

**As Introduced**

**133rd General Assembly**

**Regular Session**

**2019-2020**

**H. B. No. 24**

**Representative Hambley**

**Cosponsors: Representatives Butler, Wiggam, Perales, O'Brien, Lipps, Kick**

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**A BILL**

To amend sections 109.73, 935.19, 935.20, 955.16, 1  
959.131, 959.132, 1717.01, 1717.02, 1717.03, 2  
1717.04, 1717.06, 1717.07, 1717.08, 1717.09, 3  
1717.10, 2151.421, 2921.02, 2931.18, 5101.63, 4  
and 5147.22, to enact sections 1717.061, 5  
1717.062, 1717.16, 1717.17, and 1717.18, and to 6  
repeal sections 1717.14 and 3113.10 of the 7  
Revised Code to make changes to humane society 8  
law, to make humane society agents subject to 9  
bribery law, and to establish procedures for the 10  
seizure and impoundment of certain animals and 11  
livestock. 12

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

**Section 1.** That sections 109.73, 935.19, 935.20, 955.16, 13  
959.131, 959.132, 1717.01, 1717.02, 1717.03, 1717.04, 1717.06, 14  
1717.07, 1717.08, 1717.09, 1717.10, 2151.421, 2921.02, 2931.18, 15  
5101.63, and 5147.22 be amended and sections 1717.061, 1717.062, 16  
1717.16, 1717.17, and 1717.18 of the Revised Code be enacted to 17  
read as follows: 18

<b>Sec. 109.73.</b> (A) The Ohio peace officer training	19
commission shall recommend rules to the attorney general with	20
respect to all of the following:	21
(1) The approval, or revocation of approval, of peace	22
officer training schools administered by the state, counties,	23
municipal corporations, public school districts, technical	24
college districts, and the department of natural resources;	25
(2) Minimum courses of study, attendance requirements, and	26
equipment and facilities to be required at approved state,	27
county, municipal, and department of natural resources peace	28
officer training schools;	29
(3) Minimum qualifications for instructors at approved	30
state, county, municipal, and department of natural resources	31
peace officer training schools;	32
(4) The requirements of minimum basic training that peace	33
officers appointed to probationary terms shall complete before	34
being eligible for permanent appointment, which requirements	35
shall include training in the handling of the offense of	36
domestic violence, other types of domestic violence-related	37
offenses and incidents, and protection orders and consent	38
agreements issued or approved under section 2919.26 or 3113.31	39
of the Revised Code; crisis intervention training; and training	40
in the handling of missing children and child abuse and neglect	41
cases; and training in handling violations of section 2905.32 of	42
the Revised Code; and the time within which such basic training	43
shall be completed following appointment to a probationary term;	44
(5) The requirements of minimum basic training that peace	45
officers not appointed for probationary terms but appointed on	46
other than a permanent basis shall complete in order to be	47

eligible for continued employment or permanent appointment, 48  
which requirements shall include training in the handling of the 49  
offense of domestic violence, other types of domestic violence- 50  
related offenses and incidents, and protection orders and 51  
consent agreements issued or approved under section 2919.26 or 52  
3113.31 of the Revised Code, crisis intervention training, and 53  
training in the handling of missing children and child abuse and 54  
neglect cases, and training in handling violations of section 55  
2905.32 of the Revised Code, and the time within which such 56  
basic training shall be completed following appointment on other 57  
than a permanent basis; 58

(6) Categories or classifications of advanced in-service 59  
training programs for peace officers, including programs in the 60  
handling of the offense of domestic violence, other types of 61  
domestic violence-related offenses and incidents, and protection 62  
orders and consent agreements issued or approved under section 63  
2919.26 or 3113.31 of the Revised Code, in crisis intervention, 64  
and in the handling of missing children and child abuse and 65  
neglect cases, and in handling violations of section 2905.32 of 66  
the Revised Code, and minimum courses of study and attendance 67  
requirements with respect to such categories or classifications; 68

