

I_132_0294-1

132nd General Assembly
Regular Session
2017-2018

Sub. H. B. No. 349

A BILL

To amend sections 2921.321 and 2929.18 of the
Revised Code to include search and rescue dogs
and horses in the prohibition against assaulting
or harassing a police animal.

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

Section 1. That sections 2921.321 and 2929.18 of the
Revised Code be amended to read as follows:

Sec. 2921.321. (A) No person shall knowingly cause, or
attempt to cause, physical harm to a search and rescue dog or
horse or police dog or horse in either of the following
circumstances:

(1) The search and rescue dog or horse or police dog or
horse is assisting a law enforcement officer, volunteer handler,
or first responder in the performance of ~~the officer's~~ official
duties or emergency services at the time the physical harm is
caused or attempted.

(2) The search and rescue dog or horse or police dog or
horse is not assisting a law enforcement officer, volunteer
handler, or first responder in the performance of ~~the officer's~~



xift3hv4cpaamffxzujsh

official duties or emergency services at the time the physical 19
harm is caused or attempted, but the offender has actual 20
knowledge that the dog or horse is a search and rescue dog or 21
horse or police dog or horse. 22

(B) No person shall recklessly do any of the following: 23

(1) Taunt, torment, or strike a search and rescue dog or 24
horse or police dog or horse; 25

(2) Throw an object or substance at a search and rescue 26
dog or horse or police dog or horse; 27

(3) Interfere with or obstruct a search and rescue dog or 28
horse or police dog or horse, or interfere with or obstruct a 29
law enforcement officer, volunteer handler, or first responder 30
who is being assisted by a search and rescue dog or horse or 31
police dog or horse, in a manner that does any of the following: 32

(a) Inhibits or restricts the law enforcement officer's, 33
volunteer handler's, or first responder's control of the search 34
and rescue dog or horse or police dog or horse; 35

(b) Deprives the law enforcement officer, volunteer 36
handler, or first responder of control of the search and rescue 37
dog or horse or police dog or horse; 38

(c) Releases the search and rescue dog or horse or police 39
dog or horse from its area of control; 40

(d) Enters the area of control of the search and rescue 41
dog or horse or police dog or horse without the consent of the 42
law enforcement officer, volunteer handler, or first responder, 43
including placing food or any other object or substance into 44
that area; 45

(e) Inhibits or restricts the ability of the search and 46

rescue dog or horse or police dog or horse to assist a law 47
enforcement officer, volunteer handler, or first responder. 48

(4) Engage in any conduct that is likely to cause serious 49
physical injury or death to a search and rescue dog or horse or 50
police dog or horse; 51

(5) If the person is the owner, keeper, or harbinger of a 52
dog, fail to reasonably restrain the dog from taunting, 53
tormenting, chasing, approaching in a menacing fashion or 54
apparent attitude of attack, or attempting to bite or otherwise 55
endanger a search and rescue dog or horse or police dog or horse 56
that at the time of the conduct is assisting a law enforcement 57
officer, volunteer handler, or first responder in the 58
performance of the officer's official duties or emergency 59
services or that the person knows is a search and rescue dog or 60
horse or police dog or horse. 61

(C) No person shall knowingly cause, or attempt to cause, 62
physical harm to an assistance dog in either of the following 63
circumstances: 64

(1) The dog is assisting or serving a blind, deaf or 65
hearing impaired, or mobility impaired person at the time the 66
physical harm is caused or attempted. 67

(2) The dog is not assisting or serving a blind, deaf or 68
hearing impaired, or mobility impaired person at the time the 69
physical harm is caused or attempted, but the offender has 70
actual knowledge that the dog is an assistance dog. 71

(D) No person shall recklessly do any of the following: 72

(1) Taunt, torment, or strike an assistance dog; 73

(2) Throw an object or substance at an assistance dog; 74

(3) Interfere with or obstruct an assistance dog, or 75
interfere with or obstruct a blind, deaf or hearing impaired, or 76
mobility impaired person who is being assisted or served by an 77
assistance dog, in a manner that does any of the following: 78

(a) Inhibits or restricts the assisted or served person's 79
control of the dog; 80

(b) Deprives the assisted or served person of control of 81
the dog; 82

(c) Releases the dog from its area of control; 83

(d) Enters the area of control of the dog without the 84
consent of the assisted or served person, including placing food 85
or any other object or substance into that area; 86

