

**As Introduced**

**132nd General Assembly**

**Regular Session**

**2017-2018**

**H. B. No. 352**

**Representatives Rezabek, Huffman**

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**A BILL**

To amend sections 109.73, 955.11, 955.12, 955.22, 1  
955.222, 955.44, 955.54, and 955.99 and to enact 2  
sections 955.13, 955.223, 955.224, 955.225, and 3  
955.60 of the Revised Code to revise provisions 4  
of the Dogs Law governing nuisance, dangerous, 5  
and vicious dogs, to revise enforcement of that 6  
Law, and to establish a notification process 7  
regarding complaints of certain violations of 8  
that Law. 9

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

**Section 1.** That sections 109.73, 955.11, 955.12, 955.22, 10  
955.222, 955.44, 955.54, and 955.99 be amended and sections 11  
955.13, 955.223, 955.224, 955.225, and 955.60 of the Revised 12  
Code be enacted to read as follows: 13

**Sec. 109.73.** (A) The Ohio peace officer training 14  
commission shall recommend rules to the attorney general with 15  
respect to all of the following: 16

(1) The approval, or revocation of approval, of peace 17  
officer training schools administered by the state, counties, 18  
municipal corporations, public school districts, technical 19

college districts, and the department of natural resources;	20
(2) Minimum courses of study, attendance requirements, and	21
equipment and facilities to be required at approved state,	22
county, municipal, and department of natural resources peace	23
officer training schools;	24
(3) Minimum qualifications for instructors at approved	25
state, county, municipal, and department of natural resources	26
peace officer training schools;	27
(4) The requirements of minimum basic training that peace	28
officers appointed to probationary terms shall complete before	29
being eligible for permanent appointment, which requirements	30
shall include training in the handling of the offense of	31
domestic violence, other types of domestic violence-related	32
offenses and incidents, and protection orders and consent	33
agreements issued or approved under section 2919.26 or 3113.31	34
of the Revised Code; crisis intervention training; and training	35
in the handling of missing children and child abuse and neglect	36
cases; and training in handling violations of section 2905.32 of	37
the Revised Code; and the time within which such basic training	38
shall be completed following appointment to a probationary term;	39
(5) The requirements of minimum basic training that peace	40
officers not appointed for probationary terms but appointed on	41
other than a permanent basis shall complete in order to be	42
eligible for continued employment or permanent appointment,	43
which requirements shall include training in the handling of the	44
offense of domestic violence, other types of domestic violence-	45
related offenses and incidents, and protection orders and	46
consent agreements issued or approved under section 2919.26 or	47
3113.31 of the Revised Code, crisis intervention training, and	48
training in the handling of missing children and child abuse and	49

neglect cases, and training in handling violations of section 50  
2905.32 of the Revised Code, and the time within which such 51  
basic training shall be completed following appointment on other 52  
than a permanent basis; 53

(6) Categories or classifications of advanced in-service 54  
training programs for peace officers, including programs in the 55  
handling of the offense of domestic violence, other types of 56  
domestic violence-related offenses and incidents, and protection 57  
orders and consent agreements issued or approved under section 58  
2919.26 or 3113.31 of the Revised Code, in crisis intervention, 59  
and in the handling of missing children and child abuse and 60  
neglect cases, and in handling violations of section 2905.32 of 61  
the Revised Code, and minimum courses of study and attendance 62  
requirements with respect to such categories or classifications; 63

(7) Permitting persons, who are employed as members of a 64  
campus police department appointed under section 1713.50 of the 65  
Revised Code; who are employed as police officers by a qualified 66  
nonprofit corporation police department pursuant to section 67  
1702.80 of the Revised Code; who are appointed and commissioned 68  
as bank, savings and loan association, savings bank, credit 69  
union, or association of banks, savings and loan associations, 70  
savings banks, or credit unions police officers, as railroad 71  
police officers, or as hospital police officers pursuant to 72  
sections 4973.17 to 4973.22 of the Revised Code; or who are 73  
appointed and commissioned as amusement park police officers 74  
pursuant to section 4973.17 of the Revised Code, to attend 75  
approved peace officer training schools, including the Ohio 76  
peace officer training academy, and to receive certificates of 77  
satisfactory completion of basic training programs, if the 78  
private college or university that established the campus police 79  
department; qualified nonprofit corporation police department; 80

bank, savings and loan association, savings bank, credit union, 81  
or association of banks, savings and loan associations, savings 82  
banks, or credit unions; railroad company; hospital; or 83  
amusement park sponsoring the police officers pays the entire 84  
cost of the training and certification and if trainee vacancies 85  
are available; 86

(8) Permitting undercover drug agents to attend approved 87  
peace officer training schools, other than the Ohio peace 88  
officer training academy, and to receive certificates of 89  
satisfactory completion of basic training programs, if, for each 90  
undercover drug agent, the county, township, or municipal 91  
corporation that employs that undercover drug agent pays the 92  
entire cost of the training and certification; 93

(9) (a) The requirements for basic training programs for 94  
bailiffs and deputy bailiffs of courts of record of this state 95  
and for criminal investigators employed by the state public 96  
defender that those persons shall complete before they may carry 97  
a firearm while on duty; 98

(b) The requirements for any training received by a 99  
bailiff or deputy bailiff of a court of record of this state or 100  
by a criminal investigator employed by the state public defender 101  
prior to June 6, 1986, that is to be considered equivalent to 102  
the training described in division (A) (9) (a) of this section. 103

(10) Establishing minimum qualifications and requirements 104  
for certification for dogs utilized by law enforcement agencies; 105

(11) Establishing minimum requirements for certification 106  
of persons who are employed as correction officers in a full- 107  
service jail, five-day facility, or eight-hour holding facility 108  
or who provide correction services in such a jail or facility; 109

(12) Establishing requirements for the training of agents 110  
of a county humane society under section 1717.06 of the Revised 111  
Code, including, without limitation, a requirement that the 112  
agents receive instruction on traditional animal husbandry 113  
methods and training techniques, including customary owner- 114  
performed practices; 115

(13) Establishing requirements for the training of dog 116  
wardens and deputies for the purposes of division (E) of section 117  
955.12 of the Revised Code that include forty-two hours of 118  
initial training and ten hours of continuing education within a 119  
time period established by the commission. 120

(B) The commission shall appoint an executive director, 121  
with the approval of the attorney general, who shall hold office 122  
during the pleasure of the commission. The executive director 123  
shall perform such duties assigned by the commission. The 124  
executive director shall receive a salary fixed pursuant to 125  
Chapter 124. of the Revised Code and reimbursement for expenses 126  
within the amounts available by appropriation. The executive 127  
director may appoint officers, employees, agents, and 128  
consultants as the executive director considers necessary, 129  
prescribe their duties, and provide for reimbursement of their 130  
expenses within the amounts available for reimbursement by 131  
appropriation and with the approval of the commission. 132

(C) The commission may do all of the following: 133

(1) Recommend studies, surveys, and reports to be made by 134  
the executive director regarding the carrying out of the 135  
objectives and purposes of sections 109.71 to 109.77 of the 136  
Revised Code; 137

(2) Visit and inspect any peace officer training school 138

that has been approved by the executive director or for which 139  
application for approval has been made; 140

(3) Make recommendations, from time to time, to the 141  
executive director, the attorney general, and the general 142  
assembly regarding the carrying out of the purposes of sections 143  
109.71 to 109.77 of the Revised Code; 144

(4) Report to the attorney general from time to time, and 145  
to the governor and the general assembly at least annually, 146  
concerning the activities of the commission; 147

(5) Establish fees for the services the commission offers 148  
under sections 109.71 to 109.79 of the Revised Code, including, 149  
but not limited to, fees for training, certification, and 150  
testing; 151

(6) Perform such other acts as are necessary or 152  
appropriate to carry out the powers and duties of the commission 153  
as set forth in sections 109.71 to 109.77 of the Revised Code. 154