(7) Permitting persons, who are employed as members of a 69  
campus police department appointed under section 1713.50 of the 70  
Revised Code; who are employed as police officers by a qualified 71  
nonprofit corporation police department pursuant to section 72  
1702.80 of the Revised Code; who are appointed and commissioned 73  
as bank, savings and loan association, savings bank, credit 74  
union, or association of banks, savings and loan associations, 75  
savings banks, or credit unions police officers, as railroad 76  
police officers, or as hospital police officers pursuant to 77  
sections 4973.17 to 4973.22 of the Revised Code; or who are 78

appointed and commissioned as amusement park police officers 79  
pursuant to section 4973.17 of the Revised Code, to attend 80  
approved peace officer training schools, including the Ohio 81  
peace officer training academy, and to receive certificates of 82  
satisfactory completion of basic training programs, if the 83  
private college or university that established the campus police 84  
department; qualified nonprofit corporation police department; 85  
bank, savings and loan association, savings bank, credit union, 86  
or association of banks, savings and loan associations, savings 87  
banks, or credit unions; railroad company; hospital; or 88  
amusement park sponsoring the police officers pays the entire 89  
cost of the training and certification and if trainee vacancies 90  
are available; 91

(8) Permitting undercover drug agents to attend approved 92  
peace officer training schools, other than the Ohio peace 93  
officer training academy, and to receive certificates of 94  
satisfactory completion of basic training programs, if, for each 95  
undercover drug agent, the county, township, or municipal 96  
corporation that employs that undercover drug agent pays the 97  
entire cost of the training and certification; 98

(9) (a) The requirements for basic training programs for 99  
bailiffs and deputy bailiffs of courts of record of this state 100  
and for criminal investigators employed by the state public 101  
defender that those persons shall complete before they may carry 102  
a firearm while on duty; 103

(b) The requirements for any training received by a 104  
bailiff or deputy bailiff of a court of record of this state or 105  
by a criminal investigator employed by the state public defender 106  
prior to June 6, 1986, that is to be considered equivalent to 107  
the training described in division (A) (9) (a) of this section. 108

(10) Establishing minimum qualifications and requirements for certification for dogs utilized by law enforcement agencies;	109 110
(11) Establishing minimum requirements for certification of persons who are employed as correction officers in a full-service jail, five-day facility, or eight-hour holding facility or who provide correction services in such a jail or facility;	111 112 113 114
(12) Establishing requirements for the training of <u>humane society</u> agents <del>of a county humane society</del> under section <del>1717.06</del> <u>1717.061</u> of the Revised Code, including, without limitation, a requirement that the agents receive instruction on traditional animal husbandry methods and training techniques, including customary owner-performed practices;	115 116 117 118 119 120
(13) Permitting tactical medical professionals to attend approved peace officer training schools, including the Ohio peace officer training academy, to receive training of the type described in division (A) (14) of this section and to receive certificates of satisfactory completion of training programs described in that division;	121 122 123 124 125 126
(14) The requirements for training programs that tactical medical professionals shall complete to qualify them to carry firearms while on duty under section 109.771 of the Revised Code, which requirements shall include at least the firearms training specified in division (A) of section 109.748 of the Revised Code.	127 128 129 130 131 132
(B) The commission shall appoint an executive director, with the approval of the attorney general, who shall hold office during the pleasure of the commission. The executive director shall perform such duties assigned by the commission. The executive director shall receive a salary fixed pursuant to	133 134 135 136 137

