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S.B. 375*
133rd General Assembly

Bill Analysis

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Version: As Reported by House Agriculture and Rural Development

Primary Sponsors: Sens. Hoagland and Schaffer

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SUMMARY

- Voids the Director of Health's order, "Director's Amended Order Limiting County Fairs to Junior Fair Activities and Animal Exhibitions, with Exceptions" issued on July 30, 2020.
- Creates the Agricultural Society Working Group for 2021.
- Requires the Working Group to study and recommend protocols for the safe and hygienic operation of county fairs and other festivals.
- Terminates the Working Group on February 1, 2022.

DETAILED ANALYSIS

County fair order voided

The bill voids the Director of Health's order, "Director's Amended Order Limiting County Fairs to Junior Fair Activities and Animal Exhibitions, with Exceptions." That order was issued on July 30, 2020, citing the Director's statutory authority to make special orders to prevent the spread of contagious or infectious disease.¹

Order requirements

The voided order (available [here](#)) applies, by its terms, to all county fairs until the Director of Health modifies or rescinds it. Under the order, permitted county fairs are limited to junior fair activities, including junior livestock shows and exhibits that promote agricultural and

* This analysis was prepared before the report of the House Agriculture and Rural Development Committee appeared in the House Journal. Note that the legislative history may be incomplete.

¹ Section 1; R.C. 3701.13, not in the bill; "Director's Amended Order Limiting County Fairs to Junior Fair Activities and Animal Exhibitions, with Exceptions" issued on July 30, 2020.

household-manufacturing interests. Participation is limited to those in 4-H, FFA, or other youth organizations.

Outside of junior fair activities, the order permits only food vendors. In addition to the restrictions described here, the order suggests or mandates numerous measures to ensure social distancing, including a required 10:00 p.m. curfew for fairgrounds during junior fairs.²

Future orders

The bill effectively allows county and independent agricultural societies to hold fairs in accordance with Ohio law, and absent the restrictions imposed by the order. The bill does not, however, prevent subsequent orders on the same subject.

The Agricultural Society Working Group for 2021

The bill creates the Agricultural Society Working Group for 2021. The Working Group is required to study and recommend protocols for the safe and hygienic operation of county and independent agricultural society fairs, as well as festivals held by other organizations.

The Working Group is required to hold its first meeting no more than 15 days after the bill's effective date, and periodically after that. Initial recommendations must be published by April 10, 2021, though the Working Group may update its recommendations at anytime until its termination. Under the bill, the Working Group terminates on February 1, 2022.

The bill sets the initial membership of the Working Group at 20 members, including two members of the Senate appointed by the Senate President and two members of the House of Representatives appointed by the Speaker of the House. One member from each chamber must be from the minority party. One member will be from the Governor's office, appointed by the Governor, and the following organizations and departments will appoint one member each:

- The Department of Agriculture;
- The Department of Health;
- The Association of Ohio Health Commissioners;
- The Ohio Farm Bureau;
- The Ohio Fair Managers Association;
- The Ohio Expositions Commission;
- The Greater Ohio Showmen's Association;
- The Ohio Festivals and Events Association;
- The Ohio Cattlemen's Association;

² The Director of Health's order under R.C. 3701.13. "Director's Amended Order Limiting County Fairs to Junior Fair Activities and Animal Exhibitions, with Exceptions" issued on July 30, 2020.

- The Ohio Poultry Association;
- The Ohio Pork Council;
- The Ohio Veterinary Medical Association;
- The Ohio Sheep Improvement Association;
- The Ohio 4-H Youth Development Program;
- The Ohio Association of Agriculture Educators.

The members specified in the bill may invite additional members, so long as the Working Group does not exceed 25 members and no organization, aside from the Senate and House of Representatives, is represented by more than one individual.³

HISTORY

| Action | Date |
|--|----------|
| Introduced | 11-03-20 |
| Reported, S. Agriculture & Natural Resources | 11-18-20 |
| Passed Senate (24-8) | 11-18-20 |
| Reported, H. Agriculture and Rural Development | --- |

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³ Section 2.