(e) Inhibits or restricts the ability of the dog to assist 87
the assisted or served person. 88

(4) Engage in any conduct that is likely to cause serious 89
physical injury or death to an assistance dog; 90

(5) If the person is the owner, keeper, or harbinger of a 91
dog, fail to reasonably restrain the dog from taunting, 92
tormenting, chasing, approaching in a menacing fashion or 93
apparent attitude of attack, or attempting to bite or otherwise 94
endanger an assistance dog that at the time of the conduct is 95
assisting or serving a blind, deaf or hearing impaired, or 96
mobility impaired person or that the person knows is an 97
assistance dog. 98

(E) (1) Whoever violates division (A) of this section is 99
guilty of assaulting a search and rescue dog or horse or police 100
dog or horse, and shall be punished as provided in divisions (E) 101
(1) (a) and (b) of this section. 102

(a) Except as otherwise provided in this division, 103
assaulting a search and rescue dog or horse or police dog or 104
horse is a misdemeanor of the second degree. If the violation 105
results in the death of the search and rescue dog or horse or 106
police dog or horse, assaulting a search and rescue dog or horse 107
or police dog or horse is a felony of the third degree and the 108
court shall impose as a mandatory prison term one of the prison 109
terms prescribed for a felony of the third degree. If the 110
violation results in serious physical harm to the search and 111
rescue dog or horse or police dog or horse other than its death, 112
assaulting a search and rescue dog or horse or police dog or 113
horse is a felony of the fourth degree. If the violation results 114
in physical harm to the police dog or horse other than death or 115
serious physical harm, assaulting a police dog or horse is a 116
misdemeanor of the first degree. 117

(b) In addition to any other sanction imposed for 118
assaulting a search and rescue dog or horse or police dog or 119
horse, if the violation of division (A) of this section results 120
in the death of the search and rescue dog or horse or police dog 121
or horse, the sentencing court shall impose as a financial 122
sanction a mandatory fine under division (B)(10) of section 123
2929.18 of the Revised Code. The fine shall be paid to the law 124
enforcement agency, the volunteer unit, or the first responder 125
that was served by the search and rescue dog or horse or police 126
dog or horse that was killed, and shall be used by that law 127
enforcement agency, volunteer unit, or first responder only for 128
one or more of the following purposes: 129

(i) If the dog or horse was not owned by the law 130
enforcement agency, volunteer unit, or first responder, the 131
payment to the owner of the dog or horse of the cost of the dog 132
or horse and the cost of the training of the dog or horse to 133

qualify it as a search and rescue dog or horse or police dog or 134
horse, if that cost has not previously been paid by the law 135
enforcement agency, volunteer unit, or first responder; 136

(ii) After payment of the costs described in division (E) 137
(1) (b) (i) of this section, if applicable, payment of the cost of 138
replacing the dog or horse that was killed; 139

(iii) After payment of the costs described in division (E) 140
(1) (b) (i) of this section, if applicable, payment of the cost of 141
training the replacement dog or horse to qualify it as a search 142
and rescue dog or horse or police dog or horse; 143

(iv) After payment of the costs described in division (E) 144
(1) (b) (i) of this section, if applicable, payment of the cost of 145
further training of the replacement dog or horse that is needed 146
to train it to the level of training that had been achieved by 147
the dog or horse that was killed. 148

(2) Whoever violates division (B) of this section is 149
guilty of harassing a search and rescue dog or horse or police 150
dog or horse. Except as otherwise provided in this division, 151
harassing a search and rescue dog or horse or police dog or 152
horse is a misdemeanor of the second degree. If the violation 153
results in the death of the search and rescue dog or horse or 154
police dog or horse, harassing a search and rescue dog or horse 155
or police dog or horse is a felony of the third degree. If the 156
violation results in serious physical harm to the search and 157
rescue dog or horse or police dog or horse, but does not result 158
in its death, harassing a search and rescue dog or horse or 159
police dog or horse, is a felony of the fourth degree. If the 160
violation results in physical harm to the search and rescue dog 161
or horse or police dog or horse, but does not result in its 162
death or in serious physical harm to it, harassing a search and 163

rescue dog or horse or police dog or horse is a misdemeanor of 164
the first degree. 165