(D) In establishing the requirements, under division (A) 155  
(12) of this section, the commission may consider any portions 156  
of the curriculum for instruction on the topic of animal 157  
husbandry practices, if any, of the Ohio state university 158  
college of veterinary medicine. No person or entity that fails 159  
to provide instruction on traditional animal husbandry methods 160  
and training techniques, including customary owner-performed 161  
practices, shall qualify to train a humane agent for appointment 162  
under section 1717.06 of the Revised Code. 163

**Sec. 955.11.** ~~(A)~~ As used in this ~~section~~ chapter: 164

(A) (1) (a) "Vicious dog" means a dog that has done any of 165  
the following: 166

<u>(a) Caused serious injury or death to any person;</u>	167
<u>(b) Caused injury to any person after being designated a dangerous dog in accordance with section 955.222 of the Revised Code;</u>	168 169 170
<u>(c) Caused serious injury or death to another dog after being designated a dangerous dog in accordance with section 955.222 of the Revised Code, including death by euthanasia when recommended by a veterinarian, registered veterinary technician, or county dog warden after evaluation of the dog's injuries.</u>	171 172 173 174 175
<u>(2) "Vicious dog" does not include any of the following:</u>	176
<u>(a) A police dog that has caused injury, serious injury, or death to any person or dog while the police dog is being used to assist one or more law enforcement officers in the performance of their official duties;</u>	177 178 179 180
<u>(b) A dog that has injured, seriously injured, or killed any person or dog while a person was committing or attempting to commit a trespass or other criminal offense on the property of the owner, keeper, or harborer of the dog;</u>	181 182 183 184
<u>(c) A dog that is kept or harbored on a farm that has injured, seriously injured, or killed another dog that has either come onto the property of the farm or disrupted the duties of the farm dog.</u>	185 186 187 188
<u>(B) (1) "Dangerous dog" means a dog that, <del>without</del> provocation, and subject to division (A) (1) (b) of this section, has done any of the following:</u>	189 190 191
<u><del>(i) (a) Caused injury, other than killing or serious injury,</del> to any person;</u>	192 193
<u><del>(ii) Killed another dog;</del></u>	194

~~(iii)-(b)~~ Caused injury, serious injury, or death to another dog, including death by euthanasia when recommended by a veterinarian, registered veterinary technician, or county dog warden after evaluation of the dog's injuries; 195  
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(c) Been the subject of a third or subsequent violation of division ~~(C)-(B)~~ of section 955.22 of the Revised Code. 199  
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~~(b)-(2)~~ "Dangerous dog" does not include a any of the following: 201  
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(a) A police dog that has caused injury, ~~other than killing or serious injury, or death~~ to any person or ~~has killed another~~ dog while the police dog is being used to assist one or more law enforcement officers in the performance of their official duties; 203  
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(b) A dog that has caused injury to any person while a person was committing or attempting to commit a trespass or other criminal offense on the property of the owner, keeper, or harbinger of the dog; 208  
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(c) A dog that is kept or harbored on a farm that has injured, seriously injured, or killed another dog that has either come onto the property of the farm or disrupted the duties of the farm dog. 212  
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~~(2)~~ "Menacing fashion" means that a dog would cause any person being chased or approached to reasonably believe that the dog will cause physical injury to that person. 216  
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~~(3)~~ (a) Subject to division ~~(A)~~ (3) ~~(b)~~ of this section, "nuisance ~~(C)~~ (1) "Nuisance dog" means a dog that ~~without provocation and~~ while off the premises of its owner, keeper, or harbinger has chased or approached a person in either a menacing fashion or an apparent attitude of attack or has attempted to 219  
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bite or otherwise endanger any person. 224

~~(b)~~ (2) "Nuisance dog" does not include a police dog that 225  
while being used to assist one or more law enforcement officers 226  
in the performance of their official duties has chased or 227  
approached a person in either a menacing fashion or an apparent 228  
attitude of attack or has attempted to bite or otherwise 229  
endanger any person. 230

~~(4)~~ (D) "Menacing fashion" means that a dog would cause 231  
any person being chased or approached to reasonably believe that 232  
the dog will cause physical injury to that person. 233

(E) "Police dog" means a dog that has been trained, and 234  
may be used, to assist one or more law enforcement officers in 235  
the performance of their official duties. 236

~~(5)~~ (F) "Serious injury" means any of the following: 237

~~(a)~~ (1) Any physical harm that carries a substantial risk 238  
of death; 239

~~(b)~~ (2) Any physical harm that involves a permanent 240  
incapacity, whether partial or total, or a temporary, 241  
substantial incapacity; 242

~~(c)~~ (3) Any physical harm that involves a permanent 243  
disfigurement or a temporary, serious disfigurement; 244

~~(d)~~ (4) Any physical harm that involves acute pain of a 245  
duration that results in substantial suffering or any degree of 246  
prolonged or intractable pain. 247

~~(6) (a) "Vicious dog" means a dog that, without provocation~~ 248  
~~and subject to division (A) (6) (b) of this section, has killed or~~ 249  
~~caused serious injury to any person.~~ 250

~~(b) "Vicious dog" does not include either of the following:~~ 251  
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~~(i) A police dog that has killed or caused serious injury to any person while the police dog is being used to assist one or more law enforcement officers in the performance of their official duties;~~ 253  
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~~(ii) A dog that has killed or caused serious injury to any person while a person was committing or attempting to commit a trespass or other criminal offense on the property of the owner, keeper, or harbinger of the dog.~~ 257  
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~~(7) "Without provocation" means that a dog was not teased, tormented, or abused by a person, or that the dog was not coming to the aid or the defense of a person who was not engaged in illegal or criminal activity and who was not using the dog as a means of carrying out such activity.~~ 261  
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~~(B) Upon the transfer of ownership of any dog, the seller of the dog shall give the buyer a transfer of ownership certificate that shall be signed by the seller. The certificate shall contain the registration number of the dog, the name of the seller, and a brief description of the dog. Blank forms of the certificate may be obtained from the county auditor. A transfer of ownership shall be recorded by the auditor upon presentation of a transfer of ownership certificate that is signed by the former owner of a dog and that is accompanied by a fee of five dollars.~~ 266  
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~~(C) Prior to the transfer of ownership or possession of any dog, upon the buyer's or other transferee's request, the seller or other transferor of the dog shall give to the person a written notice relative to the behavior and propensities of the~~ 276  
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<del>dog.</del>	280
<del>(D) Within ten days after the transfer of ownership or</del>	281
<del>possession of any dog, if the seller or other transferor of the</del>	282
<del>dog has knowledge that the dog is a dangerous dog, the seller or</del>	283
<del>other transferor shall give to the buyer or other transferee,</del>	284
<del>the board of health for the district in which the buyer or other</del>	285
<del>transferee resides, and the dog warden of the county in which</del>	286
<del>the buyer or other transferee resides, a completed copy of a</del>	287
<del>written form on which the seller shall furnish the following</del>	288
<del>information:</del>	289
<del>(1) The name and address of the buyer or other transferee</del>	290
<del>of the dog;</del>	291
<del>(2) The age, sex, color, breed, and current registration</del>	292
<del>number of the dog.</del>	293
<del>In addition, the seller shall answer the following</del>	294
<del>questions, which shall be specifically stated on the form as</del>	295
<del>follows:</del>	296
<del>"Has the dog ever chased or attempted to attack or bite a</del>	297
<del>person? If yes, describe the incident(s) in which the behavior</del>	298
<del>occurred."</del>	299
<del>"Has the dog ever bitten a person? If yes, describe the</del>	300
<del>incident(s) in which the behavior occurred."</del>	301
<del>"Has the dog ever seriously injured or killed a person? If</del>	302
<del>yes, describe the incident(s) in which the behavior occurred."</del>	303
<del>The dog warden of the county in which the seller resides</del>	304
<del>shall furnish the form to the seller at no cost.</del>	305
<del>(E) No seller or other transferor of a dog shall fail to</del>	306
<del>comply with the applicable requirements of divisions (B) to (D)</del>	307

