



# OHIO LEGISLATIVE SERVICE COMMISSION

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## Bill Analysis

Jeff Grim

### **Sub. H.B. 392**

132nd General Assembly  
(As Passed by the House)

**Reps.** Stein, Becker, Hambley, Henne, Hill, Kick, Koehler, Retherford, Riedel, Roegner, Thompson, West, Antonio, Cupp, DeVitis, Fedor, Ginter, Green, Hagan, Holmes, Hoops, Householder, Landis, LaTourette, Leland, McClain, Miller, O'Brien, Patterson, Patton, Perales, Ramos, Rogers, Schaffer, Seitz, Sheehy, K. Smith, Sprague, Strahorn, Young

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## **BILL SUMMARY**

- Grants immunity to a registered apiary owner in certain personal injury or property damage cases if the owner is in compliance with specified state and local laws and industry best management practices.

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## **CONTENT AND OPERATION**

### **Apiary owner immunity**

Under the bill, a person that registers an apiary (a place where one or more colonies or nuclei of bees are kept)<sup>1</sup> is not liable for any personal injury or property damage that occurs as a result of a bee sting or multiple bee stings by bees from that apiary as long as the person does all of the following:

(1) Implements and is in compliance with beekeeping industry best management practices as established by a state-wide beekeeping association;

(2) Keeps correct and complete records of implementation and compliance with those best management practices and makes the records available for purposes of any legal proceeding;

(3) Is in compliance with local zoning ordinances pertaining to apiaries; and

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<sup>1</sup> R.C. 909.01(D), not in the bill.

(4) Operates the apiary in compliance with state law governing apiaries.<sup>2</sup>

The limitation of liability does not apply to intentional tortious conduct or acts or omissions constituting gross negligence.<sup>3</sup>

Under law unchanged by the bill, a person owning or possessing bees must register the person's apiary locations annually with the Director of Agriculture. The registration application must set forth the exact location of the person's apiaries and the number of colonies of bees in each apiary, together with other information required by the Director. The registration application must include a registration fee of \$5 for each separate apiary owned or possessed by the person at time of registration.<sup>4</sup>

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## HISTORY

ACTION	DATE
Introduced	10-24-17
Reported, H. Economic Development, Commerce & Labor	01-24-18
Passed House (86-7)	03-21-18

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<sup>2</sup> R.C. 909.19(A).

<sup>3</sup> R.C. 909.19(B).

<sup>4</sup> R.C. 909.02, not in the bill.

