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# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
and Drafting

Legislative Budget  
Office

S.B. 375  
133<sup>rd</sup> General Assembly

## Final Analysis

[Click here for S.B. 375's Fiscal Note](#)

**Version:** As Passed by the General Assembly

**Primary Sponsors:** Sens. Hoagland and Schaffer

**Effective date:** Vetoed

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### SUMMARY

- Would have voided 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.
- Would have created the Agricultural Society Working Group for 2021, to recommend protocols for the safe and hygienic operation of county fairs and other festivals, and terminated the group on February 1, 2022.

### DETAILED ANALYSIS

On January 11, 2021, Governor DeWine vetoed S.B. 375. The following describes the provisions of the act that would have become law but for the Governor's veto.

#### County fair order

The Governor vetoed a provision that would have voided an order issued by the Director of Health, "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.<sup>1</sup>

#### Order requirements

The 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

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<sup>1</sup> 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.

activities, including junior livestock shows and exhibits that promote agricultural and 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.<sup>2</sup>

### **Future orders**

The act would have allowed county and independent agricultural societies to hold fairs in accordance with Ohio law, absent the restrictions imposed by the order. The act would not, however, have prevented subsequent orders on the same subject.

### **Agricultural Society Working Group for 2021**

The Governor vetoed a provision that would have created the Agricultural Society Working Group for 2021. The Working Group was 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 act would have required the Working Group to hold its first meeting no more than 15 days after its effective date, and periodically after that. Initial recommendations were to be published by April 10, 2021, though the Working Group would have been permitted to update its recommendations anytime until its termination, which was set for February 1, 2022.

The act would have set 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 appointed by the Speaker, with one member from each chamber to be from the minority party. One member was to be from the Governor's office, and the following organizations and departments were to 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;

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<sup>2</sup> 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 Cattlemen’s Association;
- 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 act would have permitted the specified members to invite additional members, so long as the Working Group did not exceed 25 members and no organization, aside from the Senate and House, could have been represented by more than one individual.<sup>3</sup>

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## 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	12-16-20
Passed House (54-30)	12-17-20
Senate concurred in House amendments (22-7)	12-18-20
Vetoed	01-11-21

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<sup>3</sup> Section 2.