~~of this section.~~ 308

**Sec. 955.12.** (A) Except as provided in section 955.121 of 309  
Revised Code, a board of county commissioners shall appoint or 310  
employ a county dog warden and deputies in such number, for such 311  
periods of time, and at such compensation as the board considers 312  
necessary to enforce sections 955.01 to 955.27~~and~~, 955.50 to 313  
~~955.53~~955.54, and 955.60 of the Revised Code. 314

The warden and deputies shall give bond in a sum not less 315  
than five hundred dollars and not more than two thousand 316  
dollars, as set by the board, conditioned for the faithful 317  
performance of their duties. The bond or bonds may, in the 318  
discretion of the board, be individual or blanket bonds. The 319  
bonds shall be filed with the county auditor of their respective 320  
counties. 321

(B) The warden and deputies shall make a record of all 322  
dogs owned, kept, and harbored in their respective counties. 323  
They shall patrol their respective counties and seize and 324  
impound on sight all dogs found running at large and all dogs 325  
more than three months of age found not wearing a valid 326  
registration tag, except any dog that wears a valid registration 327  
tag and is: on the premises of its owner, keeper, or harborer, 328  
under the reasonable control of its owner or some other person, 329  
hunting with its owner or its handler at a field trial, kept 330  
constantly confined in a dog kennel registered under this 331  
chapter or one licensed under Chapter 956. of the Revised Code, 332  
or acquired by, and confined on the premises of, an institution 333  
or organization of the type described in section 955.16 of the 334  
Revised Code. A dog that wears a valid registration tag may be 335  
seized on the premises of its owner, keeper, or harborer and 336  
impounded only in the event of a natural disaster. 337

(C) If a dog warden has reason to believe that a dog is 338  
being treated inhumanely on the premises of its owner, keeper, 339  
or harborer, the warden shall apply to the court of common pleas 340  
for the county in which the premises are located for an order to 341  
enter the premises, and if necessary, seize the dog. If the 342  
court finds probable cause to believe that the dog is being 343  
treated inhumanely, it shall issue such an order. 344

(D) The warden and deputies shall also make weekly 345  
reports, in writing, to the board in their respective counties 346  
of all dogs seized, impounded, redeemed, and destroyed. 347

(E) The wardens and deputies shall have the same police 348  
powers, including the authority to make arrests, as are 349  
conferred upon sheriffs and police officers in the performance 350  
of their duties as prescribed by sections 955.01 to 955.27 ~~and~~ 351  
955.50 to ~~955.53~~ 955.54, and 955.60 of the Revised Code. They 352  
shall also have power to summon the assistance of bystanders in 353  
performing their duties and may serve writs and other legal 354  
processes issued by any court in their respective counties with 355  
reference to enforcing those sections. County auditors may 356  
deputize the wardens or deputies to issue dog licenses as 357  
provided in sections 955.01 and 955.14 of the Revised Code. 358

(F) Whenever any person files an affidavit in a court of 359  
competent jurisdiction that there is a dog running at large that 360  
is not kept constantly confined either in a dog kennel 361  
registered under this chapter or one licensed under Chapter 956. 362  
of the Revised Code or on the premises of an institution or 363  
organization of the type described in section 955.16 of the 364  
Revised Code or that a dog is kept or harbored in the warden's 365  
jurisdiction without being registered as required by law, the 366  
court shall immediately order the warden to seize and impound 367

the dog. Thereupon the warden shall immediately seize and 368  
impound the dog complained of. The warden shall give immediate 369  
notice by certified mail to the owner, keeper, or harbinger of 370  
the dog seized and impounded by the warden, if the owner, 371  
keeper, or harbinger can be determined from the current year's 372  
registration list maintained by the warden and the county 373  
auditor of the county where the dog is registered, that the dog 374  
has been impounded and that, unless the dog is redeemed within 375  
fourteen days of the date of the notice, it may thereafter be 376  
sold or destroyed according to law. If the owner, keeper, or 377  
harbinger cannot be determined from the current year's 378  
registration list maintained by the warden and the county 379  
auditor of the county where the dog is registered, the officer 380  
shall post a notice in the pound or animal shelter both 381  
describing the dog and place where seized and advising the 382  
unknown owner that, unless the dog is redeemed within three 383  
days, it may thereafter be sold or destroyed according to law. 384

Sec. 955.13. (A) Upon the transfer of ownership of any 385  
dog, the seller of the dog shall give the buyer a transfer of 386  
ownership certificate signed by the seller. The seller shall 387  
include on the certificate the registration number of the dog, 388  
the name of the seller, and a brief description of the dog. The 389  
county auditor shall provide blank forms of the certificate upon 390  
request. The county auditor shall record a transfer of ownership 391  
upon presentation of a transfer of ownership certificate that is 392  
signed by the former owner of a dog and that is accompanied by a 393  
fee of five dollars. 394

(B) Prior to the transfer of ownership or possession of a 395  
dog, upon the buyer's or other transferee's request, the seller 396  
or other transferor of the dog shall give to the person a 397  
written notice relative to the behavior and propensities of the 398

dog. 399

(C) Not later than ten days after the transfer of 400  
ownership or possession of any dog, if the seller or other 401  
transferor of the dog has knowledge that the dog is a dangerous 402  
dog, the seller or other transferor shall give to the buyer or 403  
other transferee, the board of health of the health district in 404  
which the buyer or other transferee resides, and the dog warden 405  
of the county in which the buyer or other transferee resides a 406  
completed copy of a written form on which the seller shall 407  
furnish the following information: 408

(1) The name and address of the buyer or other transferee 409  
of the dog; 410

(2) The age, sex, color, breed, and current registration 411  
number of the dog. 412

In addition, the seller shall answer the following 413  
questions that shall be specifically stated on the form as 414  
follows: 415

"Has the dog ever chased or attempted to attack or bite a 416  
person? If yes, describe the incident(s) in which the behavior 417  
occurred." 418

"Has the dog ever bitten a person? If yes, describe the 419  
incident(s) in which the behavior occurred." 420

"Has the dog ever seriously injured or killed a person? If 421  
yes, describe the incident(s) in which the behavior occurred." 422

The dog warden of the county in which the seller resides 423  
shall furnish the form to the seller at no cost. 424

(D) No seller or other transferor of a dog shall fail to 425  
comply with the applicable requirements of this section. 426

~~Sec. 955.22. (A) As used in this section, "dangerous dog" has the same meaning as in section 955.11 of the Revised Code.~~ 427  
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~~(B) No owner, keeper, or harbinger of any female dog shall permit it the dog to go beyond the premises of the owner, keeper, or harbinger at any time the dog is in heat unless the dog is properly in leash.~~ 429  
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~~(C) (B) Except when a dog is lawfully engaged in hunting and accompanied by the owner, keeper, harbinger, or handler of the dog, no owner, keeper, or harbinger of any dog shall fail at any time to do either of the following:~~ 433  
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(1) Keep the dog physically confined or restrained upon the premises of the owner, keeper, or harbinger by a leash, tether, adequate fence, supervision, or secure enclosure to prevent escape; 437  
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(2) Keep the dog under the reasonable control of some person. 441  
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~~(D) Except when a dangerous dog is lawfully engaged in hunting or training for the purpose of hunting and is accompanied by the owner, keeper, harbinger, or handler of the dog, no owner, keeper, or harbinger of a dangerous dog shall fail to do either of the following:~~ 443  
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~~(1) While that dog is on the premises of the owner, keeper, or harbinger, securely confine it at all times in a locked pen that has a top, locked fenced yard, or other locked enclosure that has a top;~~ 448  
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~~(2) While that dog is off the premises of the owner, keeper, or harbinger, keep that dog on a chain link leash or tether that is not more than six feet in length and additionally do at least one of the following:~~ 452  
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- ~~(a) Keep that dog in a locked pen that has a top, locked-fenced yard, or other locked enclosure that has a top;~~ 456  
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- ~~(b) Have the leash or tether controlled by a person who is of suitable age and discretion or securely attach, tie, or affix the leash or tether to the ground or a stationary object or fixture so that the dog is adequately restrained and station such a person in close enough proximity to that dog so as to prevent it from causing injury to any person;~~ 458  
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- ~~(c) Muzzle that dog.~~ 464
- ~~(E) No person who has been convicted of or pleaded guilty to three or more violations of division (C) of this section involving the same dog and no owner, keeper, or harbinger of a dangerous dog shall fail to do the following:~~ 465  
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- ~~(1) Obtain liability insurance with an insurer authorized to write liability insurance in this state providing coverage in each occurrence because of damage or bodily injury to or death of a person caused by the dangerous dog if so ordered by a court and provide proof of that liability insurance upon request to any law enforcement officer, county dog warden, or public health official charged with enforcing this section;~~ 469  
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- ~~(2) Obtain a dangerous dog registration certificate from the county auditor pursuant to division (I) of this section, affix a tag that identifies the dog as a dangerous dog to the dog's collar, and ensure that the dog wears the collar and tag at all times;~~ 476  
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- ~~(3) Notify the local dog warden immediately if any of the following occurs:~~ 481  
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- ~~(a) The dog is loose or unconfined.~~ 483

