



Ohio Administrative Code

Rule 901-5-07 Reporting society finances and hearing procedures for withholding funds by the department.

Effective: July 7, 2016

(A) Each agricultural society shall include in the report to the director of agriculture, as required by section 901.06 of the Revised Code, on forms provided by the director, and following accounting rules entitled "Financial Reporting and Accounting; County Agricultural Societies and Independent Agricultural Societies" promulgated by the auditor of state pursuant to section 117.20 of the Revised Code and adopted by the director of agriculture:

(1) A summary of the receipts and expenditures of the society during the period covered by the report;

(2) A newspaper clipping, properly certified under oath, of the published abstract of its accounts required by section 1711.05 of the Revised Code;

(3) A report of exhibits, premiums paid, and other expenses of the junior fair division;

(4) A report of the horse racing program, if any, at the fair;

(5) A report of the colt stake races, if any, at the fair;

(6) A voided membership ticket for the year of the report; and

(7) A voided season ticket for the fair if the society uses such tickets.

(B) Each agricultural society shall submit a copy of the annual premium list for the fair held by the society during the period covered by the report required by section 901.06 of the Revised Code, with or prior to submission of the report.

(C) A majority of the board of directors of each agricultural society shall approve, and the secretary or secretary-treasurer of each agricultural society shall sign and swear to the accuracy of the report



of their society, before it is submitted to the director of agriculture.

(D) Each agricultural society shall make its books, accounts, reports, etc., available for inspection by the director of agriculture or his authorized designee.

(E) If the director of agriculture determines that an agricultural society has violated any law or rule administered by the department, he may refuse to issue a certificate to the board of county commissioners or the county auditor, or an order to the auditor of state, authorizing the payment of county or state funds to the agricultural society.

(1) If the director of agriculture finds that he should withhold his certificate or order for county or state funds, he may, prior to a hearing conducted in accordance with Chapter 119. of the Revised Code, order that the violating agricultural society rectify its violation in a manner and time specified in the order. If the society rectifies its violation to the satisfaction of the director of agriculture within the time set, he may then issue a certificate or order for the payment of county or state funds.

(2) If the director of agriculture believes he should refuse to issue his certificate or order for one or more years, he shall hold a hearing for such agricultural society in accordance with Chapter 119. of the Revised Code. His letter notifying the agricultural society of such a hearing shall state in which year(s) the violation(s) occurred and for which or how many years refusal to issue is contemplated.

(3) Following a hearing conducted in accordance with Chapter 119. of the Revised Code, the director of agriculture may:

(a) Order the agricultural society to rectify its violation in a manner and time specified in the order. If the society rectifies its violation to the satisfaction of the director of agriculture, he may then issue a certificate or order for the payment of county or state funds; or

(b) Refuse to issue certificates or orders for payment of county or state funds for as many years as he deems appropriate. He shall specify in his order the year(s) for which he will refuse to issue such certificates or orders. If more than one year is specified, the director of agriculture may at any time modify his order so that it does not include later years.



(F) Any citizen may file a sworn complaint with the director concerning any agricultural society which operates in the county or district in which he resides. Such complaint shall state:

(1) Facts which constitute a violation on the part of the agricultural society of a law or rule administered by the department; and

(2) The law or rule which the society allegedly violated.

(G) If the director of agriculture receives a citizen's complaint, and if it appears to be well-founded, he may conduct an investigation to establish the validity of the complaint. The director may hold an informal hearing, and specify the rules under which each such informal hearing is conducted, to allow the complainant to present evidence that the violation he alleges did occur.