Chapter 124. of the Revised Code and reimbursement for expenses	138
within the amounts available by appropriation. The executive	139
director may appoint officers, employees, agents, and	140
consultants as the executive director considers necessary,	141
prescribe their duties, and provide for reimbursement of their	142
expenses within the amounts available for reimbursement by	143
appropriation and with the approval of the commission.	144
(C) The commission may do all of the following:	145
(1) Recommend studies, surveys, and reports to be made by	146
the executive director regarding the carrying out of the	147
objectives and purposes of sections 109.71 to 109.77 of the	148
Revised Code;	149
(2) Visit and inspect any peace officer training school	150
that has been approved by the executive director or for which	151
application for approval has been made;	152
(3) Make recommendations, from time to time, to the	153
executive director, the attorney general, and the general	154
assembly regarding the carrying out of the purposes of sections	155
109.71 to 109.77 of the Revised Code;	156
(4) Report to the attorney general from time to time, and	157
to the governor and the general assembly at least annually,	158
concerning the activities of the commission;	159
(5) Establish fees for the services the commission offers	160
under sections 109.71 to 109.79 of the Revised Code, including,	161
but not limited to, fees for training, certification, and	162
testing;	163
(6) Perform such other acts as are necessary or	164
appropriate to carry out the powers and duties of the commission	165
as set forth in sections 109.71 to 109.77 of the Revised Code.	166

(D) In establishing the requirements, under division (A) 167  
(12) of this section, the commission may consider any portions 168  
of the curriculum for instruction on the topic of animal 169  
husbandry practices, if any, of the Ohio state university 170  
college of veterinary medicine. No person or entity that fails 171  
to provide instruction on traditional animal husbandry methods 172  
and training techniques, including customary owner-performed 173  
practices, shall qualify to train a humane agent for appointment 174  
under ~~section~~sections 1717.04 and 1717.06 of the Revised Code. 175

**Sec. 935.19.** (A) (1) The director of agriculture or the 176  
director's designee may enter at all reasonable times any 177  
premises at which a dangerous wild animal or restricted snake is 178  
confined, with the consent of the owner of the premises, for the 179  
purpose of determining compliance with this chapter and rules. 180

(2) If the director or the director's designee is denied 181  
access to any such premises, and if the director reasonably 182  
suspects that the person who possesses the dangerous wild animal 183  
or restricted snake is not in compliance with this chapter or 184  
rules, the director may apply to a court of competent 185  
jurisdiction in the county in which the premises is located for 186  
a search warrant authorizing access to the premises for the 187  
purposes of this section. 188

(3) The court shall issue the search warrant for the 189  
purposes requested if there is probable cause to believe that 190  
the person is not in compliance with this chapter or rules. The 191  
finding of probable cause may be based on hearsay, provided that 192  
there is a substantial basis for believing that the source of 193  
the hearsay is credible and that there is a factual basis for 194  
the information furnished. 195

(B) The director may designate any of the following to 196

conduct inspections under this section:	197
(1) Employees of the department of agriculture;	198
(2) Natural resources law enforcement officers with the consent of the director of natural resources;	199 200
(3) Employees of the department of health with the consent of the director of health;	201 202
(4) Employees of a board of health with the consent of the board;	203 204
(5) <del>Agents of a humane</del> <u>Humane society agents</u> appointed under section <u>1717.04 or 1717.06</u> of the Revised Code with the consent of the humane society.	205 206 207
(C) If a person designated under division (B) of this section determines, while conducting an inspection, that a violation of this chapter or rules has occurred, is occurring, or may occur, the person shall immediately notify the director of agriculture. The director may proceed as provided in section 935.24 of the Revised Code.	208 209 210 211 212 213
<b>Sec. 935.20.</b> (A) On and after January 1, 2014, the director of agriculture immediately shall cause an investigation to be conducted if the director has reason to believe that one of the following may be occurring:	214 215 216 217
(1) A dangerous wild animal is possessed by a person who has not been issued a wildlife shelter permit, wildlife propagation permit, or rescue facility permit under this chapter.	218 219 220 221
(2) A restricted snake is possessed by a person that has not been issued a restricted snake possession permit or restricted snake propagation permit under this chapter.	222 223 224

(3) A dangerous wild animal or restricted snake is being 225  
treated or kept in a manner that is in violation of this chapter 226  
or rules. 227

For purposes of the investigation, the director or the 228  
director's designee may order the animal or snake that is the 229  
subject of the notification to be quarantined or may order the 230  
transfer of the animal or snake to a facility that is on the 231  
list maintained by the director under this section. If the 232  
director's designee orders the animal or snake to be quarantined 233  
or transferred, the designee shall provide a copy of the order 234  
to the director. 235