~~(b) The dog bites a person, unless the dog is on the property of the owner of the dog, and the person who is bitten is unlawfully trespassing or committing a criminal act within the boundaries of that property.~~ 484  
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~~(c) The dog attacks another animal while the dog is off the property of the owner of the dog.~~ 488  
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~~(4) If the dog is sold, given to another person, or dies, notify the county auditor within ten days of the sale, transfer, or death.~~ 490  
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~~(F) No person shall do any of the following:~~ 493

~~(1) Debark or surgically silence a dog that the person knows or has reason to believe is a dangerous dog;~~ 494  
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~~(2) Possess a dangerous dog if the person knows or has reason to believe that the dog has been debarked or surgically silenced;~~ 496  
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~~(3) Falsely attest on a waiver form provided by the veterinarian under division (G) of this section that the person's dog is not a dangerous dog or otherwise provide false information on that written waiver form.~~ 499  
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~~(G) Before a veterinarian debarks or surgically silences a dog, the veterinarian may give the owner of the dog a written waiver form that attests that the dog is not a dangerous dog. The written waiver form shall include all of the following:~~ 503  
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506

~~(1) The veterinarian's license number and current business address;~~ 507  
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~~(2) The number of the license of the dog if the dog is licensed;~~ 509  
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- ~~(3) A reasonable description of the age, coloring, and gender of the dog as well as any notable markings on the dog;~~ 511  
512
- ~~(4) The signature of the owner of the dog attesting that the owner's dog is not a dangerous dog;~~ 513  
514
- ~~(5) A statement that division (F) of section 955.22 of the Revised Code prohibits any person from doing any of the following:~~ 515  
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- ~~(a) Debarking or surgically silencing a dog that the person knows or has reason to believe is a dangerous dog;~~ 518  
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- ~~(b) Possessing a dangerous dog if the person knows or has reason to believe that the dog has been debarked or surgically silenced;~~ 520  
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522
- ~~(c) Falsely attesting on a waiver form provided by the veterinarian under division (G) of section 955.22 of the Revised Code that the person's dog is not a dangerous dog or otherwise provide false information on that written waiver form.~~ 523  
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- ~~(H) It is an affirmative defense to a charge of a violation of division (F) of this section that the veterinarian who is charged with the violation obtained, prior to debarking or surgically silencing the dog, a written waiver form that complies with division (G) of this section and that attests that the dog is not a dangerous dog.~~ 527  
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- ~~(I) (1) The county auditor shall issue a dangerous dog registration certificate to a person who is the owner of a dog, who is eighteen years of age or older, and who provides the following to the county auditor:~~ 533  
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- ~~(a) A fee of fifty dollars;~~ 537
- ~~(b) The person's address, phone number, and other~~ 538

~~appropriate means for the local dog warden or county auditor to~~ 539  
~~contact the person;~~ 540

~~(c) With respect to the person and the dog for which the~~ 541  
~~registration is sought, all of the following:~~ 542

~~(i) Either satisfactory evidence of the dog's current~~ 543  
~~rabies vaccination or a statement from a licensed veterinarian~~ 544  
~~that a rabies vaccination is medically contraindicated for the~~ 545  
~~dog;~~ 546

~~(ii) Either satisfactory evidence of the fact that the dog~~ 547  
~~has been neutered or spayed or a statement from a licensed~~ 548  
~~veterinarian that neutering or spaying of the dog is medically~~ 549  
~~contraindicated;~~ 550

~~(iii) Satisfactory evidence of the fact that the person~~ 551  
~~has posted and will continue to post clearly visible signs at~~ 552  
~~the person's residence warning both minors and adults of the~~ 553  
~~presence of a dangerous dog on the property;~~ 554

~~(iv) Satisfactory evidence of the fact that the dog has~~ 555  
~~been permanently identified by means of a microchip and the~~ 556  
~~dog's microchip number.~~ 557

~~(2) Upon the issuance of a dangerous dog registration~~ 558  
~~certificate to the owner of a dog, the county auditor shall~~ 559  
~~provide the owner with a uniformly designed tag that identifies~~ 560  
~~the animal as a dangerous dog. The owner shall renew the~~ 561  
~~certificate annually for the same fee and in the same manner as~~ 562  
~~the initial certificate was obtained. If a certificate holder~~ 563  
~~relocates to a new county, the certificate holder shall follow~~ 564  
~~the procedure in division (I) (3) (b) of this section and, upon~~ 565  
~~the expiration of the certificate issued in the original county,~~ 566  
~~shall renew the certificate in the new county.~~ 567

~~(3) (a) If the owner of a dangerous dog for whom a registration certificate has previously been obtained relocates to a new address within the same county, the owner shall provide notice of the new address to the county auditor within ten days of relocating to the new address.~~ 568  
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~~(b) If the owner of a dangerous dog for whom a registration certificate has previously been obtained relocates to a new address within another county, the owner shall do both of the following within ten days of relocating to the new address:~~ 573  
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~~(i) Provide written notice of the new address and a copy of the original dangerous dog registration certificate to the county auditor of the new county;~~ 578  
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~~(ii) Provide written notice of the new address to the county auditor of the county where the owner previously resided.~~ 581  
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~~(4) The owner of a dangerous dog shall present the dangerous dog registration certificate upon being requested to do so by any law enforcement officer, dog warden, or public health official charged with enforcing this section.~~ 583  
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586

~~(5) The fees collected pursuant to this division shall be deposited in the dog and kennel fund of the county.~~ 587  
588

(C) In a prosecution for a violation of division (B) of this section in connection with a dog that has caused injury or serious injury to or the death of a person or dog, any of the following may be asserted as an affirmative defense, as applicable: 589  
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(1) The dog or the dog's offspring was willfully teased, tormented, or abused by a person. 594  
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(2) The dog was coming to the aid or defense of a person 596  
who was not engaged in illegal or criminal activity and who was 597  
not using the dog as a means of carrying out such activity. 598

(3) The dog was responding to its own pain or injury. 599

(4) The person toward whom the dog's behavior was directed 600  
was intervening between two or more animals engaged in 601  
aggressive behavior or fighting. 602

(5) The dog caused injury or serious injury to a person or 603  
killed a person while the person was committing or attempting to 604  
commit a trespass or other criminal offense on the property of 605  
the owner, keeper, or harborer of the dog. 606

**Sec. 955.222.** (A) The municipal court or county court that 607  
has territorial jurisdiction over the ~~residence of the owner,~~ 608  
~~keeper, or harborer of a dog~~ location where the alleged incident 609  
occurred that gave rise to a designation under division (B) of 610  
this section that a dog is a nuisance dog, dangerous dog, or 611  
vicious dog shall conduct any hearing concerning the designation 612  
of the dog as a nuisance dog, dangerous dog, or vicious dog. 613

(B) If a person who is authorized to enforce this chapter 614  
has reasonable cause to believe that a dog in the person's 615  
jurisdiction is a nuisance dog, dangerous dog, or vicious dog, 616  
the person shall notify the owner, keeper, or harborer of that 617  
dog, by certified mail or in person, of both of the following: 618

