



Lame Duck Spending Approved

In the final week of legislative activity, the legislature approved a significant spending package to the tune of over \$6 billion via [House Bill 45](#). These funds were a combination of ARPA funds and general revenue funds. Spending approved included another \$4.5 million to support county agricultural societies. These funds will be distributed through the Ohio Department of Agriculture. How this money will be allocated is not yet known. But since the funds are GRF, there should be wide flexibility on how the money is used by the fairs. The Ohio Expo Commission was also appropriated \$50 million for their planned improvements to the State Fairgrounds.

Directors to Resign

As Governor Mike DeWine has been sworn in to his second term, he will have some agency director appointments to make, as several members of his cabinet will not be returning. Those include: Ohio Department of Agriculture Director Dorothy Pelanda, Ohio EPA Director Laurie Stevenson, Tax Commissioner Jeff McClain and Ohio Department of Public Safety Director Tom Stickrath. Governor DeWine has already announced his nominees for Ohio EPA and ODPS. Those are Anne Vogel and Andy Wilson respectively. We expect additional appointment announcements to come in the next several weeks.

Distracted Driving Law Signed

[House Bill 288](#) which was priority legislation making reforms to the criminal justice system has passed. Before passing the bill, the House added an amendment incorporating [HB 283](#) regarding distracted driving. This proposal will expand what distracted driving is, make it a primary offense and enhance penalties for violations. This was a priority for the Governor and had already passed the House of Representatives. However, since the Senate had not expressed an urgency to move the bill, the House ultimately amended it into SB 288 in what is known as lame duck “horse trading”. The Governor signed the legislation on January 3, 2023, so it will be in effective 90 days after that signature.

Poultry Legislation Loaded Up

[House Bill 507](#), legislation sponsored by Representative Kyle Koehler, was originally intended to decrease from 6 to 3 the minimum number of poultry chicks that may be sold in a lot. After passing the House unanimously, it went to the Senate for consideration. Before reporting the bill out of the Senate Agriculture Committee on December 6, 2022, the committee added a host of amendments. There had been calls for the Governor to veto the legislation; however, he did not exercise that authority and signed the bill into law. A few of the provisions are summarized below:

- Amends the provisions of SB 338 regarding health inspectors and health inspections into HB 507. [Senate Bill 338](#) will require ODAg and ODH to adopt rules governing the assessment of registered environmental health specialists and environmental health specialists in training who conduct inspections of retail food establishments and food service operations. The assessments created under this bill would test health inspectors’ knowledge of food safety and Ohio’s food code. This will ensure local inspectors are fairly, accurately and competently inspecting food service operations. If your business has a food service operation, this change should make inspections more efficient and focused.
- Prohibits a political subdivision from regulating or banning the packaging, registration, labeling, sale, storage, distribution, use, or application of a pesticide registered with the Department of Agriculture on private property, including private property that is open to the public.
- Defines “green energy” to include energy generated by using natural gas.
- Requires, rather than authorizes, state agencies to lease land for oil and gas resources for development (drilling). This provision has been heavily criticized by environmental groups.

“Cut Red Tape” Unveiled

If there is an administrative rule or regulation that is adversely affecting your business or operations, you can now report that to [“Cut Red Tape Ohio”](#). This new tool through the Joint Committee on Agency Rule Review *will allow you to proactively report State of Ohio regulations that restrict your business, family or daily life*. Once reported, JCARR will investigate the submission and possible action could include calling for the rule to be reviewed in advance of the statutory 5-year review. This new system is designed to make Ohio more business friendly.

4-H legislation

Legislation was introduced in 2022 to require schools to provide students with excused absences for participating in 4-H activities. [House Bill 643](#) is sponsored by Representatives Thomas Hall and Rodney Creech. The bill does not allow these excused absences to occur during scheduled state testing. The legislation did not gain much traction but will hopefully be reintroduced in 2023.

Minimum Wage to Increase

Because of a ballot initiative approved by voters years ago, Ohio’s minimum wage is adjusted annually for inflation. Starting in January of 2023, the state’s minimum wage for non-tipped employees was increased to **\$10.10 per hour**. Groups are also working on another possible ballot initiative to make additional changes to Ohio’s minimum wage. GOSA will monitor that effort and keep members updated on any developments.

City of Columbus Mobile Food Curfew

The [Columbus Dispatch](#) recently reported that the City of Columbus is considering [an ordinance](#) that would place a 2am operation curfew on mobile food vendors. This proposal is a response to complaints about noise and crime in the Short North area. Council is currently hosting public hearings on the ordinance, the most recent one held on December 6, 2022. Many local food vendors have come out in opposition to the proposal.

While the GOSA doesn’t expect this to affect our members, it is definitely something to pay attention to in case additional provisions are included.

2022 Amusement Ride Safety Rules Enacted

In 2022, the Ohio Department of Agriculture enacted a package of rules regarding the amusement ride safety division. The rules are largely just updating Ohio Revised Code section references. You’ll recall that in HB 665, the amusement ride safety laws were re-numbered to give them a unique code section (ORC 993) from the fair sections (ORC 1711). GOSA has been closely monitoring the enactment and enforcement of inspection standard changes made as a result of Tyler’s Law. We want to ensure safe rides, but not create overly burdensome standards for inspections.