(B) The director shall attempt to notify the person owning 236  
or possessing an animal or snake that has been ordered to be 237  
quarantined or transferred under division (A) of this section. 238  
The notice shall be delivered in person or by certified mail. 239  
The director also may post a copy of a quarantine order at two 240  
conspicuous locations on the premises where the animal or snake 241  
is quarantined. The director shall maintain a copy of an order 242  
issued under this section and evidence that the director 243  
attempted to notify the person owning or possessing the animal 244  
or snake. 245

(C) A quarantine or transfer order issued under this 246  
section shall contain all of the following: 247

(1) The name and address of the person owning or 248  
possessing the animal or snake, if known; 249

(2) A description of the quarantined or transferred animal 250  
or snake; 251

(3) A description of the premises affected by the 252  
quarantine or transfer; 253

(4) The reason for the quarantine or transfer;	254
(5) Any terms and conditions of the quarantine or transfer;	255 256
(6) A notice that a person adversely affected by the order may request a hearing to review the order.	257 258
(D) A person that is adversely affected by a quarantine or transfer order pertaining to a dangerous wild animal or restricted snake owned or possessed by the person, within thirty days after the order is issued, may request in writing an adjudication in accordance with Chapter 119. of the Revised Code. A request for an adjudication does not stay a quarantine or transfer order.	259 260 261 262 263 264 265
(E) The owner of or person possessing a dangerous wild animal or restricted snake that was quarantined or transferred under division (A) of this section shall be responsible for all reasonable costs associated with the quarantine or transfer, including the costs of transportation, housing, food, and veterinary care for the animal or snake. If such an owner or person is unable to pay for the reasonable costs, the director shall certify the costs to the county auditor to be assessed against any property of the owner or person and thereby made a lien upon it and collected as other taxes. All money from the collection of liens under this division shall be credited in accordance with division (J) of this section.	266 267 268 269 270 271 272 273 274 275 276 277
(F) If the state veterinarian determines that a dangerous wild animal or restricted snake that was quarantined or transferred under division (A) of this section is infected with or exposed to a dangerously contagious or infectious disease or is seriously injured, the state veterinarian shall so notify the	278 279 280 281 282

director. The director may order the animal or snake to be 283  
humanely euthanized by a veterinarian if the state veterinarian 284  
has indicated that euthanization is medically necessary. 285

(G) A quarantine or transfer order issued under this 286  
section shall remain in effect until one of the following 287  
occurs: 288

(1) The director, after reviewing the results of the 289  
investigation conducted under division (A) of this section, 290  
issues a written notice of release. 291

(2) A court of competent jurisdiction orders the 292  
quarantine or transfer order to be terminated in a proceeding 293  
conducted under division (H) of this section. 294

(3) A court of competent jurisdiction orders the seizure 295  
of the dangerous wild animal or restricted snake in a proceeding 296  
conducted under division (H) of this section. 297

(H) If, after reviewing the results of an investigation 298  
concerning a dangerous wild animal or restricted snake conducted 299  
under division (A) of this section and after resolution of any 300  
proceeding conducted under division (D) of this section, the 301  
director determines that a circumstance described in division 302  
(A) (1), (2), or (3) of this section is or was occurring, the 303  
director shall initiate, in a court of competent jurisdiction, a 304  
proceeding for the permanent seizure of the animal or snake, as 305  
applicable. If the court affirms the director's determination 306  
that a circumstance described in division (A) (1), (2), or (3) of 307  
this section is or was occurring, the court shall order the 308  
animal or snake seized and shall order the method of disposition 309  
of the animal or snake. The court may order the person owning or 310  
possessing the animal or snake to pay all reasonable costs 311

associated with the seizure and, if applicable, the costs 312  
associated with the quarantine or transfer of the animal or 313  
snake, including the costs of transportation, housing, food, and 314  
veterinary care of the animal or snake. If the court does not 315  
affirm the director's determination, the court shall order the 316  
quarantine or transfer order to be terminated and the animal or 317  
snake to be returned to the person owning or possessing it, if 318  
applicable. 319

