

## Executive

**AGRCD18 Certificate of free sale**

R.C. 901.43

Allows the AGR Director to authorize any AGR division or program to issue to any entity a certificate of free sale, a document that certifies to states and countries receiving a listed product that the product being exported is freely marketed without restriction in the U.S. Authorizes the AGR Director to charge a reasonable fee for the certificate and adopt and enforce rules for issuance. Requires that the fee be deposited into the appropriate fund.

**Fiscal effect: Minimal.****AGRCD3 Fertilizer license fee and lime tonnage report**

R.C. 905.32, 905.56, 905.57

Increases the annual license fee to manufacture or distribute fertilizer from \$5 to \$50; and increases the late license renewal fee from \$10 to \$25.

Eliminates the annual tonnage report and the accompanying inspection fee that a liming material licensee must file with AGR for the number of net tons of liming material sold or distributed to non-licensees in Ohio.

**Fiscal effect: Gain of approximately \$44,000 annually from the increase in the fertilizer fees and approximate \$3,000 annual loss from eliminating the lime tonnage fee. Net annual gain of approximately \$41,000 for the Pesticide Program Fund (Fund 6690).****AGRCD26 Commercial seed labeler permit**

R.C. 907.13, 907.14

Increases the annual commercial seed labeler permit fee from \$10 to \$50 and changes the expiration date of the permit from December 31 to January 31 of each year.

Eliminates one of the required semiannual reports to be filed by a permit holder on the amount of seed sold in Ohio, thus requiring only one such report annually.

Eliminates the minimum annual fee of \$5 that a permit holder must pay and instead specifies that if the permit holder owes less than \$50 for the seed fee, the permit holder is not required to pay the fee.

**Fiscal effect: Gain of approximately \$16,000 annually for the Commercial Feed and Seed Fund (Fund 4C90).****AGRCD1 Apiary law changes**

R.C. 909.01, 909.02, 909.07-909.09, 909.13

Makes the following changes to the requirements governing apiary registration: (1) Extends the registration deadline from 10 to 30 days after taking ownership or moving into Ohio with an apiary; (2) Eliminates the \$5 registration fee and \$10 late fee, as well as the issuance of a physical registration certificate; (3) Requires clear posting of apiary identification number.

Eliminates a board of county commissioner's authority to appropriate money in an amount it deems sufficient for the inspection of apiaries in its county.

**Executive**

Makes the following changes to the law governing deputy apiarists: (1) Requires a board of county commissioners to set the deputy apiarist's salary based on inspection work and related costs; (2) Requires the AGR Director to review, rather than approve, a deputy apiarist's salary and expenses; (3) Allows the AGR Director to assign a deputy apiarist to conduct inspections in multiple counties; (4) Expands the reasons for which the AGR Director may fire a deputy apiarist to include unethical or negligent discharge of duties.

Does all of the following under the law governing the sale or gift of queen bees: (1) Defines a "nuc" as a small colony of bees in a hive box with certain characteristics; (2) expands the law to cover the sale of packaged bees, nucs, and colonies and the trade or distribution of bees; (3) requires that a person intending to sell, trade, gift, or distribute them file a request for certification with AGR along with a fee of \$50 for the certification of a bee, nuc, or colony; (4) expands the prohibition against distributing diseased bees to include an apiary with bee pests or another amount set in rules.

Expands the AGR Director's enforcement authority regarding the Apiary Law to include: (1) compliance agreements between AGR and a person engaged in queen rearing; (2) the authority to suspend any compliance agreement or any registration, certificate, or permit, and (3) the authority to revoke any registration or compliance agreement.

Authorizes the AGR Director to require all queen rearing apiaries to be inspected as specified in rules at least annually, rather than requiring inspections once each year with no authority to alter inspection frequency as under current law.

**Fiscal effect: Loss of approximately \$35,000 annually by eliminating the apiary registration fee. Gain of approximately \$41,000 annually from new \$50 certification fee. Net gain of \$6,000 annually for the Plant Pest Program Fund (Fund 5FC0).**

**AGRCD11 Bakery registration fee****R.C. 911.02**

Establishes a flat \$200 annual registration fee for bakeries to replace the current of \$30 for each 1,000 pounds of bakery per hour capacity, thus increasing the annual registration fee for bakeries with a production capacity lower than 6,000 pounds per hour while decreasing the fee for those with a production capacity higher than 6,000 pounds per hour.