(3) Whoever violates division (C) of this section is 166
guilty of assaulting an assistance dog. Except as otherwise 167
provided in this division, assaulting an assistance dog is a 168
misdemeanor of the second degree. If the violation results in 169
the death of the assistance dog, assaulting an assistance dog is 170
a felony of the third degree. If the violation results in 171
serious physical harm to the assistance dog other than its 172
death, assaulting an assistance dog is a felony of the fourth 173
degree. If the violation results in physical harm to the 174
assistance dog other than death or serious physical harm, 175
assaulting an assistance dog is a misdemeanor of the first 176
degree. 177

(4) Whoever violates division (D) of this section is 178
guilty of harassing an assistance dog. Except as otherwise 179
provided in this division, harassing an assistance dog is a 180
misdemeanor of the second degree. If the violation results in 181
the death of the assistance dog, harassing an assistance dog is 182
a felony of the third degree. If the violation results in 183
serious physical harm to the assistance dog, but does not result 184
in its death, harassing an assistance dog is a felony of the 185
fourth degree. If the violation results in physical harm to the 186
assistance dog, but does not result in its death or in serious 187
physical harm to it, harassing an assistance dog is a 188
misdemeanor of the first degree. 189

(5) In addition to any other sanction or penalty imposed 190
for the offense under this section, Chapter 2929., or any other 191
provision of the Revised Code, whoever violates division (A), 192
(B), (C), or (D) of this section is responsible for the payment 193

of all of the following: 194

(a) Any veterinary bill or bill for medication incurred as 195
a result of the violation by the police department, the 196
volunteer unit, or the first responder regarding a violation of 197
division (A) or (B) of this section or by the blind, deaf or 198
hearing impaired, or mobility impaired person assisted or served 199
by the assistance dog regarding a violation of division (C) or 200
(D) of this section; 201

(b) The cost of any damaged equipment that results from 202
the violation; 203

(c) If the violation did not result in the death of the 204
search and rescue dog or horse, police dog or horse, or the 205
assistance dog that was the subject of the violation and if, as 206
a result of that dog or horse being the subject of the 207
violation, the dog or horse needs further training or retraining 208
to be able to continue in the capacity of a search and rescue 209
dog or horse, police dog or horse, or an assistance dog, the 210
cost of any further training or retraining of that dog or horse 211
by a law enforcement officer, volunteer handler, or first 212
responder or by the blind, deaf or hearing impaired, or mobility 213
impaired person assisted or served by the assistance dog; 214

(d) If the violation resulted in the death of the 215
assistance dog that was the subject of the violation or resulted 216
in serious physical harm to the search and rescue dog or horse, 217
police dog or horse, or the assistance dog or horse that was the 218
subject of the violation to the extent that the dog or horse 219
needs to be replaced on either a temporary or a permanent basis, 220
the cost of replacing that dog or horse and of any further 221
training of a new search and rescue dog or horse, police dog or 222
horse, or a new assistance dog by a law enforcement officer, 223

volunteer handler, or first responder or by the blind, deaf or 224
hearing impaired, or mobility impaired person assisted or served 225
by the assistance dog, which replacement or training is required 226
because of the death of or the serious physical harm to the dog 227
or horse that was the subject of the violation. 228

(F) This section does not apply to a licensed veterinarian 229
whose conduct is in accordance with Chapter 4741. of the Revised 230
Code. 231

(G) This section only applies to an offender who knows or 232
should know at the time of the violation that the search and 233
rescue dog or horse, police dog or horse, or assistance dog that 234
is the subject of a violation under this section is a search and 235
rescue dog or horse, police dog or horse, or an assistance dog. 236

(H) As used in this section: 237

(1) "Physical harm" means any injury, illness, or other 238
physiological impairment, regardless of its gravity or duration. 239

(2) "Police dog or horse" means a dog or horse that has 240
been trained, and may be used, to assist law enforcement 241
officers in the performance of their official duties. 242

(3) "Serious physical harm" means any of the following: 243

(a) Any physical harm that carries a substantial risk of 244
death; 245

(b) Any physical harm that causes permanent maiming or 246
that involves some temporary, substantial maiming; 247

(c) Any physical harm that causes acute pain of a duration 248
that results in substantial suffering. 249

(4) "Assistance dog," "blind," and "mobility impaired 250

person" have the same meanings as in section 955.011 of the Revised Code.

