

As Introduced

**129th General Assembly
Regular Session
2011-2012**

H. B. No. 420

Representatives Peterson, Stinziano

**Cosponsors: Representatives McClain, Grossman, Henne, McGregor, Ruhl,
Combs, Hagan, C., Hill, Stebelton, Garland, Roegner, Clyde, Buchy**

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A B I L L

To enact sections 1531.40 to 1531.44 of the Revised Code to require nuisance wild animal control companies and individuals who provide nuisance wild animal removal or control services to be licensed by the Director of Natural Resources. 1
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BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 1531.40, 1531.41, 1531.42, 1531.43, and 1531.44 of the Revised Code be enacted to read as follows: 6
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Sec. 1531.40. As used in sections 1531.40 to 1531.44 of the Revised Code: 8
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(A) "Nuisance wild animal" means a wild animal that is causing a threat to public safety or that may cause damage or harm to a structure, property, or person. 10
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(B) "Nuisance wild animal control company" means a business that provides nuisance wild animal removal or control services for hire to the owner or operator of property or a structure. 13
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Sec. 1531.41. (A) No person shall own or operate a nuisance wild animal control company without obtaining a license from the 16
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director of natural resources for each location that is owned or 18
operated by the person in this state. The license shall be renewed 19
annually prior to the first day of March and shall expire on the 20
last day of February. An applicant shall pay a license fee of one 21
hundred dollars for each license that the applicant obtains. 22

(B)(1) The owner or operator of a nuisance wild animal 23
control company shall employ only individuals who are licensed 24
under section 1531.42 of the Revised Code to provide removal or 25
control services. 26

(2) The owner or operator of a nuisance wild animal control 27
company is responsible for the acts of each of the company's 28
employees in the removal or control of a nuisance wild animal. 29

(C) If a pesticide is used by a nuisance wild animal control 30
company in the removal or control of a nuisance wild animal, the 31
owner or operator of the company shall obtain the appropriate 32
license under Chapter 921. of the Revised Code. Upon obtaining a 33
license under that chapter, the owner or operator shall so notify 34
the director. 35

Sec. 1531.42. No individual shall provide nuisance wild 36
animal removal or control services for hire in the state without 37
obtaining a license to do so from the director of natural 38
resources. The license shall be renewed annually prior to the 39
first day of March and shall expire on the last day of February. 40
An applicant shall pay a license fee of fifteen dollars. 41

If a pesticide is used by an individual in the removal or 42
control of a nuisance wild animal, the individual shall obtain the 43
appropriate license under Chapter 921. of the Revised Code. Upon 44
obtaining a license under that chapter, the individual shall so 45
notify the director. 46

Sec. 1531.43. The director of natural resources shall adopt 47
rules in accordance with Chapter 119. of the Revised Code 48
establishing license application procedures and requirements, 49
enforcement procedures, and any other procedures and requirements 50
that are necessary to implement sections 1531.41 to 1531.44 of the 51
Revised Code. 52

Sec. 1531.44. All money collected under sections 1531.41 and 53
1531.42 of the Revised Code shall be deposited to the credit of 54
the nuisance wild animal control fund, which is hereby created in 55
the state treasury. Money in the fund shall be used by the 56
director of natural resources for the administration and 57
enforcement of sections 1531.41 to 1531.44 of the Revised Code. 58