(1) That the person has designated the dog a nuisance dog, 619  
dangerous dog, or vicious dog, as applicable; 620

(2) That the owner, keeper, or harborer of the dog may 621  
request a hearing regarding the designation in accordance with 622  
this section. The notice shall include instructions for filing a 623  
request for a hearing ~~in the county in which the dog's owner,~~ 624

keeper, or harborer resides with the court with jurisdiction 625  
over the location where the alleged incident occurred that gave 626  
rise to the designation that the dog is a nuisance dog, 627  
dangerous dog, or vicious dog. 628

Reasonable cause may be supported by one or more notarized 629  
affidavits of a witness describing the incident or incidents in 630  
which the witness saw the dog engage in behavior that warrants 631  
designation of the dog as a nuisance dog, dangerous dog, or 632  
vicious dog. 633

(C) If the owner, keeper, or harborer of the dog disagrees 634  
with the designation of the dog as a nuisance dog, dangerous 635  
dog, or vicious dog, ~~as applicable,~~ the owner, keeper, or 636  
harborer, not later than ten days after receiving notification 637  
of the designation, may request a hearing regarding the 638  
determination. The request for a hearing shall be in writing and 639  
shall be filed with the municipal court or county court that has 640  
territorial jurisdiction over the ~~residence of the dog's owner,~~ 641  
~~keeper, or harborer~~ alleged incident that gave rise to the 642  
determination that the dog is a nuisance dog, dangerous dog, or 643  
vicious dog. At the hearing, the person who designated the dog 644  
as a nuisance dog, dangerous dog, or vicious dog has the burden 645  
of proving, by clear and convincing evidence, that the dog is a 646  
nuisance dog, dangerous dog, or vicious dog. 647

The owner, keeper, or harborer of the dog or the person 648  
who designated the dog as a nuisance dog, dangerous dog, or 649  
vicious dog may appeal the court's final determination as in any 650  
other case filed in that court. 651

(D) A court, upon motion of an owner, keeper, or harborer 652  
or an attorney representing the owner, keeper, or harborer, may 653  
order that the dog designated as a nuisance dog, dangerous dog, 654

or vicious dog be held in the possession of the owner, keeper, 655  
or harborer until the court makes a final determination under 656  
this section or during the pendency of an appeal, as applicable. 657  
Until the court makes a final determination and during the 658  
pendency of any appeal, the dog shall be confined or restrained 659  
in accordance with ~~the provisions of division (D) (A)~~ of section 660  
~~955.22-955.223~~ of the Revised Code ~~that apply to dangerous dogs~~ 661  
regardless of whether the dog has been designated as a vicious 662  
dog or a nuisance dog rather than a dangerous dog. The owner, 663  
keeper, or harborer of the dog ~~shall~~ is not ~~be~~ required to 664  
comply with any other requirements established in the Revised 665  
Code that concern a nuisance dog, dangerous dog, or vicious dog, ~~as~~ 666  
~~as applicable,~~ until the court makes a final determination and 667  
during the pendency of any appeal. 668

(E) It is an affirmative defense to the designation of a 669  
dog as a nuisance dog, dangerous dog, or vicious dog if any of 670  
the following apply: 671

(1) The dog or the dog's offspring was willfully teased, 672  
tormented, or abused by a person. 673

(2) The dog was coming to the aid or defense of a person 674  
who was not engaged in illegal or criminal activity and who was 675  
not using the dog as a means of carrying out such activity. 676

(3) The dog was responding to its own pain or injury. 677

(4) The person toward whom the dog's behavior was directed 678  
was intervening between two or more animals engaged in 679  
aggressive behavior or fighting. 680

(5) The dog caused injury or serious injury to a person or 681  
killed a person while the person was committing or attempting to 682  
commit a trespass or other criminal offense on the property of 683



the owner, keeper, or harborer of the dog. 684

(F) (1) If a dog is finally determined under this section, 685  
or on appeal as described in this section, to be a vicious dog 686  
and the dog did not kill a person or another dog during the 687  
incident that gave rise to that determination, ~~division (D) of~~ 688  
~~section 955.11 and divisions (D) to (I) of section 955.22 of the~~ 689  
~~Revised Code apply with respect to the dog and the owner,~~ 690  
~~keeper, or harborer of the dog as if the dog were a dangerous-~~ 691  
~~dog, and section 955.54 of the Revised Code applies with respect~~ 692  
~~to the dog as if it were a dangerous dog, and the court shall~~ 693  
~~issue an order that specifies that those provisions apply with~~ 694  
~~respect to the dog and the owner, keeper, or harborer in that~~ 695  
~~manner. As part of the order, the court shall require the owner,~~ 696  
~~keeper, or harborer to obtain the liability insurance required~~ 697  
~~under division (E) (1) of section 955.22 of the Revised Code in~~ 698  
~~an amount described in division (H) (2) of section 955.99 of the~~ 699  
~~Revised Code~~ the court may order the dog to be humanely 700  
destroyed by a licensed veterinarian, the county dog warden, or 701  
the county humane society at the owner's expense. 702

~~(F) As used in this section, "nuisance dog," "dangerous-~~ 703  
~~dog," and "vicious dog" have the same meanings as in section-~~ 704  
~~955.11 of the Revised Code.~~ 705

(2) If a dog is finally determined under this section, or 706  
on appeal as described in this section, to be a vicious dog and 707  
the dog killed a person or another dog during the incident that 708  
gave rise to that determination, the court shall order the dog 709  
to be humanely destroyed by a licensed veterinarian, the county 710  
dog warden, or the county humane society at the owner's expense. 711

(3) If the court does not order a vicious dog to be 712  
destroyed under division (F) (1) of this section, the court shall 713

issue an order that specifies that division (C) of section 714  
955.13 and sections 955.223, 955.224, 955.225, and 955.54 of the 715  
Revised Code apply with respect to the dog and to the owner, 716  
keeper, or harborer of the dog as if the dog were a dangerous 717  
dog. 718

Sec. 955.223. (A) Except when a dangerous dog is lawfully 719  
engaged in hunting or training for the purpose of hunting and is 720  
accompanied by the owner, keeper, harborer, or handler of the 721  
dog, no owner, keeper, or harborer of a dangerous dog shall fail 722  
to do either of the following: 723

(1) While the dog is on the premises of the owner, keeper, 724  
or harborer, securely confine it at all times in a locked pen 725  
that has a top, locked fenced yard, or other locked enclosure 726  
that has a top; 727

(2) While the dog is off the premises of the owner, 728  
keeper, or harborer, keep the dog on a chain-link leash or 729  
tether that is not more than six feet in length and additionally 730  
do at least one of the following: 731

(a) Keep the dog in a locked pen that has a top, locked 732  
fenced yard, or other locked enclosure that has a top; 733

(b) Have the leash or tether controlled by a person who is 734  
of suitable age and discretion and station such a person in 735  
close enough proximity to the dog so as to prevent it from 736  
causing injury to any person; 737

(c) Securely attach, tie, or affix the leash or tether to 738  
the ground or a stationary object or fixture so that the dog is 739  
adequately restrained; 740

(d) Muzzle the dog. 741

(B) No owner, keeper, or harborer of a dangerous dog shall 742  
fail to do any of the following: 743

(1) Obtain liability insurance with an insurer authorized, 744  
approved, or otherwise eligible to write liability insurance in 745  
this state providing at least one hundred thousand dollars of 746  
coverage in each occurrence because of damage or bodily injury 747  
to or death of a person caused by the dangerous dog if so 748  
ordered by a court and provide proof of that liability insurance 749  
upon request to any law enforcement officer, county dog warden, 750  
or public health official authorized to enforce this chapter; 751

(2) Obtain a dangerous dog registration certificate from 752  
the county dog warden pursuant to section 955.224 of the Revised 753  
Code, affix a tag that identifies the dog as a dangerous dog to 754  
the dog's collar, and ensure that the dog wears the collar and 755  
tag at all times; 756

