., 4734., 4739., 4741., 4747., 4749., 772
4752., 4753., 4755., 4757., 4758., 4759., 4761., 4766., 4773., 773
and 4775. of the Revised Code, means the license renewal 774
procedures specified in this chapter. 775

(B) "Licensing agency," as used in this chapter, means any 776
department, division, board, section of a board, or other state 777
governmental unit subject to the standard renewal procedure, as 778
defined in this section, and authorized by the Revised Code to 779

issue a license to engage in a specific profession, occupation, 780
or occupational activity, or to have charge of and operate 781
certain specified equipment, machinery, or premises. 782

(C) "License," as used in this chapter, means a license, 783
certificate, permit, card, or other authority issued or 784
conferred by a licensing agency by authority of which the 785
licensee has or claims the privilege to engage in the 786
profession, occupation, or occupational activity, or to have 787
control of and operate certain specific equipment, machinery, or 788
premises, over which the licensing agency has jurisdiction. 789

(D) "Licensee," as used in this chapter, means either the 790
person to whom the license is issued or renewed by a licensing 791
agency, or the person, partnership, or corporation at whose 792
request the license is issued or renewed. 793

(E) "Renewal" and "renewed," as used in this chapter and 794
in the chapters of the Revised Code specified in division (A) of 795
this section, includes the continuing licensing procedure 796
provided in Chapter 3748. of the Revised Code and rules adopted 797
under it and in sections 1321.05 and 3921.33 of the Revised 798
Code, and as applied to those continuing licenses any reference 799
in this chapter to the date of expiration of any license shall 800
be construed to mean the due date of the annual or other fee for 801
the continuing license. 802

Section 2. That existing sections 901.43, 942.01, 942.02, 803
942.13, 943.23, 943.26, 1531.01, 1533.01, 1533.731, 1533.99, and 804
4745.01 of the Revised Code are hereby repealed. 805

Section 3. That sections 942.03, 942.04, 942.05, 942.06, 806
942.07, 942.10, 942.11, 942.12, and 942.99 of the Revised Code 807
are hereby repealed. 808

Section 4. Any license to feed treated garbage to swine	809
issued by the director of agriculture pursuant to section 942.02	810
of the Revised Code prior to the effective date of this act	811
expires on that date.	812