**Fiscal effect: Gain of approximately \$95,000 annually for the Food Safety Fund (Fund 4P70).**

**AGRCD12 Soda water syrup or extract and soft drink syrup manufacturer fee****R.C. 913.23**

Eliminates the registration requirement for soda water syrup or extract manufacturers or soft drink syrup manufacturers not otherwise licensed as soft drink bottlers, thus eliminating an annual \$100 registration/license fee.

**Fiscal effect: Loss of approximately \$3,400 annually for the Food Safety Fund (Fund 4P70).**

## Executive

**AGRCD13 Cold storage locker license fee**

R.C. 915.16

Increases the annual license fee for cold storage lockers from \$50 to \$200.

**Fiscal effect: Gain of approximately \$18,000 annually for the Food Safety Fund (Fund 4P70).**

**AGRCD21 Livestock dealers – fees and penalties**

R.C. 915.24

Alters the fees charged by AGR to livestock dealers and brokers as follows: (1) applies a flat \$250 annual dealer and broker license renewal fee instead a fee schedule (\$50 for less than 1,000 head; \$125 for 1,001 to 10,000 head; \$250 for more than 10,000 head) depending on head of livestock bought, sold, or exchanged in Ohio; (2) increases the annual license fee from \$25 to \$50 for small dealers, and increases the applicable late fee from \$25 to \$100; (3) increases the annual license fee for employees appointed by a small dealer, dealer, or broker from \$20 to \$30; (4) increases the annual license fee for weighers from \$10 to \$30.

Eliminates the first degree misdemeanor criminal penalties for violation of any prohibition of the law governing livestock dealers and brokers, except for the violation of a weigher improperly weighing or accepting bribes, and instead allows the AGR Director to assess civil penalties for up to \$500 for a first violation within the previous five years, up to \$2,500 for a second such violation, and up to \$10,000 for a third or subsequent such violation. Directs the civil penalties to the Animal and Consumer Protection Fund.

**Fiscal effect: Gain of approximately \$57,000 annually for the Commercial Feed and Seed Fund (Fund 4C90).**

**AGRCD23 Food Safety Fund**

R.C. 915.24

Requires money received from federal contracts or cooperative agreements for the performance of AGR's prescribed duties related to food safety inspections to be deposited into the Food Safety Fund. (Such moneys are currently deposited into the Federal Cooperative Contracts Fund.)

**Fiscal effect: Gain for the Food Safety Fund (Fund 4P70) and corresponding loss for the Federal Cooperative Contracts Fund (Fund 3820).**

**AGRCD16 Pesticide Law changes**

R.C. 921.01, 921.02, 921.06, 921.09, 921.11-921.14, 921.16, 921.23, 921.24, 921.26.

Updates Ohio law to comply with U.S. EPA regulations as follows:

- (1) Requires restricted use pesticides to be applied exclusively by a licensed commercial or private pesticide applicator;
- (2) Expands activities requiring licensure to include both pre-application actions involving mixing and loading restricted use pesticides, and transporting or storing pesticide application equipment;
- (3) Requires each pesticide business location to be licensed, rather than requiring one license for the pesticide business and the registration of each location that is owned by the person operating the pesticide business;

**Executive**

- (4) Allows the AGR Director to establish an examination fee by rule for applicants for pesticide applicator licenses;
- (5) Allows the AGR Director to deny, suspend, revoke, refuse to renew, or modify any license, permit, or registration if the applicant or holder has entered into an administrative or judicial settlement under the federal Insecticide, Fungicide, and Rodenticide Act.
- (6) Increases the number of days that the AGR Director may suspend a license, permit, or registration prior to a hearing concerning a violation from ten to 30 days.
- (7) Requires that, for one of the conditions that must be met for an exemption from obtaining a pesticide business license, an individual must not engage in the business of applying pesticides for hire, rather than, as under current law, requiring that the person must not regularly engage in such a business.
- Increases fees for the annual registration of a pesticide sold or distributed in Ohio as follows: (1) from \$150 to \$250 for each product name and brand registered for the company whose name appears on the pesticide label; (2) from \$75 to \$125 the penalty fee for late registration renewal; and (3) from \$75 to \$125 the penalty fee for each product name and brand of a non-registered pesticide that is distributed in Ohio before registration.

