



### Game Rules Package

The Ohio Department of Agriculture has released a series of proposed changes to the rules governing games at fairs. Comments are due to the Department by October 25<sup>th</sup>. The changes proposed are summarized as follows:

- 901:9-2-01 – Definitions – no changes
- 901:9-2-02 – General Provisions – removes some minimum requirements for concession inspectors (There is language about inspectors in the law – 1711.11)
- 901:9-2-03 – Licenses – removes the following requirement: *At all times the terms of the license must correspond with the sign in relation to the object of the game and to all rules of play. A concessionaire may change a concession operation if he has a valid license to make the change.* (There is some language in the law regarding details on a license – 1711.11)
- 901:9-2-04 – Prizes – formatting changes
- 901:9-2-05 – Signage requirements – changes trade up game signage to: ***"THIS GAME REQUIRES NO MORE THAN ~~THREE~~ FIVE WINS TO WIN ANY PRIZE."*** Other non-substantive formatting changes. This change was requested by GOSA.
- 901:9-2-06 – Trade up games – increases from 3 to 5 the number of wins to get prize of choice. This change was requested by GOSA.
- 901:9-2-07 – Prohibited games – formatting changes only
- 901:9-2-08 – Games: rules of play – adds the following requirements
  - *Concessionaire or agents must have a tool on hand which can demonstrate the angle of a game element if a rule in this chapter establishes a specific angle.*
  - *If the game is trailer-mounted, the inspector shall determine the height of the base on which the game is set.*
  - These requirements were previously included throughout 901:9-2-09
- 901:9-2-09 – Ball or bag tossing game – formatting changes throughout
  - Changes from “must be” to “should be” for psi requirements for basketballs.
  - Removes the maximum number of balls allowed for a pan ball or box ball game.
  - Removes distance requirement between fish bows for ping pong fish bowl game
  - Removes requirement that ball are thrown underhand for pop bottle game
- 901:9-2-10 – Ring Games – formatting changes throughout
- 901:9-2-11 – Shooting games – formatting changes throughout
  - Cork shooting gallery - removes prohibition on using paper soft drink cups
  - Can shooting gallery – adds requirement that only non-splatter bullets can be used
  - Shoot out the star game - adds requirement that only non-splatter bullets can be used
- 901:9-2-12 – Coin or washer pitch games – formatting changes throughout
- 901:9-2-12 – Dart games – Requires darts to have a minimum weight of 12 ounces and be straight with no damage to any flights. Removes prohibition on plastic darts. This change was requested by GOSA.
- 901:9-2-14 – Miscellaneous games – formatting changes throughout
  - Removes requirement that birth month guesses be written down.
  - Removes some requirements for the rope ladder game
  - Removes requirements for a prize every time in the bumper car game
  - Allow patrons with limb disabilities to use one arm in the high striker game and removes fencing requirements
- 901:9-2-15 – Group games – removes provisions that are also covered under the law.
- 901:9-2-16 – Electronic amusement games – removed provisions that are also covered under the law.
- 901:9-2-18 – Fish-o-rama – no changes

- 901:9-2-19 – Gun ball – formatting changes
- 901:9-2-20 – Tee pool – formatting changes, but removes requirement that equipment be “of the best quality and in excellent condition”
- 901:9-2-21 – Crazy bike – no changes

### Governor’s Appointments

Nicholas D. Blois of Strongsville, Anthony L. Sabo of Marysville and Frank W. Welsh of Ashville have been appointed to the Advisory Board on Amusement Ride Safety for a term beginning April 27, 2023 and ending January 1, 2029.

### Columbus Reverses Course on Food Truck Curfew

GOSA has followed action taken by the city of Columbus Mayor to place a curfew on food truck in an effort to decrease afterhours violence in the Short North and other downtown areas. However, in June, the City walked back that policy and [rescinded the ordinance](#).

As a response to the curfew discussions, Ohio Representative Jeff LaRe and DJ Swearingen introduced [House Bill 180](#) to generally prohibit a municipal corporation or charter county from imposing a curfew except for a curfew for persons under eighteen years of age or a curfew in response to a clear and present emergency.



### Ohio State Fair 2023

Legislators and cabinet leaders spent a lot of time at the Ohio State Fair! On Tuesday, August 1<sup>st</sup> the legislature held their annual Joint House and Senate Agriculture Committee. They accepted testimony from agriculture leaders like the Ohio Fair Bureau, state agencies like the Ohio Department of Agriculture, and youth leaders like the OFMA Fair Queen. The House and the Senate also took this opportunity to recognize and honor Virgil Strickler for his years of service to the State Fair. Virgil has announced his retirement and the 2023 Fair is his last as General Manager. After the hearing the Farm Bureau hosted a reception and lunch.

On Thursday, August 3<sup>rd</sup>, leaders were back to compete in the Cardinal games. This annual event, hosted at the ODNR Park on the fairgrounds, has legislators and cabinet members compete in skills tests. Those included: Kayaking, archery, target shooting and trivia. Later that evening legislators also competed in a hog show.

