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OHIO LEGISLATIVE SERVICE COMMISSION

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H.B. 74
133rd General Assembly

Bill Analysis

Version: As Introduced

Primary Sponsor: Rep. Arndt

Amanda George Goodman, Attorney

Summary

- Prohibits a property owner from failing to comply with a notice from a local authority to cover, house, or remove a junk watercraft vessel or outboard motor within ten days of receiving the notice.
- Authorizes a local authority to send such a notice.
- Specifies that a violation of the prohibition is a minor misdemeanor.

Detailed Analysis

Junk watercraft left in the open

The bill prohibits a property owner from knowingly failing to comply with a notice from a local authority to cover, house, or remove a junk vessel, such as a watercraft, or outboard motor on the owner's property within ten days of receiving the notice. Whoever violates this prohibition is guilty of a minor misdemeanor.¹ The prohibition only applies to a junk vessel or outboard motor that is three years old or older, apparently inoperable, and has a fair market value of \$1,500 or less.²

The fact that a junk vessel or motor has not been covered, housed, or removed after the ten-day period is prima-facie evidence of knowingly failing to comply with the notice. The bill also specifies that each subsequent 30-day period of violation constitutes a separate offense.³

¹ A fine of up to \$150. See R.C. 2929.28, not in the bill.

² R.C. 1547.306(A), (B), and (C)(1); R.C. 1547.99(C), not in the bill.

³ R.C. 1547.306(B).

Notice by local authorities

The bill authorizes the following local authorities to send a notice to a property owner (by certified mail with return receipt requested):

1. A county sheriff;
2. The chief of police or legislative authority of a municipal corporation;⁴
3. A state highway patrol trooper; and
4. A board of township trustees or the board's designee.⁵

History

Action	Date
Introduced	02-14-19

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⁴ It is likely that municipal corporations already may order junk vessels and outboard motors into storage under ordinances enacted pursuant to their home-rule authority. See Ohio Constitution, Article XVIII, Section 3.

⁵ R.C. 1547.306(A) and (C)(2).