(5) "Search and rescue dog or horse" means a dog or horse that is trained or certified to locate missing persons.

(6) "First responder" has the same meaning as in section 4765.01 of the Revised Code and also includes any individual who holds a current, valid certificate issued under section 4765.55 of the Revised Code to provide services as a firefighter.

(7) "Volunteer handler" means a member of a volunteer search and rescue unit who trains or employs search and rescue dogs or horses to locate missing persons.

Sec. 2929.18. (A) Except as otherwise provided in this division and in addition to imposing court costs pursuant to section 2947.23 of the Revised Code, the court imposing a sentence upon an offender for a felony may sentence the offender to any financial sanction or combination of financial sanctions authorized under this section or, in the circumstances specified in section 2929.32 of the Revised Code, may impose upon the offender a fine in accordance with that section. Financial sanctions that may be imposed pursuant to this section include, but are not limited to, the following:

(1) Restitution by the offender to the victim of the offender's crime or any survivor of the victim, in an amount based on the victim's economic loss. If the court imposes restitution, the court shall order that the restitution be made to the victim in open court, to the adult probation department that serves the county on behalf of the victim, to the clerk of courts, or to another agency designated by the court. If the court imposes restitution, at sentencing, the court shall

determine the amount of restitution to be made by the offender. 280
If the court imposes restitution, the court may base the amount 281
of restitution it orders on an amount recommended by the victim, 282
the offender, a presentence investigation report, estimates or 283
receipts indicating the cost of repairing or replacing property, 284
and other information, provided that the amount the court orders 285
as restitution shall not exceed the amount of the economic loss 286
suffered by the victim as a direct and proximate result of the 287
commission of the offense. If the court decides to impose 288
restitution, the court shall hold a hearing on restitution if 289
the offender, victim, or survivor disputes the amount. All 290
restitution payments shall be credited against any recovery of 291
economic loss in a civil action brought by the victim or any 292
survivor of the victim against the offender. 293

If the court imposes restitution, the court may order that 294
the offender pay a surcharge of not more than five per cent of 295
the amount of the restitution otherwise ordered to the entity 296
responsible for collecting and processing restitution payments. 297

The victim or survivor may request that the prosecutor in 298
the case file a motion, or the offender may file a motion, for 299
modification of the payment terms of any restitution ordered. If 300
the court grants the motion, it may modify the payment terms as 301
it determines appropriate. 302

(2) Except as provided in division (B)(1), (3), or (4) of 303
this section, a fine payable by the offender to the state, to a 304
political subdivision, or as described in division (B)(2) of 305
this section to one or more law enforcement agencies, with the 306
amount of the fine based on a standard percentage of the 307
offender's daily income over a period of time determined by the 308
court and based upon the seriousness of the offense. A fine 309

ordered under this division shall not exceed the maximum 310
conventional fine amount authorized for the level of the offense 311
under division (A) (3) of this section. 312

(3) Except as provided in division (B) (1), (3), or (4) of 313
this section, a fine payable by the offender to the state, to a 314
political subdivision when appropriate for a felony, or as 315
described in division (B) (2) of this section to one or more law 316
enforcement agencies, in the following amount: 317

(a) For a felony of the first degree, not more than twenty 318
thousand dollars; 319

(b) For a felony of the second degree, not more than 320
fifteen thousand dollars; 321

(c) For a felony of the third degree, not more than ten 322
thousand dollars; 323

(d) For a felony of the fourth degree, not more than five 324
thousand dollars; 325

(e) For a felony of the fifth degree, not more than two 326
thousand five hundred dollars. 327

(4) A state fine or costs as defined in section 2949.111 328
of the Revised Code. 329

(5) (a) Reimbursement by the offender of any or all of the 330
costs of sanctions incurred by the government, including the 331
following: 332

(i) All or part of the costs of implementing any community 333
control sanction, including a supervision fee under section 334
2951.021 of the Revised Code; 335

(ii) All or part of the costs of confinement under a 336

sanction imposed pursuant to section 2929.14, 2929.142, or 337
2929.16 of the Revised Code, provided that the amount of 338
reimbursement ordered under this division shall not exceed the 339
total amount of reimbursement the offender is able to pay as 340
determined at a hearing and shall not exceed the actual cost of 341
the confinement; 342

