

**As Introduced**

**126th General Assembly  
Regular Session  
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**S. B. No. 47**

**Senators Grendell, Padgett, Fingerhut, Brady, Dann, Fedor, Jordan, Mumper,  
Schuring, Wilson**

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**A B I L L**

To amend section 1541.03 of the Revised Code to 1  
prohibit the Division of Parks and Recreation in 2  
the Department of Natural Resources from adopting 3  
rules establishing a fee for parking a motor 4  
vehicle in a state park or for admission to a 5  
state park and to declare an emergency. 6

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

**Section 1.** That section 1541.03 of the Revised Code be 7  
amended to read as follows: 8

**Sec. 1541.03.** All lands and waters dedicated and set apart 9  
for state park purposes shall be under the control and management 10  
of the division of parks and recreation, which shall protect, 11  
maintain, and keep them in repair. The division shall have the 12  
following powers over all such lands and waters: 13

(A) To make alterations and improvements; 14

(B) To construct and maintain dikes, wharves, landings, 15  
docks, dams, and other works; 16

(C) To construct and maintain roads and drives in, around, 17  
upon, and to the lands and waters to make them conveniently 18

accessible and useful to the public;	19
(D) <del>To</del> <u>Except as otherwise provided in this section, to</u>	20
adopt, amend, and rescind, in accordance with Chapter 119. of the	21
Revised Code, rules necessary for the proper management of state	22
parks, bodies of water, and the lands adjacent to them under its	23
jurisdiction and control, including the following:	24
(1) Governing opening and closing times and dates of the	25
parks;	26
(2) <del>Establishing fees and charges for admission to state</del>	27
<del>parks and for use of facilities in them;</del>	28
<del>(3)</del> Governing camps, camping, and fees for camps and camping;	29
<del>(4)</del> <u>(3)</u> Governing the application for and rental of, rental	30
fees for, and the use of cabins;	31
<del>(5)</del> <u>(4)</u> Relating to public use of state park lands, and	32
governing the operation of motor vehicles, including speeds, and	33
parking on those lands;	34
<del>(6)</del> <u>(5)</u> Governing all advertising within state parks and the	35
requirements for the operation of places selling tangible personal	36
property and control of food service sales on lands and waters	37
under the control of the division, which rules shall establish	38
uniform requirements;	39
<del>(7)</del> <u>(6)</u> Providing uniform standards relating to the size,	40
type, location, construction, and maintenance of structures and	41
devices used for fishing or moorage of watercraft, rowboats,	42
sailboats, and powercraft, as those terms are defined in section	43
1547.01 of the Revised Code, over waters under the control of the	44
division and establishing reasonable fees for the construction of	45
and annual use permits for those structures and devices;	46
<del>(8)</del> <u>(7)</u> Governing state beaches, swimming, inflatable devices,	47
and fees for them;	48

~~(9)~~(8) Governing the removal and disposition of any 49  
watercraft, rowboat, sailboat, or powercraft, as those terms are 50  
defined in section 1547.01 of the Revised Code, left unattended 51  
for more than seven days on any lands or waters under the control 52  
of the division; 53

~~(10)~~(9) Governing the establishment and collection of check 54  
collection charges for checks that are returned to the division or 55  
dishonored for any reason. 56

The division shall not adopt rules establishing fees or 57  
charges for parking a motor vehicle in a state park or for 58  
admission to a state park. 59

Every resident of this state with a disability that has been 60  
determined by the veterans administration to be permanently and 61  
totally disabling, who receives a pension or compensation from the 62  
veterans administration, and who received an honorable discharge 63  
from the armed forces of the United States, and every veteran to 64  
whom the registrar of motor vehicles has issued a set of license 65  
plates under section 4503.41 of the Revised Code, shall be exempt 66  
from the fees for camping, provided that the resident or veteran 67  
carries in the state park such evidence of the resident's or 68  
veteran's disability as the chief of the division of parks and 69  
recreation prescribes by rule. 70

Every resident of this state who is sixty-five years of age 71  
or older or who is permanently and totally disabled and who 72  
furnishes evidence of that age or disability in a manner 73  
prescribed by division rule shall be charged one-half of the 74  
regular fee for camping, except on the weekends and holidays 75  
designated by the division. Such a person shall not be charged 76  
more than ninety per cent of the regular charges for state 77  
recreational facilities, equipment, services, and food service 78  
operations utilized by the person at any time of year, whether 79

maintained or operated by the state or leased for operation by 80  
another entity. 81

As used in this section, "food service operations" means 82  
restaurants that are owned by the department of natural resources 83  
at Hocking Hills, Lake Hope, Malabar Farm, and Rocky Fork state 84  
parks or are part of a state park lodge. "Food service operations" 85  
does not include automatic vending machines, concession stands, or 86  
snack bars. 87

As used in this section, "prisoner of war" means any 88  
regularly appointed, enrolled, enlisted, or inducted member of the 89  
military forces of the United States who was captured, separated, 90  
and incarcerated by an enemy of the United States. Any person who 91  
has been a prisoner of war, was honorably discharged from the 92  
military forces, and is a resident of this state is exempt from 93  
the fees for camping. To claim this exemption, the person shall 94  
present written evidence in the form of a record of separation, a 95  
letter from one of the military forces of the United States, or 96  
such other evidence as the chief prescribes by rule that satisfies 97  
the eligibility criteria established by this section. 98

**Section 2.** That existing section 1541.03 of the Revised Code 99  
is hereby repealed. 100

**Section 3.** This act is hereby declared to be an emergency 101  
measure necessary for the immediate preservation of the public 102  
peace, health, and safety. The reason for such necessity is to 103  
ensure the uninterrupted access of the public to state parks for 104  
purposes of personal health and fitness and enjoyment of the 105  
state's natural resources and to prohibit the adoption of rules 106  
that will impede such purposes. Therefore, this act shall go into 107  
immediate effect. 108