**Fiscal effect: Gain of approximately \$500,000 annually for the Pesticide Program Fund (Fund 6690).**

**AGRCD25 Commercial Feed Law**

**R.C. 923.42, 923.43, 923.51**

Requires that a commercial feed registration be made on an annual instead of semiannual basis. Requires a manufacturer or distributor to pay an annual \$50 registration fee and requires the registration to be filed by February 1 of each year and expire on January 31st of the following year.

Eliminates the specific information required to be on the registration form prescribed by the AGR Director.

Removes the minimum \$25 commercial feed inspection fee, generally calculated at a rate of \$25 per ton, and instead exempts the first 200 tons of commercial feed sold in a calendar year from the fee. States that the penalty for late payment of an inspection fee is 10% of the amount due or \$50, whichever is greater, rather than a 10% penalty, with a minimum penalty of \$50 as under current law.

Requires an annual instead of a semiannual submission of the required commercial feed inspection fee and accompanying statement by the first distributor in Ohio.

**Fiscal effect: Gain of nearly \$40,000 annually for the Commercial Feed and Seed Fund (4C90).**

**AGRCD10 Ohio Grape Industries Committee**

**R.C. 924.51, Section 709.10**

Revises the makeup of the Ohio Grape Industries Committee by removing the AGR Chief of the Division of Markets and adding two Ohio residents appointed by the AGR Director.

**Fiscal effect: None.**

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**Executive****AGRCD15 Nurseryperson Inspection Fee****R.C. 927.53**

Increases the base annual inspection fee for a nurseryperson who produces, sells, or distributes woody nursery stock in Ohio or ships such stock outside Ohio from \$100 to \$200.

Increases the additional per-acre inspection fee for growing woody nursery stock as follows: (1) in intensive production areas, from \$11 per acre, or fraction of an acre, to \$15 per acre, or fraction of an acre; (2) in nonintensive production areas, from \$7 per acre, or fraction of an acre, to \$10 per acre, or fraction of an acre.

**Fiscal effect: Gain of approximately \$100,000 annually for the Plant Pest Program Fund (5FC0).**

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**AGRCD17 Hemp Cultivation and Processing Program****R.C. 928.02, 928.03, 928.04**

Permits the AGR Director to transfer jurisdiction to implement Ohio's hemp cultivation licensure program to the USDA.

Eliminates the prohibition against issuing a hemp cultivation or processing licenses to a person for a felony related to a controlled substance within the previous 10 years.

Eliminates a requirement that the AGR Director revoke, for 10 years, a hemp cultivation or processing license issued to a person who pleads guilty to or is convicted of a controlled substance felony.

Eliminates a requirement that a license applicant comply with the general background check law, and instead requires an applicant to comply with background check rules adopted by the AGR Director.

**Fiscal effect: None.**

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**AGRCD20 Captive cervid licensing****R.C. 943.01, 943.26, 944.01-944.08, 1533.71, 1533.721, 1533.731, 1533.77.**

Replaces the requirement that owners who propagate deer in a facility be licensed as livestock dealers with a new regulatory structure that applies to facility owners and owners of any type of cervid (deer, moose, elk, and their hybrids), as follows: (1) Requires all captive cervid facility owners to be licensed annually by AGR; (2) requires the facilities to be inspected before licensure, allowing for an appeals process for failed inspections; (3) establishes an annual \$50 license and renewal fee to be deposited into the Animal and Consumer Protection Fund. Applies the new regulatory structure to the AGR Director's existing authority for rulemaking, testing, mitigating disease, investigations and inspections, and civil penalties.

**Fiscal effect: Gain of approximately \$7,500 annually for the Animal and Consumer Protection Fund.**

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**Executive****AGRCD22 Animal and Consumer Protection Fund****R.C. 943.04, 943.26, 943.27, 943.99, 901.43**

Eliminates the Livestock Care Standards Fund and Dangerous and Restricted Animal Fund and redirects the money credited to those funds to the existing Animal and Consumer Protection Fund.

Redirects money collected from livestock dealer and broker fees and fines imposed for violating the law governing livestock dealers from the Animal and Consumer Protection and Laboratory Fund to the Animal and Consumer Protection Fund.