(iii) All or part of the cost of purchasing and using an 343
immobilizing or disabling device, including a certified ignition 344
interlock device, or a remote alcohol monitoring device that a 345
court orders an offender to use under section 4510.13 of the 346
Revised Code. 347

(b) If the offender is sentenced to a sanction of 348
confinement pursuant to section 2929.14 or 2929.16 of the 349
Revised Code that is to be served in a facility operated by a 350
board of county commissioners, a legislative authority of a 351
municipal corporation, or another local governmental entity, if, 352
pursuant to section 307.93, 341.14, 341.19, 341.23, 753.02, 353
753.04, 753.16, 2301.56, or 2947.19 of the Revised Code and 354
section 2929.37 of the Revised Code, the board, legislative 355
authority, or other local governmental entity requires prisoners 356
to reimburse the county, municipal corporation, or other entity 357
for its expenses incurred by reason of the prisoner's 358
confinement, and if the court does not impose a financial 359
sanction under division (A) (5) (a) (ii) of this section, 360
confinement costs may be assessed pursuant to section 2929.37 of 361
the Revised Code. In addition, the offender may be required to 362
pay the fees specified in section 2929.38 of the Revised Code in 363
accordance with that section. 364

(c) Reimbursement by the offender for costs pursuant to 365
section 2929.71 of the Revised Code. 366

(B) (1) For a first, second, or third degree felony 367
violation of any provision of Chapter 2925., 3719., or 4729. of 368
the Revised Code, the sentencing court shall impose upon the 369
offender a mandatory fine of at least one-half of, but not more 370
than, the maximum statutory fine amount authorized for the level 371
of the offense pursuant to division (A) (3) of this section. If 372
an offender alleges in an affidavit filed with the court prior 373
to sentencing that the offender is indigent and unable to pay 374
the mandatory fine and if the court determines the offender is 375
an indigent person and is unable to pay the mandatory fine 376
described in this division, the court shall not impose the 377
mandatory fine upon the offender. 378

(2) Any mandatory fine imposed upon an offender under 379
division (B) (1) of this section and any fine imposed upon an 380
offender under division (A) (2) or (3) of this section for any 381
fourth or fifth degree felony violation of any provision of 382
Chapter 2925., 3719., or 4729. of the Revised Code shall be paid 383
to law enforcement agencies pursuant to division (F) of section 384
2925.03 of the Revised Code. 385

(3) For a fourth degree felony OVI offense and for a third 386
degree felony OVI offense, the sentencing court shall impose 387
upon the offender a mandatory fine in the amount specified in 388
division (G) (1) (d) or (e) of section 4511.19 of the Revised 389
Code, whichever is applicable. The mandatory fine so imposed 390
shall be disbursed as provided in the division pursuant to which 391
it is imposed. 392

(4) Notwithstanding any fine otherwise authorized or 393
required to be imposed under division (A) (2) or (3) or (B) (1) of 394
this section or section 2929.31 of the Revised Code for a 395
violation of section 2925.03 of the Revised Code, in addition to 396

any penalty or sanction imposed for that offense under section 397
2925.03 or sections 2929.11 to 2929.18 of the Revised Code and 398
in addition to the forfeiture of property in connection with the 399
offense as prescribed in Chapter 2981. of the Revised Code, the 400
court that sentences an offender for a violation of section 401
2925.03 of the Revised Code may impose upon the offender a fine 402
in addition to any fine imposed under division (A) (2) or (3) of 403
this section and in addition to any mandatory fine imposed under 404
division (B) (1) of this section. The fine imposed under division 405
(B) (4) of this section shall be used as provided in division (H) 406
of section 2925.03 of the Revised Code. A fine imposed under 407
division (B) (4) of this section shall not exceed whichever of 408
the following is applicable: 409

(a) The total value of any personal or real property in 410
which the offender has an interest and that was used in the 411
course of, intended for use in the course of, derived from, or 412
realized through conduct in violation of section 2925.03 of the 413
Revised Code, including any property that constitutes proceeds 414
derived from that offense; 415

