



Ohio Legislative Service Commission

Bill Analysis

Helena Volzer

H.B. 480

131st General Assembly
(As Introduced)

Reps. Green, Boose, Becker, Thompson

BILL SUMMARY

Gill net possession license

- Requires a person authorized under current law to possess a gill net to obtain a license for the gill net and apply a serial numbered tag to the gill net.
- Authorizes the holder of an aquaculture permit to possess and use a gill net if the person is taking fish with the gill net in accordance with the permit and if the person obtains a license and tag for the permit.
- Requires the Chief of the Division of Wildlife to issue licenses and serial numbered tags for gill nets.
- Authorizes the Chief to suspend or revoke a gill net license if the licensee is in violation of the Hunting and Fishing Law, the Division of Wildlife Law, or rules adopted under those laws.
- Requires the Chief to adopt rules governing gill nets, including procedures and requirements governing the application for, issuance of, and renewal of licenses for gill nets.
- Prohibits a person from negligently possessing a gill net, except as otherwise allowed under the bill.
- Prohibits a person from negligently failing to comply with rules adopted by the Chief.
- Specifies that a violation of either prohibition set forth above is a third degree misdemeanor.

CONTENT AND OPERATION

Gill net possession license

The bill revises current law governing gill nets by requiring persons currently authorized to possess them to obtain a license and apply a serial numbered tag to the gill net. The person must apply the tag to the lead of the gill net within 24 inches of the gill net. Under current law, the following persons may possess a gill net:

(1) A bona fide manufacturer or dealer when the gill net is kept in the regular place of business of the manufacturer or dealer or is being transported by the manufacturer or dealer;

(2) A common carrier transporting the gill net; or

(3) The holder of a valid wild animal collecting permit issued by the Chief of the Division of Wildlife who is taking fish with the gill net in accordance with the permit.¹

The bill also authorizes a holder of an aquaculture permit to possess a gill net if the person is taking fish with the gill net in accordance with the permit and if the person complies with the bill's licensing and tag requirements.²

The bill requires the Chief to issue licenses and serial numbered tags for gill nets. In addition, the bill authorizes the Chief to suspend or revoke a gill net license if the licensee is in violation of the Hunting and Fishing Law, the Division of Wildlife Law, or rules adopted under those laws.³

Rules

The bill requires the Chief to adopt rules governing the use of gill nets that establish all of the following:

(1) Procedures and requirements governing application for, issuance of, and renewal of licenses and serial numbered tags for gill nets;

(2) Procedures governing suspension and revocation of licenses for gill nets; and

¹ R.C. 1533.61(C)

² R.C. 1533.61(C)(3)(d).

³ R.C. 1533.61(D)(1) and (2)

(3) Any other procedures and requirements necessary to administer and enforce the law governing the use of gill nets.⁴

Prohibitions and penalties

The bill prohibits a person from negligently possessing a gill net, except as otherwise allowed under the bill. In addition, the bill prohibits a person from negligently failing to comply with rules adopted by the Chief governing the use of gill nets. A violation of either prohibition is a third degree misdemeanor.⁵

Other changes

The bill reorganizes and makes other changes to the law governing the possession of nets, traps, and other devices for catching fish.⁶

HISTORY

ACTION	DATE
Introduced	03-01-16

H0480-I-131.docx/ks

⁴ R.C. 1533.61(E).

⁵ R.C. 1533.61(B) and (F), and 1533.99.

⁶ R.C. 1533.61(A).