(3) Notify the county dog warden immediately if any of the 757  
following occurs: 758

(a) The dog is loose or unconfined. 759

(b) The dog bites a person unless the dog is on the 760  
property of the owner of the dog and the person who is bitten is 761  
unlawfully trespassing or committing a criminal act within the 762  
boundaries of that property. 763

(c) The dog attacks another animal while the dog is off 764  
the property of the owner of the dog. 765

(4) If the dog is sold, given to another person, or dies, 766  
notify the county dog warden within ten days of the sale, 767  
transfer, or death. 768

**Sec. 955.224.** (A) (1) Not later than thirty days after a 769

dog has been designated a dangerous dog under section 955.222 of 770  
the Revised Code or a person acquires ownership of a dangerous 771  
dog, the owner of the dog shall file an application for a 772  
dangerous dog registration certificate in the office of the 773  
county dog warden of the county in which the owner resides. The 774  
owner shall renew the certificate annually by filing an 775  
application on or after the first day of December, but not later 776  
than the thirty-first day of January each year. 777

(2) If an application for a dangerous dog registration 778  
certificate is not filed and the registration fee established in 779  
this section paid by the applicable deadline established in 780  
division (A) (1) of this section, the county dog warden shall 781  
assess a penalty in an amount equal to the dangerous dog 782  
registration fee. 783

(3) Registration of a dangerous dog required by this 784  
section is in addition to the registration required by section 785  
955.01 of the Revised Code. 786

(B) The county dog warden shall issue a dangerous dog 787  
registration certificate to a person who is the owner of a dog, 788  
who is eighteen years of age or older, and who provides the 789  
following to the warden: 790

(1) A fee of fifty dollars for the initial registration 791  
and annual renewal, or, if the initial registration period is 792  
less than twelve months, a fee equal to a prorated amount as 793  
determined by the county dog warden; 794

(2) The person's address, telephone number, and other 795  
appropriate means for the county dog warden to contact the 796  
person; 797

(3) With respect to the person and the dog for which the 798

registration is sought, all of the following: 799

(a) Either satisfactory evidence of the dog's current rabies vaccination or a statement from a licensed veterinarian that a rabies vaccination is medically contraindicated for the dog; 800  
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(b) Either satisfactory evidence of the fact that the dog has been neutered or spayed or a statement from a licensed veterinarian that neutering or spaying of the dog is medically contraindicated; 804  
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(c) Satisfactory evidence of the fact that the person has posted and will continue to post clearly visible signs at the person's residence warning both minors and adults of the presence of a dangerous dog on the property; 808  
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(d) Satisfactory evidence of the fact that the dog has been permanently identified by means of a microchip and the dog's microchip number. 812  
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(C) Upon the issuance of a dangerous dog registration certificate to the owner of a dog, the county dog warden shall provide the owner with a uniformly designed tag that identifies the animal as a dangerous dog. If a certificate holder relocates to a new county, the certificate holder shall follow the procedure established in division (D)(2) of this section and, upon the expiration of the certificate issued in the original county, shall renew the certificate in the new county. 815  
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(D) (1) If the owner of a dangerous dog for whom a registration certificate has previously been obtained relocates to a new address within the same county with the dangerous dog, the owner shall provide notice of the new address to the county dog warden within ten days of relocating to the new address. 823  
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(2) If the owner of a dangerous dog for whom a registration certificate has previously been obtained relocates to a new address within another county with the dangerous dog, the owner shall do both of the following within ten days of relocating to the new address: 828  
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(a) Provide written notice of the new address and a copy of the original dangerous dog registration certificate to the county dog warden of the new county; 833  
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(b) Provide written notice of the new address to the county dog warden of the county where the owner previously resided. 836  
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(E) The owner of a dangerous dog shall present the dangerous dog registration certificate upon request by any law enforcement officer, dog warden, or public health official authorized to enforce this chapter. 839  
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(F) The fees and penalties collected pursuant to this section shall be deposited in the dog and kennel fund of the applicable county. 843  
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**Sec. 955.225. (A) No person shall do any of the following:** 846

(1) Debark or surgically silence a dog that the person knows or has reason to believe is a dangerous dog; 847  
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(2) Possess a dangerous dog if the person knows or has reason to believe that the dog has been debarked or surgically silenced; 849  
850  
851

(3) Falsely attest on a waiver form provided by a veterinarian under division (B) of this section that the person's dog is not a dangerous dog or otherwise provide false information on that written waiver form. 852  
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(B) Before a veterinarian debarks or surgically silences a 856  
dog, the veterinarian may give the owner of the dog a written 857  
waiver form that attests that the dog is not a dangerous dog. 858  
The written waiver form shall include all of the following: 859

(1) The veterinarian's license number and current business 860  
address; 861

(2) The number of the dog's registration issued under 862  
section 955.01 of the Revised Code if the dog is so registered; 863

(3) A reasonable description of the age, coloring, and 864  
gender of the dog as well as any notable markings on the dog; 865

(4) The signature of the owner of the dog attesting that 866  
the owner's dog is not a dangerous dog; 867

(5) A statement that division (A) of section 955.225 of 868  
the Revised Code prohibits any person from doing any of the 869  
following: 870

(a) Debarking or surgically silencing a dog that the 871  
person knows or has reason to believe is a dangerous dog; 872

(b) Possessing a dangerous dog if the person knows or has 873  
reason to believe that the dog has been debarked or surgically 874  
silenced; 875

(c) Falsely attesting on a waiver form provided by a 876  
veterinarian under division (B) of section 955.225 of the 877  
Revised Code that the person's dog is not a dangerous dog or 878  
otherwise providing false information on that written waiver 879  
form. 880

(C) It is an affirmative defense to a charge of a 881  
violation of division (A) of this section that the veterinarian 882  
who is charged with the violation obtained, prior to debarking 883

or surgically silencing the dog, a written waiver form that 884  
complies with division (B) of this section and that attests that 885  
the dog is not a dangerous dog. 886

**Sec. 955.44.** All fines collected for violations of 887  
sections ~~955.11~~ 955.13, 955.21, 955.22, 955.223, 955.224, 888  
955.225, 955.23, 955.25, ~~and 955.261~~, and 955.60 of the Revised 889  
Code shall be deposited in the county treasury to the credit of 890  
the dog and kennel fund. 891

**Sec. 955.54.** (A) No person who is convicted of or pleads 892  
guilty to a felony offense of violence committed on or after ~~the~~ 893  
~~effective date of this section or May 22, 2012~~, a felony 894  
violation of any provision of Chapter 959., 2923., or 2925. of 895  
the Revised Code committed on or after ~~the effective date of~~ 896  
~~this section~~ May 22, 2012, or a violation of division (B) of 897  
section 2919.22 of the Revised Code committed on or after the 898  
effective date of this amendment shall knowingly own, possess, 899  
have custody of, or reside in a residence with either of the 900  
following for a period of ~~three~~ five years commencing either 901  
upon the date of release of the person from any period of 902  
incarceration imposed for the offense or violation or, if the 903  
person is not incarcerated for the offense or violation, upon 904  
the date of the person's final release from the other sanctions 905  
imposed for the offense or violation: 906

(1) An unspayed or unneutered dog older than twelve weeks 907  
of age; 908

(2) Any dog that has been determined to be a dangerous dog 909  
under ~~Chapter 955. of the Revised Code~~ this chapter. 910

(B) A person described in division (A) of this section 911  
shall microchip for permanent identification any dog owned, 912



possessed by, or in the custody of the person. 913

(C) (1) Division (A) of this section does not apply to any 914  
person who is confined in a correctional institution of the 915  
department of rehabilitation and correction. 916

(2) Division (A) of this section does not apply to any 917  
person with respect to any dog that the person owned, possessed, 918  
had custody of, or resided in a residence with prior to ~~the~~ 919  
effective date of this section May 22, 2012, or, with regard to 920  
a violation of division (B) of section 2919.22 of the Revised 921  
Code, prior to the effective date of this amendment. 922