(I) The director may authorize any of the following to 320  
conduct an investigation and order the quarantine or transfer of 321  
a dangerous wild animal or restricted snake under division (A) 322  
of this section: 323

(1) Employees of the department of agriculture; 324

(2) Natural resources law enforcement officers with the 325  
consent of the director of natural resources; 326

(3) Employees of the department of health with the consent 327  
of the director of health; 328

(4) Employees of a board of health with the consent of the 329  
board; 330

(5) ~~Agents of a humane~~ Humane society agents appointed 331  
under section 1717.04 or 1717.06 of the Revised Code with the 332  
consent of the humane society; 333

(6) Law enforcement officers with the consent of the 334  
sheriff of the county or the chief law enforcement officer of 335  
the township or municipal corporation, as applicable, by whom 336  
the law enforcement officers are employed; 337

(7) Law enforcement officers who are state highway patrol 338  
troopers with the consent of the superintendent of the state 339

highway patrol. 340

(J) Money collected for reimbursement of costs associated 341  
with the quarantine or transfer of dangerous wild animals and 342  
restricted snakes under this section shall be credited to one of 343  
the following funds, as applicable: 344

(1) If the animal or snake was quarantined or transferred 345  
by an employee of the department of agriculture or the 346  
department of health, a natural resources law enforcement 347  
officer, or a law enforcement officer who is a state highway 348  
patrol trooper, the dangerous and restricted animal fund created 349  
in section 935.25 of the Revised Code; 350

(2) If the animal or snake was quarantined or transferred 351  
by an employee of a board of health, a special fund, which is 352  
hereby created in each health district, that shall be used 353  
exclusively for the administration and enforcement of this 354  
chapter and rules; 355

(3) If the animal or snake was quarantined or transferred 356  
by an agent of a humane society, a special fund, which is hereby 357  
created in each county that has a humane society, that shall be 358  
used exclusively for the administration and enforcement of this 359  
chapter and rules; 360

(4) If the animal or snake was quarantined or transferred 361  
by a law enforcement officer who is not a state highway patrol 362  
trooper, the special fund that is created in the political 363  
subdivision that employs the law enforcement officer in division 364  
(D) of section 935.16 of the Revised Code. 365

(K) The director shall maintain a list of facilities 366  
inside and outside the state that the director determines are 367  
eligible to accept dangerous wild animals and restricted snakes 368

for the purposes of this section. 369

**Sec. 955.16.** (A) Dogs that have been seized by the county 370  
dog warden and impounded shall be kept, housed, and fed for 371  
three days for the purpose of redemption, as provided by section 372  
955.18 of the Revised Code, unless any of the following applies: 373

(1) Immediate humane destruction of the dog is necessary 374  
because of obvious disease or injury. If the diseased or injured 375  
dog is registered, as determined from the current year's 376  
registration list maintained by the warden and the county 377  
auditor of the county where the dog is registered, the necessity 378  
of destroying the dog shall be certified by a licensed 379  
veterinarian or a registered veterinary technician. If the dog 380  
is not registered, the decision to destroy it shall be made by 381  
the warden. 382

(2) The dog is currently registered on the registration 383  
list maintained by the warden and the auditor of the county 384  
where the dog is registered and the attempts to notify the 385  
owner, keeper, or harbinger under section 955.12 of the Revised 386  
Code have failed, in which case the dog shall be kept, housed, 387  
and fed for fourteen days for the purpose of redemption. 388

(3) The warden has contacted the owner, keeper, or 389  
harborer under section 955.12 of the Revised Code, and the 390  
owner, keeper, or harborer has requested that the dog remain in 391  
the pound or animal shelter until the owner, harborer, or keeper 392  
redeems the dog. The time for such redemption shall be not more 393  
than forty-eight hours following the end of the appropriate 394  
redemption period. 395