(b) If the offender has no interest in any property of the 416
type described in division (B) (4) (a) of this section or if it is 417
not possible to ascertain whether the offender has an interest 418
in any property of that type in which the offender may have an 419
interest, the amount of the mandatory fine for the offense 420
imposed under division (B) (1) of this section or, if no 421
mandatory fine is imposed under division (B) (1) of this section, 422
the amount of the fine authorized for the level of the offense 423
imposed under division (A) (3) of this section. 424

(5) Prior to imposing a fine under division (B) (4) of this 425
section, the court shall determine whether the offender has an 426

interest in any property of the type described in division (B) 427
(4) (a) of this section. Except as provided in division (B) (6) or 428
(7) of this section, a fine that is authorized and imposed under 429
division (B) (4) of this section does not limit or affect the 430
imposition of the penalties and sanctions for a violation of 431
section 2925.03 of the Revised Code prescribed under those 432
sections or sections 2929.11 to 2929.18 of the Revised Code and 433
does not limit or affect a forfeiture of property in connection 434
with the offense as prescribed in Chapter 2981. of the Revised 435
Code. 436

(6) If the sum total of a mandatory fine amount imposed 437
for a first, second, or third degree felony violation of section 438
2925.03 of the Revised Code under division (B) (1) of this 439
section plus the amount of any fine imposed under division (B) 440
(4) of this section does not exceed the maximum statutory fine 441
amount authorized for the level of the offense under division 442
(A) (3) of this section or section 2929.31 of the Revised Code, 443
the court may impose a fine for the offense in addition to the 444
mandatory fine and the fine imposed under division (B) (4) of 445
this section. The sum total of the amounts of the mandatory 446
fine, the fine imposed under division (B) (4) of this section, 447
and the additional fine imposed under division (B) (6) of this 448
section shall not exceed the maximum statutory fine amount 449
authorized for the level of the offense under division (A) (3) of 450
this section or section 2929.31 of the Revised Code. The clerk 451
of the court shall pay any fine that is imposed under division 452
(B) (6) of this section to the county, township, municipal 453
corporation, park district as created pursuant to section 511.18 454
or 1545.04 of the Revised Code, or state law enforcement 455
agencies in this state that primarily were responsible for or 456
involved in making the arrest of, and in prosecuting, the 457

offender pursuant to division (F) of section 2925.03 of the Revised Code.

(7) If the sum total of the amount of a mandatory fine imposed for a first, second, or third degree felony violation of section 2925.03 of the Revised Code plus the amount of any fine imposed under division (B) (4) of this section exceeds the maximum statutory fine amount authorized for the level of the offense under division (A) (3) of this section or section 2929.31 of the Revised Code, the court shall not impose a fine under division (B) (6) of this section.

(8) (a) If an offender who is convicted of or pleads guilty to a violation of section 2905.01, 2905.02, 2907.21, 2907.22, or 2923.32, division (A) (1) or (2) of section 2907.323, or division (B) (1), (2), (3), (4), or (5) of section 2919.22 of the Revised Code also is convicted of or pleads guilty to a specification of the type described in section 2941.1422 of the Revised Code that charges that the offender knowingly committed the offense in furtherance of human trafficking, the sentencing court shall sentence the offender to a financial sanction of restitution by the offender to the victim or any survivor of the victim, with the restitution including the costs of housing, counseling, and medical and legal assistance incurred by the victim as a direct result of the offense and the greater of the following:

(i) The gross income or value to the offender of the victim's labor or services;

(ii) The value of the victim's labor as guaranteed under the minimum wage and overtime provisions of the "Federal Fair Labor Standards Act of 1938," 52 Stat. 1060, 20 U.S.C. 207, and state labor laws.

(b) If a court imposing sentence upon an offender for a felony is required to impose upon the offender a financial sanction of restitution under division (B) (8) (a) of this section, in addition to that financial sanction of restitution, the court may sentence the offender to any other financial sanction or combination of financial sanctions authorized under this section, including a restitution sanction under division (A) (1) of this section.

(9) In addition to any other fine that is or may be imposed under this section, the court imposing sentence upon an offender for a felony that is a sexually oriented offense or a child-victim oriented offense, as those terms are defined in section 2950.01 of the Revised Code, may impose a fine of not less than fifty nor more than five hundred dollars.

