

As Introduced

**128th General Assembly
Regular Session
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H. B. No. 341

Representative Yates

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A B I L L

To enact section 901.80 of the Revised Code to create 1
the Livestock Care Standards Board and to require 2
the Board to adopt rules that establish standards 3
of care for livestock and poultry, including rules 4
that prohibit specified practices. 5

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 901.80 of the Revised Code be enacted 6
to read as follows: 7

Sec. 901.80. (A) There is hereby created the Ohio livestock 8
care standards board for the purpose of establishing standards 9
governing the care and well-being of livestock and poultry in this 10
state. In carrying out its purpose, the board shall endeavor to 11
maintain food safety, encourage locally grown and raised food, and 12
protect this state's farms and families. The board shall be 13
comprised of the following thirteen members: 14

(1) The director of agriculture who shall be the chairperson 15
of the board; 16

(2) Ten members appointed by the governor with the advice and 17
consent of the senate who shall be residents of this state and 18
shall include the following: 19

<u>(a) One member representing family farms;</u>	20
<u>(b) One member who is knowledgeable about food safety in this state;</u>	21 22
<u>(c) Two members representing statewide organizations that represent farmers;</u>	23 24
<u>(d) One member who is a veterinarian who is licensed under Chapter 4741. of the Revised Code;</u>	25 26
<u>(e) The state veterinarian in the department of agriculture;</u>	27
<u>(f) The dean of the agriculture department of a college or university located in this state;</u>	28 29
<u>(g) Two members of the public representing consumers in this state;</u>	30 31
<u>(h) One member representing a county humane society that is organized under Chapter 1717. of the Revised Code.</u>	32 33
<u>(3) One member appointed by the speaker of the house of representatives who shall be a family farmer;</u>	34 35
<u>(4) One member appointed by the president of the senate who shall be a family farmer.</u>	36 37
<u>Not more than seven members appointed to the board at any given time shall be members of the same political party.</u>	38 39
<u>(B) Not later than ninety days after the effective date of this section, the governor, the speaker of the house of representatives, and the president of the senate shall make their initial appointments to the board. Of the initial appointments, the governor shall appoint four members for terms ending one year after the effective date of this section, four members for terms ending two years after the effective date of this section, and two members for terms ending three years after the effective date of this section. The speaker of the house of representatives and the president of the senate each shall appoint one member for a term</u>	40 41 42 43 44 45 46 47 48 49

ending three years after the effective date of this section. 50

Thereafter, terms of office shall be for three years, with 51
each term ending on the same day of the same month as did the term 52
that it succeeds. Each member shall hold office from the date of 53
the member's appointment until the end of the term for which the 54
member was appointed. Members may be reappointed. Vacancies shall 55
be filled in the manner provided for original appointments. Any 56
member appointed to fill a vacancy occurring prior to the 57
expiration date of the term for which the member's predecessor was 58
appointed shall hold office as a member for the remainder of that 59
term. A member shall continue in office subsequent to the 60
expiration date of the member's term until the member's successor 61
takes office or until a period of sixty days has elapsed, 62
whichever occurs first. 63

The board shall meet at times that the chairperson or a 64
majority of the board members considers appropriate, provided that 65
no meeting shall be held on the call of the chairperson unless at 66
least seven days' written notice first is provided to all members 67
of the board. At the first meeting of the board in each calendar 68
year, the director shall designate one member of the board to 69
serve as its vice-chairperson. A majority vote of the members of 70
the board is necessary to take action on any matter. A vacancy on 71
the board does not impair the right of the other members to 72
exercise the board's powers. 73

Serving as an appointed member of the board does not 74
constitute holding a public office or position of employment under 75
the laws of this state and does not constitute grounds for removal 76
of public officers or employees from their offices or positions of 77
employment. A member of the board may be removed for misfeasance, 78
nonfeasance, or malfeasance in office. 79

Appointed members of the board shall serve without 80
compensation for attending committee meetings. Members of the 81

board shall be reimbursed for their actual and necessary expenses 82
incurred in the performance of official duties as members of the 83
board. 84

The department of agriculture shall provide technical and 85
staffing assistance for the board. 86

(C) The board shall adopt rules in accordance with Chapter 87
119. of the Revised Code that establish standards governing the 88
care and well-being of livestock and poultry in this state. In 89
adopting those rules, the board shall consider factors that 90
include, but are not limited to, agricultural best management 91
practices for such care and well-being, biosecurity, disease 92
prevention, animal morbidity and mortality data, food safety 93
practices, and the protection of local, affordable food supplies 94
for consumers. The rules shall prohibit the following practices 95
not later than five years after the effective date of the rules: 96
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(1) Confining egg-laying hens in cages or other enclosures 98
that prevent an egg-laying hen from fully spreading both wings 99
without touching another egg-laying hen or the side of the cage or 100
other enclosure that houses the egg-laying hen; 101

(2) Confining pregnant pigs in gestation crates that prevent 102
a pregnant pig from lying down, standing up, fully extending all 103
of its limbs without touching the side of the crate that houses 104
the pregnant pig, or turning around freely or tethering pregnant 105
pigs in a manner that prevents a pregnant pig from lying down, 106
standing up, or turning around freely; 107

(3) Confining calves that are raised for veal in crates that 108
prevent a calf from lying down, standing up, fully extending all 109
of its limbs without touching the side of the crate that houses 110
the calf, or turning around freely or tethering calves that are 111
raised for veal in a manner that prevents a calf from lying down, 112

<u>standing up, or turning around freely.</u>	113
<u>(D) The department shall administer and enforce the standards established in the rules adopted by the board.</u>	114
<u>(E) As used in this section:</u>	115
<u>(1) "Egg-laying hen" means any female domesticated chicken or turkey that is kept for the purpose of egg production.</u>	116
<u>(2) "Pregnant pig" means a pig that is kept for the primary purpose of breeding and that is pregnant.</u>	117
<u>(3) "Turning around freely" means turning in a complete circle without any impediment, including a tether.</u>	118
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