At any time after such periods of redemption, any dog not 396  
redeemed shall be donated to any nonprofit special agency that 397

is engaged in the training of any type of assistance dogs and 398  
that requests that the dog be donated to it. Any dog not 399  
redeemed that is not requested by such an agency may be sold, 400  
except that no dog sold to a person other than a nonprofit 401  
teaching or research institution or organization of the type 402  
described in division (B) of this section shall be discharged 403  
from the pound or animal shelter until the animal has been 404  
registered and furnished with a valid registration tag. 405

(B) Any dog that is not redeemed within the applicable 406  
period as specified in this section or section 955.12 of the 407  
Revised Code from the time notice is mailed to its owner, 408  
keeper, or harborer or is posted at the pound or animal shelter, 409  
as required by section 955.12 of the Revised Code, and that is 410  
not required to be donated to a nonprofit special agency engaged 411  
in the training of any type of assistance dogs may, upon payment 412  
to the dog warden or poundkeeper of the sum of three dollars, be 413  
sold to any nonprofit Ohio institution or organization that is 414  
certified by the director of health as being engaged in teaching 415  
or research concerning the prevention and treatment of diseases 416  
of human beings or animals. Any dog that is donated to a 417  
nonprofit special agency engaged in the training of any type of 418  
assistance dogs in accordance with division (A) of this section 419  
and any dog that is sold to any nonprofit teaching or research 420  
institution or organization shall be discharged from the pound 421  
or animal shelter without registration and may be kept by the 422  
agency or by the institution or organization without 423  
registration so long as the dog is being trained, or is being 424  
used for teaching and research purposes. 425

Any institution or organization certified by the director 426  
that obtains dogs for teaching and research purposes pursuant to 427  
this section shall, at all reasonable times, make the dogs 428

available for inspection by agents of the Ohio ~~humane~~-society 429  
for the prevention of cruelty to animals, appointed pursuant to 430  
section 1717.04 of the Revised Code, and agents of county humane 431  
societies, appointed pursuant to section 1717.06 of the Revised 432  
Code, in order that the agents may prevent the perpetration of 433  
any act of cruelty, as defined in section 1717.01 of the Revised 434  
Code, to the dogs. 435

(C) Any dog that the dog warden or poundkeeper is unable 436  
to dispose of, in the manner provided by this section and 437  
section 955.18 of the Revised Code, may be humanely destroyed, 438  
except that no dog shall be destroyed until twenty-four hours 439  
after it has been offered to a nonprofit teaching or research 440  
institution or organization, as provided in this section, that 441  
has made a request for dogs to the dog warden or poundkeeper. 442

(D) An owner of a dog that is wearing a valid registration 443  
tag who presents the dog to the dog warden or poundkeeper may 444  
specify in writing that the dog shall not be offered to a 445  
nonprofit teaching or research institution or organization, as 446  
provided in this section. 447

(E) A record of all dogs impounded, the disposition of the 448  
same, the owner's name and address, if known, and a statement of 449  
costs assessed against the dogs shall be kept by the 450  
poundkeeper, and the poundkeeper shall furnish a transcript 451  
thereof to the county treasurer quarterly. 452

A record of all dogs received and the source that supplied 453  
them shall be kept, for a period of three years from the date of 454  
acquiring the dogs, by all institutions or organizations engaged 455  
in teaching or research concerning the prevention and treatment 456  
of diseases of human beings or animals. 457

(F) No person shall destroy any dog by the use of a high altitude decompression chamber or by any method other than a method that immediately and painlessly renders the dog initially unconscious and subsequently dead.

**Sec. 959.131.** (A) As used in this section:

(1) "Companion animal" means any animal that is kept inside a residential dwelling and any dog or cat regardless of where it is kept, including a pet store as defined in section 956.01 of the Revised Code. "Companion animal" does not include livestock or any wild animal.

(2) "Cruelty," "torment," and "torture" have the same meanings as in section 1717.01 of the Revised Code.

(3) "Residential dwelling" means a structure or shelter or the portion of a structure or shelter that is used by one or more humans for the purpose of a habitation.

