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# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
and Drafting

Legislative Budget  
Office

H.B. 496  
133<sup>rd</sup> General Assembly

## Bill Analysis

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**Version:** As Reported by House Civil Justice

**Primary Sponsors:** Reps. Stein and Hoops

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### SUMMARY

- Grants immunity to a registered apiary owner for damages caused by bee stings if the owner is in compliance with specified state and local laws and industry best management practices.

### DETAILED ANALYSIS

#### Apiary owner immunity

Under the bill, a person that registers an apiary (a place where one or more colonies or nuclei of bees are kept)<sup>1</sup> is not liable for any personal injury or property damage that occurs as a result of a bee sting by a bee from that apiary as long as the person does all of the following:

1. Implements and is in compliance with beekeeping industry best management practices as established by the Department of Agriculture;
2. Keeps correct and complete records of implementation and compliance with those best management practices and makes the records available for purposes of any legal proceeding;
3. Is in compliance with local zoning ordinances pertaining to apiaries; and
4. Operates the apiary in compliance with state law governing apiaries.<sup>2</sup>

The limitation of liability does not apply to intentional tortious conduct or acts or omissions constituting gross negligence.<sup>3</sup>

<sup>1</sup> R.C. 909.01(D), not in the bill.

<sup>2</sup> R.C. 909.19(A).

<sup>3</sup> R.C. 909.19(B).

Under law unchanged by the bill, a person owning or possessing bees must register the person's apiary locations annually with the Director of Agriculture. The registration application must set forth the exact location of the person's apiaries and the number of bee colonies in each apiary, together with other information required by the Director. The registration application must include a registration fee of \$5 for each separate apiary owned or possessed by the person at the time of registration.<sup>4</sup>

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## HISTORY

Action	Date
Introduced	02-06-20
Reported, H. Civil Justice	05-28-20

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<sup>4</sup> R.C. 909.02, not in the bill.