



# Ohio Legislative Service Commission

## Sub. Bill Comparative Synopsis

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### Sub. H.B. 80

131st General Assembly  
(H. Agriculture and Rural Development)

This table summarizes how the latest substitute version of the bill differs from the immediately preceding version. It addresses only the topics on which the two versions differ substantively. It does not list topics on which the two bills are substantively the same.

Topic	Previous Version (As Introduced)	Sub. Version (LSC 131 0493-1)
<b>Agritourism and zoning</b>	<p>Authorizes a board of county commissioners or board of township trustees, as applicable, to regulate the following factors pertaining to agritourism where such regulation is necessary to protect public health and safety:</p> <p>(1) Size of a structure;</p> <p>(2) Size of parking areas that may be required;</p> <p>(3) Setback building lines; and</p> <p>(4) Egress or ingress (<i>R.C. 303.21(C)(4) and 519.21(C)(4)</i>).</p>	<p>Generally the same, but makes the following changes:</p> <p>(1) Prohibits a board of county commissioners or board of township trustees, as applicable, from regulating farm markets;</p> <p>(2) Specifies that a structure whose size may be regulated must be used primarily for agritourism; and</p> <p>(3) Specifies that setback building lines that may be regulated must be for structures used primarily for agritourism (<i>R.C. 303.21(C)(4) and 519.21(C)(4)</i>).</p>

Topic	Previous Version (As Introduced)	Sub. Version (LSC 131 0493-1)
	No provision.	<p>Adds that nothing in the bill's zoning provisions confers power on the applicable zoning authority to do either of the following:</p> <p>(1) Require any parking area to be improved in any manner, including requirements governing drainage, parking area base, parking area paving, or any other improvement; or</p> <p>(2) Prohibit the use of any land or the construction or use of buildings or structures that are used primarily for vinting and selling wine that are located on land any part of which is used for viticulture <i>(R.C. 303.21(C)(4) and 519.21(C)(4))</i>.</p>
<b>County zoning of land used primarily for vinting and selling wine</b>	No provision.	<p>Adds to the County Rural Zoning Law a provision identical to an existing provision in the Township Zoning Law stating that the current provision in each Law specifying that an applicable zoning authority does not have the power to prohibit the use of any land for agricultural purposes or the construction or use of buildings or structures incident to the use for agricultural purposes of the land on which the buildings or structures are located includes buildings or structures that are used primarily for vinting and selling wine and that are located on land any part of which is used for viticulture <i>(R.C. 303.21(A))</i>.</p>
<b>"Risk inherent in an agritourism activity" definition</b>	Includes in the definition of "risk inherent in an agritourism activity" the behavior or actions of domestic animals <i>(R.C. 901.80(A)(4)(c))</i> .	Same, except excludes vicious or dangerous dogs as defined in the Dogs Law <i>(R.C. 901.80(A)(6)(c))</i> .

Topic	Previous Version (As Introduced)	Sub. Version (LSC 131 0493-1)
<b>Agritourism provider's civil liability</b>	<p>Specifies that in a civil action, an agritourism provider is immune from liability for any harm a participant sustains during an agritourism activity if the participant is harmed as a result of a risk inherent in an agritourism activity (R.C. 901.80(B)).</p> <p>No provision.</p>	<p>Same, and adds that nothing in the bill requires an agritourism provider to eliminate risks inherent in agritourism activities (R.C. 901.80(B)).</p> <p>Adds the following to the list of actions that render an agritourism provider civilly liable:</p> <p>(1) The agritourism provider's actions or inactions constitute criminal conduct and cause harm to the participant;</p> <p>(2) The agritourism provider fails to post and maintain signs as required by the bill; and</p> <p>(3) The agritourism provider has actual knowledge or should have actual knowledge of an existing dangerous condition on the land or regarding facilities or equipment on the land that is not an inherent risk and does not make the dangerous condition known to the participant, and the dangerous condition proximately causes injury or damage to or the death of the participant (R.C. 901.80(C)).</p>
<b>Signage requirements</b>	<p>Requires an agritourism provider to post and maintain signs that contain the warning notice specified in the bill and requires the provider to place a sign in a clearly visible location at the site of each agritourism activity (R.C. 901.80(D)).</p>	<p>Generally the same, but allows a provider to place a sign in a clearly visible location at or near each entrance to the agritourism location instead of at the site of each agritourism activity (R.C. 901.80(D)).</p>

Topic	Previous Version (As Introduced)	Sub. Version (LSC 131 0493-1)
<b>Terms used in "agritourism" definition</b>	No provision.	<p>States that as used in the bill's definition of "agritourism," both of the following apply:</p> <p>(1) "Farm" means land that is composed of tracts, lots, or parcels totaling not less than ten acres devoted to agricultural production or totaling less than ten acres devoted to agricultural production if the land produces an average yearly gross income of at least \$2,500 from agricultural production; and</p> <p>(2) "Agricultural production" has the same meaning as in the Agricultural Districts Law (<i>R.C. 901.80(A)(1) and (4)</i>).</p>

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