According to the Ohio State Fair’s post fair release: In 2023, Fair attendance increased by 16.7% with approximately 1,006,228 fairgoers. The Fair also broke a single-day attendance record, with 119,660 visitors on Saturday, Aug. 5. Other statistics released by the State Fair include:

- More than \$3.2 million in total Midway (ride and game) revenue, which is an increase of 36.2% over 2022.
- More than \$8.2 million in total concessions (food and beverage) sales, which is an increase of 18.4% over 2022.
- 354 total vendors with indoor and outdoor locations at the Ohio State Fair. More than 67% of all Fair vendors are Ohio vendors, which is an increase of 5% from 2022.
- Food Facts:
  - 46,818 total scoops of Velvet ice cream sold in the Taste of Ohio Café and Dairy Products Building.
  - 36,733 corn dogs or pronto pups sold throughout the grounds.
  - 27,759 total hot dogs/hot dog varieties sold throughout the grounds.
  - 25,284 total ears of corns sold throughout the grounds.
  - 22,986 total funnel cakes sold throughout the grounds.
  - 14,889 bourbon chicken bowls sold throughout the grounds.
  - 13,822 turkey legs sold throughout the grounds.
  - 9,678 cream puffs sold by Schmidt's.

- More than 3,000 donut burgers sold.
- More than 2,100 maple bacon jalapeño deviled eggs sold by the Ohio Poultry Association. This was the most purchased deviled egg flavor. The booth also sold more than 1,300 cotton candy deviled eggs.

Next year, the Ohio State Fair will run July 24 through Aug. 4, 2024.

### **The Heart of it All Returns**

Ohio has announced the return of [“The Heart of it All”](#) as the tourism slogan. This replaces the previous brand “Find it Here”. If your business uses the tourism logo on any of your publications, please consider updating it to the new branding logo.

### **Election Update**

On November 7, 2023, Ohioans will be at the polls and will be considering 2 high profile statewide initiatives.

- Issue 1 is a Constitutional amendment regarding reproductive rights; and
- Issue 2 is an initiated statute to legalize recreational marijuana.

Expect to hear much about both of these issues as the election nears.

### **Excused Absences Legislation**

Representatives Thomas Hall and Rodney Creech introduced [House Bill 135](#) to allow for excused absences participation in 4-H and FFA activities. The bill does not allow these excused absences to occur during scheduled state testing or during a period of time the student might otherwise be disciplined, suspended or expelled. The OFMA formally weighed in with proponent testimony for the May 23, 2023 hearing before the House Primary and Secondary Education Committee. Other proponents include, OSU Extension, the Ohio Association of Agricultural Educators, The Farm Bureau, several FFA and 4-H students and GOSA. The committee seems very much in favor of the legislation.

Separately, [Senate Bill 49](#), legislation that was originally intended to require excused absences from school for religious observances, was amended yesterday in House Primary and Secondary Education Committee. The committee added a definition of: "Legitimate excuse" to mean an excuse for a student's absence from school that is approved by the student's school district.

The list of legitimate excuses include: *Participation in scheduled 4-H and FFA activities or programs.*  
The bill also includes these circumstances as legitimate, among others:

- Farm work of the parent, legal guardian, or custodian during a time of the year in which the amount of farm work to be performed is exceptional.
- Inability of the parent, legal guardian, or custodian to employ help in the family business, as determined by the school district superintendent.

### **Special Use Pool Legislation**

Representative Jean Schmidt has introduced legislation regarding the regulation and inspection of special use pools. [House Bill 207](#) would generally give regulatory authority of special use pools to the Department of Agriculture. The legislation redefines special use pool to mean: a public swimming pool containing flume slides, wave generating equipment, or other special features that necessitate different design and safety requirements. "Special use pool" ~~does not include any water slide or wave generating pool at a public amusement area which is licensed and inspected by the department of agriculture pursuant to Chapter 993. of the Revised Code~~ includes any catch pool or tank of water used in connection with a special feature that also is for bathing, swimming, or other purposes.

### **Retail Cash Option Bill**

Senator Bill Blessing has introduced [Senate Bill 38](#) regarding retail establishments. This legislation would generally require retailers who complete in person transactions to allow customers to pay with cash. The bill is being considered by the Senate Small Business and Economic Opportunity Committee.

### **Youth Employment Bill Passes Ohio Senate**

Senator Tim Schaffer (R) has reintroduced [Senate Bill 30](#) regarding youth employment. The bill would allow those under 16 to be employed after 7pm during school year. It would state that with parent or guardian's permission, those under 16 could work until 9pm. The Ohio Senate has already favorably passed SB 30 by a vote of 25-7 and will now be considered by the Ohio House of Representatives.

Recently a Fallon Research [poll](#) of 501 registered voters conducted on this topic and found 55% of respondents back legislation that would allow 14- and 15-year-old workers to be employed between 7 p.m. and 9 p.m. during the school year with parental permission. About 37% of respondents were opposed, while 8% were unsure if they supported the measure.

### **Minimum Wage Increase for 2024**

Ohio current minimum wage requirements will be adjusted starting January 1, 2024. The minimum hourly wage will be \$10.45 (up from \$10.10). The minimum wage applies for employees of businesses with annual gross receipts of more than \$385,000.

### **How to Contact Your Lobbyist**

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