(4) "Practice of veterinary medicine" has the same meaning as in section 4741.01 of the Revised Code.

(5) "Wild animal" has the same meaning as in section 1531.01 of the Revised Code.

(6) "Federal animal welfare act" means the "Laboratory Animal Act of 1966," Pub. L. No. 89-544, 80 Stat. 350 (1966), 7 U.S.C.A. 2131 et seq., as amended by the "Animal Welfare Act of 1970," Pub. L. No. 91-579, 84 Stat. 1560 (1970), the "Animal Welfare Act Amendments of 1976," Pub. L. No. 94-279, 90 Stat. 417 (1976), and the "Food Security Act of 1985," Pub. L. No. 99-198, 99 Stat. 1354 (1985), and as it may be subsequently amended.

(7) "Dog kennel" means an animal rescue for dogs that is

registered under section 956.06 of the Revised Code, a boarding kennel, or a training kennel.	486 487
(8) "Boarding kennel" has the same meaning as in section 956.01 of the Revised Code.	488 489
(9) "Training kennel" means an establishment operating for profit that keeps, houses, and maintains dogs for the purpose of training the dogs in return for a fee or other consideration.	490 491 492
(10) "Livestock" means horses, mules, and other equidae; cattle, sheep, goats, and other bovidae; swine and other suidae; poultry; alpacas; llamas; captive white-tailed deer; and any other animal that is raised or maintained domestically for food or fiber.	493 494 495 496 497
(11) "Captive white-tailed deer" has the same meaning as in section 1531.01 of the Revised Code.	498 499
(12) "Serious physical harm" means any of the following:	500
(a) Physical harm that carries an unnecessary or unjustifiable substantial risk of death;	501 502
(b) Physical harm that involves either partial or total permanent incapacity;	503 504
(c) Physical harm that involves acute pain of a duration that results in substantial suffering or that involves any degree of prolonged or intractable pain;	505 506 507
(d) Physical harm that results from a person who confines or who is the custodian or caretaker of a companion animal depriving the companion animal of good, wholesome food and water that proximately causes the death of the companion animal.	508 509 510 511
(B) No person shall knowingly torture, torment, needlessly	512

mutilate or maim, cruelly beat, poison, needlessly kill, or 513  
commit an act of cruelty against a companion animal. 514

(C) No person shall knowingly cause serious physical harm 515  
to a companion animal. 516

(D) No person who confines or who is the custodian or 517  
caretaker of a companion animal shall negligently do any of the 518  
following: 519

(1) Torture, torment, or commit an act of cruelty against 520  
the companion animal; 521

(2) Deprive the companion animal of necessary sustenance 522  
or confine the companion animal without supplying it during the 523  
confinement with sufficient quantities of good, wholesome food 524  
and water if it can reasonably be expected that the companion 525  
animal would become sick or suffer in any other way as a result 526  
of or due to the deprivation or confinement; 527

(3) Impound or confine the companion animal without 528  
affording it, during the impoundment or confinement, with access 529  
to shelter from heat, cold, wind, rain, snow, or excessive 530  
direct sunlight if it can reasonably be expected that the 531  
companion animal would become sick or suffer in any other way as 532  
a result of or due to the lack of adequate shelter. 533

(E) No owner, manager, or employee of a dog kennel who 534  
confines or is the custodian or caretaker of a companion animal 535  
shall knowingly do any of the following: 536

(1) Torture, torment, needlessly mutilate or maim, cruelly 537  
beat, poison, needlessly kill, or commit an act of cruelty 538  
against the companion animal; 539

(2) Deprive the companion animal of necessary sustenance 540

or confine the companion animal without supplying it during the 541  
confinement with sufficient quantities of good, wholesome food 542  
and water if it is reasonably expected that the companion animal 543  
would die or experience unnecessary or unjustifiable pain or 544  
suffering as a result of the deprivation or confinement; 545