Requires the Animal and Consumer Protection Fund to be used to administer the laws governing dangerous wild animals and restricted snakes, livestock dealers, and captive cervid.

**AGRCD19 High Volume Dog Breeder Kennel and Pet Store Funds****R.C. 956.18, 956.181**

Renames the High Volume Breeder Kennel Control License Fund the Commercial Dog Breeding Fund.

Abolishes the Pet Store License Fund and requires all pet store license fees and civil penalties assessed against pet stores to be credited to the Commercial Dog Breeding Fund.

**AGRCD2 Amusement ride fees****R.C. 993.04**

Expands the current amusement ride classifications that apply to annual inspection from four currently to (1) kiddie rides, (2) family rides, (3) major rides, (4) spectacular rides (5) family/portable roller coaster, (6) tower rides, and (7) large roller coaster.

Increases the following inspection and reinspection fees: Family rides from \$160 to \$200; major rides from \$140 to \$300; spectacular rides from \$160 to \$400; tower rides from \$160 to \$1,800; and large roller coaster from \$1,200 to \$4,000.

Replaces the current flat \$104 inspection or reinspection fee for inflatable rides with the following: For three or fewer at the same location and with the same owner, \$100 each. For three such rides, \$75 each. For 11 or more, \$50 each. Decreases the permit fee for inflatables from \$225 to \$100.

**Fiscal effect: Estimated loss of approximately \$222,000 annually in permit fees. Partially offsetting gain in inspection fees. Receipts are deposited into the Amusement Ride Safety Fund (Fund 5780).**

**AGRCD14 Food processing establishment exemption****R.C. 3715.021**

Exempts a small egg producer (500 or fewer birds) from food processing establishment regulations.

Requires AGR Director to establish standards for manufacturing practices.

**Fiscal effect: None.**

**Executive****AGRCD24 Scrap tire fee****R.C. 3734.901**

Makes permanent the \$1.00 fee levied on each tire sold, 50¢ of which is deposited into the Scrap Tire Management Fund and 50¢ of which is deposited into the Soil and Water Conservation District Assistance Fund.

**Fiscal effect: Continues revenue from the fee beyond the current law expiration date of June 30, 2026 into the Soil and Water Conservation District Assistance Fund (Fund 5BV0).**

**AGRCD4 Soil and Water Division****Section: 211.20**

Earmarks \$500,000 in each fiscal year from GRF ALI 700428, Soil and Water Division, to provide grants to local governments for developing or updating local land use plans.

**AGRCD5 County Agricultural Societies****Section: 211.20**

Requires that GRF ALI 700501, County Agricultural Societies, be used to reimburse county and independent agricultural societies for expenses related to Junior Fair activities.

**AGRCD6 Soil and Water District Support****Section: 211.20**

Earmarks \$4,200,000 in each fiscal year from GRF ALI 700509, Soil and Water District Support, to be used to support county soil and water conservation districts in priority regions designated by the AGR Director for (1) staffing costs, and (2) to assist in soil testing and nutrient management plan development.

**AGRCD7 Soil and Water Districts****Section: 211.20**

Allows AGR, in addition to state matching payments, to use Fund 5BV0 ALI 700661, Soil and Water Districts, to pay any soil and water conservation district an annual amount not to exceed \$40,000. Requires these payments to be deposited into the district's Special Fund.

**AGRCD8 H2Ohio Fund****Section: 211.20**

Requires AGR to establish programs to assist in reducing total phosphorous and dissolved reactive phosphorus in the Western Lake Erie Basin and other regions designated by the AGR Director. Requires that Fund 6H20 ALI 700670, H2Ohio, be used to support these programs, including (1) purchasing various nutrient placement and testing equipment, (2) creating a revolving loan program, and (3) providing matching funds for the Conservation Reserve Enhancement Program.

**Executive**

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**AGRCD9 Clean Ohio Agricultural Easement Operating**

**Section: 211.20**

Requires Fund 7057 ALI 700632, Clean Ohio Agricultural Easement Operating, to be used to administer the Clean Ohio Agricultural Easement Purchase Program.