(10) For a felony violation of division (A) of section 2921.321 of the Revised Code that results in the death of the search and rescue dog or horse or police dog or horse that is the subject of the violation, the sentencing court shall impose upon the offender a mandatory fine from the range of fines provided under division (A) (3) of this section for a felony of the third degree. A mandatory fine imposed upon an offender under division (B) (10) of this section shall be paid to the law enforcement agency, volunteer unit, or first responder that was served by the police dog or horse that was killed in the felony violation of division (A) of section 2921.321 of the Revised Code to be used as provided in division (E) (1) (b) of that section.

(11) In addition to any other fine that is or may be imposed under this section, the court imposing sentence upon an offender for any of the following offenses that is a felony may

impose a fine of not less than seventy nor more than five 517
hundred dollars, which shall be transmitted to the treasurer of 518
state to be credited to the address confidentiality program fund 519
created by section 111.48 of the Revised Code: 520

(a) Domestic violence; 521

(b) Menacing by stalking; 522

(c) Rape; 523

(d) Sexual battery; 524

(e) Trafficking in persons; 525

(f) A violation of section 2905.01, 2905.02, 2907.21, 526
2907.22, or 2923.32, division (A) (1) or (2) of section 2907.323, 527
or division (B) (1), (2), (3), (4), or (5) of section 2919.22 of 528
the Revised Code, if the offender also is convicted of a 529
specification of the type described in section 2941.1422 of the 530
Revised Code that charges that the offender knowingly committed 531
the offense in furtherance of human trafficking. 532

(C) (1) Except as provided in section 2951.021 of the 533
Revised Code, the offender shall pay reimbursements imposed upon 534
the offender pursuant to division (A) (5) (a) of this section to 535
pay the costs incurred by a county pursuant to any sanction 536
imposed under this section or section 2929.16 or 2929.17 of the 537
Revised Code or in operating a facility used to confine 538
offenders pursuant to a sanction imposed under section 2929.16 539
of the Revised Code to the county treasurer. The county 540
treasurer shall deposit the reimbursements in the sanction cost 541
reimbursement fund that each board of county commissioners shall 542
create in its county treasury. The county shall use the amounts 543
deposited in the fund to pay the costs incurred by the county 544
pursuant to any sanction imposed under this section or section 545

2929.16 or 2929.17 of the Revised Code or in operating a 546
facility used to confine offenders pursuant to a sanction 547
imposed under section 2929.16 of the Revised Code. 548

(2) Except as provided in section 2951.021 of the Revised 549
Code, the offender shall pay reimbursements imposed upon the 550
offender pursuant to division (A) (5) (a) of this section to pay 551
the costs incurred by a municipal corporation pursuant to any 552
sanction imposed under this section or section 2929.16 or 553
2929.17 of the Revised Code or in operating a facility used to 554
confine offenders pursuant to a sanction imposed under section 555
2929.16 of the Revised Code to the treasurer of the municipal 556
corporation. The treasurer shall deposit the reimbursements in a 557
special fund that shall be established in the treasury of each 558
municipal corporation. The municipal corporation shall use the 559
amounts deposited in the fund to pay the costs incurred by the 560
municipal corporation pursuant to any sanction imposed under 561
this section or section 2929.16 or 2929.17 of the Revised Code 562
or in operating a facility used to confine offenders pursuant to 563
a sanction imposed under section 2929.16 of the Revised Code. 564

(3) Except as provided in section 2951.021 of the Revised 565
Code, the offender shall pay reimbursements imposed pursuant to 566
division (A) (5) (a) of this section for the costs incurred by a 567
private provider pursuant to a sanction imposed under this 568
section or section 2929.16 or 2929.17 of the Revised Code to the 569
provider. 570

(D) Except as otherwise provided in this division, a 571
financial sanction imposed pursuant to division (A) or (B) of 572
this section is a judgment in favor of the state or a political 573
subdivision in which the court that imposed the financial 574
sanction is located, and the offender subject to the financial 575