Sec. 955.60. (A) Any person authorized to enforce this 923  
chapter shall investigate any complaint that indicates a 924  
possible violation of any provision of this chapter involving a 925  
dog. 926

(B) If, after investigating an alleged violation of this 927  
chapter under division (A) of this section, an authorized person 928  
does not cite a person for or charge a person with a violation, 929  
the authorized person shall notify, in accordance with division 930  
(C) of this section, the owner, keeper, or harbinger of the dog 931  
that there has been a complaint regarding the dog and that the 932  
authorized person investigated a possible violation. The notice 933  
shall specify all of the following: 934

(1) A citation to the applicable provision or provisions 935  
of law at issue; 936

(2) Contact information for the authorized person; 937

(3) A requirement that the owner, keeper, or harbinger of 938  
the dog respond to the authorized person indicating that the 939  
owner, keeper, or harbinger has received the notice. 940

(C) The authorized person shall post the notice on the 941  
door of the dwelling at which the dog resides within twenty-four 942  
hours of the authorized person's investigation. The owner, 943  
keeper, or harborer of the dog shall respond within forty-eight 944  
hours to the authorized person via email, facsimile, telephone, 945  
or social media correspondence, indicating that the owner, 946  
keeper, or harborer has received the notice. If the owner, 947  
keeper, or harborer of the dog responds within a reasonable time 948  
after the forty-eight-hour period, the person is not subject to 949  
division (D) (1) of this section, provided that the response is 950  
accompanied with a reasonable explanation of why the forty- 951  
eight-hour response deadline was not met. 952

(D) If the owner, keeper, or harborer of the dog does not 953  
respond within: 954

(1) Forty-eight hours or does not respond within a 955  
reasonable time after the notice is posted as provided in 956  
division (C) of this section, the owner, keeper, or harborer of 957  
the dog shall be fined twenty-five dollars. 958

(2) Ninety-six hours after the notice is posted, the 959  
owner, keeper, or harborer of the dog shall be fined forty 960  
dollars. 961

(3) Seven days after the notice is posted, a court may 962  
issue a summons or warrant for the arrest of the owner, keeper, 963  
or harborer of the dog. 964

(E) The fines collected under this section shall be 965  
deposited in the dog and kennel fund of the applicable county. 966

**Sec. 955.99.** ~~(A) (1) Whoever violates division (E) (D) of~~ 967  
~~section 955.11-955.13 of the Revised Code because of a failure~~ 968  
~~to comply with division (B) of that section is guilty of a minor~~ 969

~~misdemeanor.~~ 970

~~(2) Whoever violates division (E) of section 955.11 of the Revised Code because of a failure to comply with division (C) or (D) of that section is guilty of a minor misdemeanor on a first offense and of a misdemeanor of the fourth degree on a first offense and a misdemeanor of the third degree on each subsequent offense.~~ 971  
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(B) Whoever violates section 955.10, 955.23, 955.24, or 955.25 of the Revised Code is guilty of a minor misdemeanor. 977  
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(C) Whoever violates section 955.261, 955.39, or 955.50 of the Revised Code is guilty of a minor misdemeanor on a first offense and of a misdemeanor of the fourth degree on each subsequent offense. 979  
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(D) Whoever violates division (F) of section 955.16 or division (B) of section 955.43 of the Revised Code is guilty of a misdemeanor of the fourth degree. 983  
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(E) (1) Whoever violates section 955.21 of the Revised Code, violates division ~~(B)~~ (A) of section 955.22 of the Revised Code, or commits a violation of division ~~(C)~~ (B) of section 955.22 of the Revised Code that involves a dog that is not a nuisance dog, dangerous dog, or vicious dog shall be fined not less than twenty-five dollars or more than one hundred dollars on a first offense, and on each subsequent offense shall be fined not less than seventy-five dollars or more than two hundred fifty dollars and may be imprisoned for not more than thirty days. 986  
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(2) In addition to the penalties prescribed in division (E) (1) of this section, if the offender is guilty of a violation of division ~~(B)~~ (A) of section 955.22 of the Revised Code or a 996  
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violation of division ~~(C)~~(B) of section 955.22 of the Revised Code that involves a dog that is not a nuisance dog, dangerous dog, or vicious dog, the court may order the offender to personally supervise the dog that the offender owns, keeps, or harbors, to cause that dog to complete dog obedience training, or to do both.

(F) (1) Whoever commits a violation of division ~~(C)~~(B) of section 955.22 of the Revised Code that involves a nuisance dog is guilty of a minor misdemeanor on the first offense and of a misdemeanor of the fourth degree on each subsequent offense involving the same dog. Upon a person being convicted of or pleading guilty to a third violation of division ~~(C)~~(B) of section 955.22 of the Revised Code involving the same dog, the court shall require the offender to register the involved dog as a dangerous dog.

(2) In addition to the penalties prescribed in division (F) (1) of this section, if a violation of division ~~(C)~~(B) of section 955.22 of the Revised Code involves a nuisance dog, the court may order the offender to personally supervise the nuisance dog that the offender owns, keeps, or harbors, to cause that dog to complete dog obedience training, or to do both.

(G) (1) Whoever commits a violation of division ~~(C)~~(B) of section 955.22 of the Revised Code that involves a dangerous dog or a violation of division ~~(D)~~(A) of ~~that~~ section 955.223 of the Revised Code is guilty of a misdemeanor of the fourth degree on a first offense and of a misdemeanor of the third degree on each subsequent offense. Additionally, the court may order the offender to personally supervise the dangerous dog that the offender owns, keeps, or harbors, to cause that dog to complete dog obedience training, or to do both, and the court may order

the offender to obtain liability insurance pursuant to division 1029  
~~(E)~~ (B) of section ~~955.22~~ 955.223 of the Revised Code. The 1030  
court, in the alternative, may order the dangerous dog to be 1031  
humanely destroyed by a licensed veterinarian, the county dog 1032  
warden, or the county humane society at the owner's expense. 1033  
~~With~~ 1034

(2) With respect to a violation of division ~~(C)~~ (B) of 1035  
section 955.22 of the Revised Code that involves a dangerous 1036  
dog, until the court makes a final determination and during the 1037  
pendency of any appeal of a violation of that division and at 1038  
the discretion of the dog warden, the dog shall be confined or 1039  
restrained in accordance with division ~~(D)~~ (A) of section ~~955.22~~ 1040  
955.223 of the Revised Code or at the county dog pound at the 1041  
owner's expense. 1042

(H) (1) ~~Whoever commits a~~ A violation of division ~~(C)~~ (B) 1043  
of section 955.22 of the Revised Code ~~that involves a vicious~~ 1044  
~~dog is guilty of one of the following:~~ 1045

(a) A felony of the ~~fourth~~ fifth degree if the dog kills 1046  
or causes serious injury to a person. Additionally, if the dog 1047  
kills a person, the court shall order that the vicious dog be 1048  
humanely destroyed by a licensed veterinarian, the county dog 1049  
warden, or the county humane society at the owner's expense. If 1050  
the dog causes serious injury to a person, the court may order 1051  
that the dog be humanely destroyed in such a manner. 1052

(b) A felony of the fourth degree if the dog kills or 1053  
causes serious injury to a person and the person in violation 1054  
has previously pleaded guilty to or been convicted of division 1055  
(H) (1) (a) or (c) of this section. Additionally, if the dog kills 1056  
a person, the court shall order that the dog be humanely 1057  
destroyed by a licensed veterinarian, the county dog warden, or 1058

the county humane society at the owner's expense. If the dog 1059  
causes serious injury to a person, the court may order that the 1060  
dog be humanely destroyed in such a manner. 1061

(c) A misdemeanor of the first degree if the dog causes 1062  
serious injury, other than serious injury, to a person or causes 1063  
injury, serious injury, or death to another dog. Additionally, 1064  
if the dog causes injury to a person or injury or serious injury 1065  
to another dog, the court may order that the vicious dog to be 1066  
humanely destroyed by a licensed veterinarian, the county dog 1067  
warden, or the county humane society at the owner's expense. If 1068  
the dog kills another dog, the court shall order that the dog be 1069  
humanely destroyed in such a manner. 1070