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**AGRCD27 Transfer from the GRF to the H2Ohio Fund**

**Section: 512.10**

Allows the OBM Director to transfer \$270,276,066 in FY 2026 from the General Revenue Fund to the H2Ohio Fund (Fund 6H20).

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Executive

**LECCD1 Cash Transfers to the Lake Erie Protection Fund**

**Section: 319.20**

Permits the OBM Director to transfer up to \$25,000 in each fiscal year from each of the following funds to the Lake Erie Protection Fund (Fund 4C00):

- (a) Environmental Protection Fund (Fund 5BC0) used by Ohio EPA.
- (b) Pesticide, Fertilizer and Lime Fund (Fund 6690) used by AGR.
- (c) General Operations Fund (Fund 4700) used by DOH.
- (d) Program Support Fund (Fund 1570) used by DNR.
- (e) Highway Operating Fund (Fund 7002) used by ODOT.
- (f) Supportive Services Fund (Fund 1350) used by DEV.

Permits Fund 4C00 to accept contributions and transfers made to the fund.

## Executive

## EPACD13 EPA fees

R.C. 3734.57, 3734.901, 3745.11

Makes permanent the following Ohio EPA fees that are scheduled to expire between June 30, 2024, and June 30, 2026:

- (a) The fees levied on the transfer or disposal of solid waste.
- (b) The fees levied on the sale of tires.
- (c) The annual emissions fees for synthetic minor facilities.
- (d) Application fees for plan approvals for wastewater treatment works under the Water Pollution Control Law.
- (e) The annual discharge fees for holders of a National Pollution Discharge Elimination System (NPDES) permits issued under the Water Pollution Control Law.
- (f) The annual surcharge paid by NPDES permit holders that are major dischargers.
- (g) The initial and renewal license fees for public water system licenses issued under the Safe Drinking Water Law.
- (h) The fee for plan approvals for public water supply systems under the Safe Drinking Water Law.
- (i) The fees for state certification of laboratories and laboratory personnel for purposes of the Safe Drinking Water Law.
- (j) The application and examination fees for certification as operators of water supply systems or wastewater systems under the Safe Drinking Water Law or the Water Pollution Control Law.
- (k) The application fees for permits, variances, and plan approvals under the Water Pollution Control Law and the Safe Drinking Water Law.

Increases the fee for a person applying for a wastewater treatment works plan approval from \$100 +.65% of the estimated project cost to \$100 +.65% of the estimated project cost plus \$100 +.2% of the estimated project cost, but retains the \$15,000 cap for this fee.

**Fiscal effect: The fee extensions will preserve annual revenues of \$99.4 million allocated for use by Ohio EPA and AGR as follows: \$365,000 for the Clean Air - Non Title V Fund (Fund 4K20), \$14.2 million to Fund Solid Waste Fund (Fund 4K30), \$9.0 million for the Surface Water Protection Fund (Fund 4K40), \$7.0 million for the Drinking Water Protection Fund (Fund 4K50), \$4.0 million to the Scrap Tire Management Fund (Fund 4R50), \$1.7 million to Hazardous Waste Facility Management Fund (Fund 5030), \$9.5 million to Fund Hazardous Waste Clean-Up Fund (Fund 5050), \$44.4 million to Environmental Protection Fund (Fund 5BC0), and \$1.3 million to National Priority List Remedial Support Fund (Fund 5YY0) used by Ohio EPA; and \$7.9 million to Soil and Water Conservation District Assistance Fund (Fund 5BV0) used by AGR. Other provisions modify the allocation of solid waste disposal fees and reduce the Ohio EPA portion by \$7.1 million annually, redirecting that amount for use by local boards of health.**

**The increased wastewater treatment works plan approval fee will increase annual revenues deposited to Fund 4K40 by \$3.0 million or less due to the fee cap in addition to retained fees listed above.**

Executive

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**Other Taxation Provisions**

**TAXCD71 Replacement tire fee: eliminate 4% discount**

**R.C. 3734.904, Section 801.110**

Effective January 1, 2026, eliminates the 4% discount for wholesale distributors of replacement tires or retail dealers who timely file and pay the replacement tire fee administered by TAX.

**Fiscal effect: Increases fee revenue to the Scrap Tire Management Fund (Fund 4R50) used by EPA and the Soil and Water Conservation District Assistance Fund (Fund 5BV0) used by AGR.**

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