The only change of substance proposed in the amusement ride rules was:

OAC 901:9-1-01 – Amusement ride or device permit – Allows additional flexibility for ride operators to submit their itinerary. Currently any itinerary changes must be submitted 10 days in advance; the new language allows for more flexibility as 10 days’ notice was not practical (i.e. – a last minute cancelation).

Ohio State Fair Back to Full Capacity in 2022

After a 2-year hiatus because of COVID, the Ohio State Fair was back for a full-fledged event in 2022. The Ohio State Fair took place July 27-August 7, 2022. According to reports, the Ohio State Fair saw a slight decrease in total visitors last year compared to the last full-scale event in 2019, but revenues increased, officials reported. "Fairs are very weather dependent, and with a few days of rain, it is not surprising that we saw smaller crowds those days. On days with good weather, we saw higher attendance than 2019," Virgil Strickler, Ohio State Fair General Manager, said in a statement.

"In full, 886,473 visitors walked through the gates at the 2022 Ohio State Fair, and combined revenue was up across the board with record-setting concession revenue, sponsorships, and the highest-ever Sale of Champions," he said.

Alicia Shoults, fair spokesperson, said in an email that preliminary revenue reports show record-breaking sponsorship at \$1.6 million and record concession revenue at more than \$6.9 million. Additional revenue could still be reported, and expenses have yet to be determined, she said.

“Business Fairness Act” in Effect

GOSA supported legislation, HB 215, sponsored by Reps. Shane Wilkin and Jon Cross, and SB 134, sponsored by Senator George Lang, entitled the “Business Fairness Act.” The bills basically say that health orders can’t close businesses if other businesses are allowed to stay open so long as the businesses follow the safety precautions for those permitted to continue to stay open. A prime example of this is flower shops. During the initial COVID shut down, flower shops were ordered closed. BUT you could still buy flowers at Walmart, which was allowed to remain open, putting those other small businesses at a disadvantage. So, under this bill that small flower shop could stay open if they follow the protocols. Additionally, for amusement rides, the state allowed large amusement parks to open, but kept the portable ride industry shut down.

The House Bill was ultimately the vehicle for enactment. It was favorably passed by the Ohio legislature and the bill was signed by the Governor on December 1, 2021 and officially went into effect on February 28, 2022.

2023 Legislative Leadership Elected

On January 3, 2023, the 135th General Assembly convened to swear in their members and elect their leadership teams. The Senate vote went according to plan, with President Matt Huffman being reelected Senate President and Senator Nickie Antonio being elected Minority Leader. However, in the House, Representative Jason Stephens earned a surprise victory over the other contender, Derek Merrin, after all 32 Democrats joined 22 Republicans in voting for him. Although Derek Merrin had won the informal caucus vote for Speaker in November after striking a deal with the third potential candidate Phil Plummer, Stephens continued to push for votes in the last few weeks and ended up negotiating a deal with Democrats to give them some “priority bills” and other concessions in order to earn their votes.

With 43 Republicans voting for Merrin and only 22 for Stephens, the new Speaker will preside over a very divided Republican caucus without majority support from his own members. We will see how these new dynamics play out, including the pledged working relationship with Democrats, as work begins in this General Assembly. House Democrat Minority Leader Allison Russo retained her post.

The House also selected veteran lawmaker Scott Oelslager as Speaker Pro Tempore, but have not yet finalized the rest of their leadership positions.

The rest of the leadership posts are as follows:

Senate

Matt Huffman – President
Kirk Schuring – President Pro-Tem
Rob McColley – Majority Floor Leader
Theresa Gavarone – Majority Whip

Nickie Antonio – Minority Leader
Hearcel Craig – Ass’t Minority Leader
Kent Smith – Minority Whip
Paula Hicks-Hudson – Ass’t Minority Whip

House

Jason Stephens – Speaker
Scott Oelslager – Speaker Pro-Tem
TBD – Majority Floor Leader
TBD – Ass’t Majority Floor Leader
TBD – Majority Whip
TBD – Ass’t Majority Whip

Allison Russo – Minority Leader
Dontavius Jarrells – Ass’t Minority Leader
Jessica Miranda – Minority Whip
Tavia Galonski – Ass’t Minority Whip

Senate Committees Announced

The Ohio Senate has released their committee assignments for the 135th General Assembly. The House has yet to do so. Below are the make-ups of a few key committees.

Senate Agriculture and Natural Resources

Tim Schaffer – Chairman
Al Landis – Vice Chairman
Sandra O'Brien
Shane Wilkin
Paula Hicks-Hudson – Ranking Minority Member

Senate Finance

Matt Dolan – Chairman
Jerry Cirino – Vice Chairman
Bill Blessing
Andrew Brenner
Theresa Gavarone
George Lang
Nathan Manning
Bill Reineke
Mark Romanchuk
Kirk Schuring

Vernon Sykes – Ranking Minority Member
Hearcel Craig
Paula Hicks-Hudson

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