(d) A felony of the fifth degree if the dog causes injury, 1071  
other than serious injury, to a person or causes injury, serious 1072  
injury, or death to another dog and the person in violation has 1073  
previously pleaded guilty to or been convicted of division (H) 1074  
(1) (a) or (c) of this section. Additionally, if the dog causes 1075  
injury to a person or injury or serious injury to another dog, 1076  
the court may order that the dog be humanely destroyed by a 1077  
licensed veterinarian, the county dog warden, or the county 1078  
humane society at the owner's expense. If the dog kills another 1079  
dog, the court shall order that the dog be humanely destroyed in 1080  
such a manner. 1081

~~(2) If the court does not order the vicious dog to be~~ 1082  
~~destroyed under division (H) (1) (b) of this section, the court~~ 1083  
~~shall issue an order that specifies that division (D) of section~~ 1084  
~~955.11 and divisions (D) to (I) of section 955.22 of the Revised~~ 1085  
~~Code apply with respect to the dog and the owner, keeper, or~~ 1086  
~~harborer of the dog as if the dog were a dangerous dog and that~~ 1087  
~~section 955.54 of the Revised Code applies with respect to the~~ 1088

~~dog as if it were a dangerous dog. As part of the order, the~~ 1089  
~~court shall order the offender to obtain the liability insurance~~ 1090  
~~required under division (E) (1) of section 955.22 of the Revised~~ 1091  
~~Code in an amount, exclusive of interest and costs, that equals~~ 1092  
~~or exceeds one hundred thousand dollars, when authorized to do~~ 1093  
so, does not order a dog to be humanely destroyed under division 1094  
(H) (1) of this section, the court shall issue an order that 1095  
specifies that division (C) of section 955.13 and sections 1096  
955.223, 955.224, 955.225, and 955.54 of the Revised Code apply 1097  
with respect to the dog and the owner, keeper, or harborer of 1098  
the dog as if the dog were a dangerous dog. 1099

(3) Until the court makes a final determination and during 1100  
the pendency of any appeal of a violation of division ~~(C)~~(B) of 1101  
section 955.22 of the Revised Code and at the discretion of the 1102  
dog warden, the dog shall be confined or restrained in 1103  
accordance with the provisions described in division ~~(D)~~(A) of 1104  
section ~~955.22~~955.223 of the Revised Code or at the county dog 1105  
pound at the owner's expense. 1106

(I) Whoever violates division (A) (2) of section 955.01 of 1107  
the Revised Code is guilty of a misdemeanor of the first degree. 1108

(J) Whoever violates division ~~(E)~~(B) (2) of section ~~955.22~~ 1109  
955.223 of the Revised Code is guilty of a misdemeanor of the 1110  
fourth degree. 1111

(K) Whoever violates division (C) of section 955.221 of 1112  
the Revised Code is guilty of a minor misdemeanor. Each day of 1113  
continued violation constitutes a separate offense. Fines levied 1114  
and collected for violations of that division shall be 1115  
distributed by the mayor or clerk of the municipal or county 1116  
court in accordance with section 733.40, division (F) of section 1117  
1901.31, or division (C) of section 1907.20 of the Revised Code 1118

to the treasury of the county, township, or municipal 1119  
corporation whose resolution or ordinance was violated. 1120

(L) Whoever violates division ~~(F)~~(A) (1), (2), or (3) of 1121  
section ~~955.22~~955.225 of the Revised Code is guilty of a felony 1122  
of the fourth degree. Additionally, the court shall order that 1123  
the dog involved in the violation be humanely destroyed by a 1124  
licensed veterinarian, the county dog warden, or the county 1125  
humane society. Until the court makes a final determination and 1126  
during the pendency of any appeal of a violation of division ~~(F)~~ 1127  
(A) (1), (2), or (3) of section ~~955.22~~955.225 of the Revised 1128  
Code and at the discretion of the dog warden, the dog shall be 1129  
confined or restrained in accordance with the provisions of 1130  
division ~~(D)~~(A) of section ~~955.22~~955.225 of the Revised Code 1131  
or at the county dog pound at the owner's expense. 1132

(M) Whoever violates division ~~(E)~~(B) (1), (3), or (4) of 1133  
section ~~955.22~~955.223 of the Revised Code is guilty of a minor 1134  
misdemeanor. 1135

(N) Whoever violates division ~~(I)~~~~(4)~~(E) of section ~~955.22~~955.224 1136  
of the Revised Code is guilty of a minor misdemeanor. 1137

(O) Whoever violates division (A) or (B) of section 955.54 1138  
of the Revised Code is guilty of a misdemeanor of the first 1139  
degree. 1140

(P) (1) If a dog is confined at the county dog pound 1141  
pursuant to division (G), (H), or (L) of this section, the 1142  
county dog warden shall give written notice of the confinement 1143  
to the owner of the dog. If the county dog warden is unable to 1144  
give the notice to the owner of the dog, the county dog warden 1145  
shall post the notice on the door of the residence of the owner 1146  
of the dog or in another conspicuous place on the premises at 1147



which the dog was seized. The notice shall include a statement 1148  
that a security in the amount of one hundred dollars is due to 1149  
the county dog warden within ten days to secure payment of all 1150  
reasonable expenses, including medical care and boarding of the 1151  
dog for sixty days, expected to be incurred by the county dog 1152  
pound in caring for the dog pending the determination. The 1153  
county dog warden may draw from the security any actual costs 1154  
incurred in caring for the dog. 1155

(2) If the person ordered to post security under division 1156  
(P) (1) of this section does not do so within ten days of the 1157  
confinement of the animal, the dog is forfeited, and the county 1158  
dog warden may determine the disposition of the dog unless the 1159  
court issues an order that specifies otherwise. 1160

(3) Not more than ten days after the court makes a final 1161  
determination under division (G), (H), or (L) of this section, 1162  
the county dog warden shall provide the owner of the dog with 1163  
the actual cost of the confinement of the dog. If the county dog 1164  
warden finds that the security provided under division (P) (1) of 1165  
this section is less than the actual cost of confinement of the 1166  
dog, the owner shall remit the difference between the security 1167  
provided and the actual cost to the county dog warden within 1168  
thirty days after the court's determination. If the county dog 1169  
warden finds that the security provided under division (P) (1) of 1170  
this section is greater than that actual cost, the county dog 1171  
warden shall remit the difference between the security provided 1172  
and the actual cost to the owner within thirty days after the 1173  
court's determination. 1174

~~(Q) As used in this section, "nuisance dog," "dangerous 1175  
dog," and "vicious dog" have the same meanings as in section 1176  
955.11 of the Revised Code. 1177~~

**Section 2.** That existing sections 109.73, 955.11, 955.12, 1178  
955.22, 955.222, 955.44, 955.54, and 955.99 of the Revised Code 1179  
are hereby repealed. 1180

**Section 3.** The owner of a dog who holds a valid dangerous 1181  
dog registration certificate for the dog that was issued under 1182  
division (I) of section 955.22 of the Revised Code as that 1183  
section existed prior to its amendment by this act shall renew 1184  
the certificate beginning December 1 of the year in which this 1185  
act takes effect, but not later than January 31 of the 1186  
subsequent year regardless of when the owner would have been 1187  
required to renew the certificate under former law. Except as 1188  
otherwise provided in this section, the owner shall file the 1189  
application in accordance with section 955.224 of the Revised 1190  
Code as enacted by this act. 1191

If the renewal required by this section results in a 1192  
reduction of the registration period for which the owner paid 1193  
fifty dollars under former law, the owner shall pay a 1194  
registration fee for the renewal required by this section in an 1195  
amount that is prorated as determined by the county auditor of 1196  
the county in which the owner resides. Thereafter, the owner 1197  
shall renew the dangerous dog registration certificate in 1198  
accordance with section 955.224 of the Revised Code as enacted 1199  
by this act. 1200

**Section 4.** This act shall be known as the Klonda Richey 1201  
Act. 1202