



# OHIO LEGISLATIVE SERVICE COMMISSION

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## Bill Analysis

Amanda George Goodman

### **H.B. 754**

132nd General Assembly  
(As Introduced)

**Reps.** Brinkman, Becker, Gavarone, Romanchuk, Greenspan, LaTourette

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### **BILL SUMMARY**

- Prohibits a person who commits an animal abuse offense from owning, possessing, having custody of, or residing with a companion animal for a specified period of time.
  - Specifies that a person who violates the bill's prohibition is guilty of a first degree misdemeanor.
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### **CONTENT AND OPERATION**

#### **Restrictions on animal abuse offenders**

##### **Prohibition**

The bill prohibits a person who is convicted of or pleads guilty to a violation of an Ohio law governing animal cruelty (an animal abuse offense)<sup>1</sup> from knowingly (1) owning, (2) possessing, (3) having custody of, or (4) residing in a residence with a companion animal (a dog, a cat, or any other animal that is kept inside a residential dwelling).<sup>2</sup> The prohibition applies to the person for a specified period of time depending on the degree of the animal abuse offense and whether the person has pled guilty to or been convicted of a prior animal abuse offense.<sup>3</sup> The period of time during which the prohibition applies begins after the person is released from incarceration for the animal abuse offense or, if the person is not incarcerated, after the person is

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<sup>1</sup> R.C. 959.30(A).

<sup>2</sup> R.C. 959.30.

<sup>3</sup> R.C. 959.30(B) and (C).

sentenced.<sup>4</sup> The following table illustrates the length of time that the prohibition applies to the person.

| Type of animal abuse offense | Number of prior animal abuse offenses | Restricted time period   |
|------------------------------|---------------------------------------|--------------------------|
| Misdemeanor                  | None                                  | 5 years                  |
| Misdemeanor                  | One or more                           | 15 years                 |
| Felony                       | None                                  | 15 years                 |
| Felony                       | One or more                           | Lifetime of the offender |

### Penalties

A person who violates the prohibition is guilty of a first degree misdemeanor. The court also must order the person to forfeit any of the companion animals in that person's ownership or care to an impounding agency. An impounding agency includes a county humane society, animal shelter, or certain specified law enforcement agencies.<sup>5</sup>

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### HISTORY

| ACTION     | DATE     |
|------------|----------|
| Introduced | 10-29-18 |

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<sup>4</sup> R.C. 959.30(A).

<sup>5</sup> R.C. 959.99(G). See R.C. 959.132 for impounding procedures.