sanction is the judgment debtor. A financial sanction of 576
reimbursement imposed pursuant to division (A) (5) (a) (ii) of this 577
section upon an offender who is incarcerated in a state facility 578
or a municipal jail is a judgment in favor of the state or the 579
municipal corporation, and the offender subject to the financial 580
sanction is the judgment debtor. A financial sanction of 581
reimbursement imposed upon an offender pursuant to this section 582
for costs incurred by a private provider of sanctions is a 583
judgment in favor of the private provider, and the offender 584
subject to the financial sanction is the judgment debtor. A 585
financial sanction of a mandatory fine imposed under division 586
(B) (10) of this section that is required under that division to 587
be paid to a law enforcement agency, volunteer unit, or first 588
responder is a judgment in favor of the specified law 589
enforcement agency, volunteer unit, or first responder, and the 590
offender subject to the financial sanction is the judgment 591
debtor. A financial sanction of restitution imposed pursuant to 592
division (A) (1) or (B) (8) of this section is an order in favor 593
of the victim of the offender's criminal act that can be 594
collected through a certificate of judgment as described in 595
division (D) (1) of this section, through execution as described 596
in division (D) (2) of this section, or through an order as 597
described in division (D) (3) of this section, and the offender 598
shall be considered for purposes of the collection as the 599
judgment debtor. Imposition of a financial sanction and 600
execution on the judgment does not preclude any other power of 601
the court to impose or enforce sanctions on the offender. Once 602
the financial sanction is imposed as a judgment or order under 603
this division, the victim, private provider, state, or political 604
subdivision may do any of the following: 605

- (1) Obtain from the clerk of the court in which the 606

judgment was entered a certificate of judgment that shall be in 607
the same manner and form as a certificate of judgment issued in 608
a civil action; 609

(2) Obtain execution of the judgment or order through any 610
available procedure, including: 611

(a) An execution against the property of the judgment 612
debtor under Chapter 2329. of the Revised Code; 613

(b) An execution against the person of the judgment debtor 614
under Chapter 2331. of the Revised Code; 615

(c) A proceeding in aid of execution under Chapter 2333. 616
of the Revised Code, including: 617

(i) A proceeding for the examination of the judgment 618
debtor under sections 2333.09 to 2333.12 and sections 2333.15 to 619
2333.27 of the Revised Code; 620

(ii) A proceeding for attachment of the person of the 621
judgment debtor under section 2333.28 of the Revised Code; 622

(iii) A creditor's suit under section 2333.01 of the 623
Revised Code. 624

(d) The attachment of the property of the judgment debtor 625
under Chapter 2715. of the Revised Code; 626

(e) The garnishment of the property of the judgment debtor 627
under Chapter 2716. of the Revised Code. 628

(3) Obtain an order for the assignment of wages of the 629
judgment debtor under section 1321.33 of the Revised Code. 630

(E) A court that imposes a financial sanction upon an 631
offender may hold a hearing if necessary to determine whether 632
the offender is able to pay the sanction or is likely in the 633

future to be able to pay it. 634

(F) Each court imposing a financial sanction upon an 635
offender under this section or under section 2929.32 of the 636
Revised Code may designate the clerk of the court or another 637
person to collect the financial sanction. The clerk or other 638
person authorized by law or the court to collect the financial 639
sanction may enter into contracts with one or more public 640
agencies or private vendors for the collection of, amounts due 641
under the financial sanction imposed pursuant to this section or 642
section 2929.32 of the Revised Code. Before entering into a 643
contract for the collection of amounts due from an offender 644
pursuant to any financial sanction imposed pursuant to this 645
section or section 2929.32 of the Revised Code, a court shall 646
comply with sections 307.86 to 307.92 of the Revised Code. 647

(G) If a court that imposes a financial sanction under 648
division (A) or (B) of this section finds that an offender 649
satisfactorily has completed all other sanctions imposed upon 650
the offender and that all restitution that has been ordered has 651
been paid as ordered, the court may suspend any financial 652
sanctions imposed pursuant to this section or section 2929.32 of 653
the Revised Code that have not been paid. 654

(H) No financial sanction imposed under this section or 655
section 2929.32 of the Revised Code shall preclude a victim from 656
bringing a civil action against the offender. 657

Section 2. That existing sections 2921.321 and 2929.18 of 658
the Revised Code are hereby repealed. 659

Section 3. Section 2929.18 of the Revised Code is 660
presented in this act as a composite of the section as amended 661
by both Sub. H.B. 60 and Sub. H.B. 359 of the 131st General 662

Assembly. The General Assembly, applying the principle stated in 663
division (B) of section 1.52 of the Revised Code that amendments 664
are to be harmonized if reasonably capable of simultaneous 665
operation, finds that the composite is the resulting version of 666
the section in effect prior to the effective date of the section 667
as presented in this act. 668