(3) Impound or confine the companion animal without 546  
affording it, during the impoundment or confinement, with access 547  
to shelter from heat, cold, wind, rain, snow, or excessive 548  
direct sunlight if it is reasonably expected that the companion 549  
animal would die or experience unnecessary or unjustifiable pain 550  
or suffering as a result of or due to the lack of adequate 551  
shelter. 552

(F) No owner, manager, or employee of a dog kennel who 553  
confines or is the custodian or caretaker of a companion animal 554  
shall negligently do any of the following: 555

(1) Torture, torment, or commit an act of cruelty against 556  
the companion animal; 557

(2) Deprive the companion animal of necessary sustenance 558  
or confine the companion animal without supplying it during the 559  
confinement with sufficient quantities of good, wholesome food 560  
and water if it can reasonably be expected that the companion 561  
animal would become sick or suffer in any other way as a result 562  
of or due to the deprivation or confinement; 563

(3) Impound or confine the companion animal without 564  
affording it, during the impoundment or confinement, with access 565  
to shelter from heat, cold, wind, rain, snow, or excessive 566  
direct sunlight if it can reasonably be expected that the 567  
companion animal would become sick or suffer in any other way as 568  
a result of or due to the lack of adequate shelter. 569

(G) Divisions (B), (C), (D), (E), and (F) of this section	570
do not apply to any of the following:	571
(1) A companion animal used in scientific research	572
conducted by an institution in accordance with the federal	573
animal welfare act and related regulations;	574
(2) The lawful practice of veterinary medicine by a person	575
who has been issued a license, temporary permit, or registration	576
certificate to do so under Chapter 4741. of the Revised Code;	577
(3) Dogs being used or intended for use for hunting or	578
field trial purposes, provided that the dogs are being treated	579
in accordance with usual and commonly accepted practices for the	580
care of hunting dogs;	581
(4) The use of common training devices, if the companion	582
animal is being treated in accordance with usual and commonly	583
accepted practices for the training of animals;	584
(5) The administering of medicine to a companion animal	585
that was properly prescribed by a person who has been issued a	586
license, temporary permit, or registration certificate under	587
Chapter 4741. of the Revised Code.	588
(H) Notwithstanding any section of the Revised Code that	589
otherwise provides for the distribution of fine moneys, the	590
clerk of court shall forward all fines the clerk collects that	591
are so imposed for any violation of this section to the	592
treasurer of the political subdivision or the state, whose	593
county humane society or law enforcement agency is to be paid	594
the fine money, <u>or to the treasurer of Franklin county, if the</u>	595
<u>Ohio society for the prevention of cruelty to animals is to be</u>	596
<u>paid the fine money,</u> as determined under this division. The	597
treasurer to whom the fines are forwarded shall pay the fine	598

moneys to the county humane society, the Ohio society for the 599  
prevention of cruelty to animals, or the county, township, 600  
municipal corporation, or state law enforcement agency in this 601  
state that primarily was responsible for or involved in the 602  
investigation and prosecution of the violation. If a county 603  
humane society, or the Ohio society for the prevention of 604  
cruelty to animals, receives any fine moneys under this 605  
division, the ~~county humane~~ society shall use the fine moneys 606  
either to provide the training that is required for humane 607  
society agents under section ~~1717.06~~1717.061 of the Revised 608  
Code or to provide additional training for humane society 609  
agents. 610

**Sec. 959.132.** (A) As used in this section: 611

~~(1)~~ "Companion animal" has the ~~same~~ meaning ~~as defined in~~ 612  
section 959.131 of the Revised Code. 613

~~(2)~~ "Impounding agency" means a county humane society 614  
organized under section 1717.05 of the Revised Code, an animal 615  
shelter, or a law enforcement agency that has impounded a 616  
companion animal in accordance with this section. 617

~~(3)~~ "Offense" means a violation of a section 959.131 of 618  
Chapter 959. of the Revised Code or an attempt, in violation of 619  
section 2923.02 of the Revised Code, to violate a section 620  
~~959.131 of Chapter 959.~~ of the Revised Code. 621

~~(4)~~ "Officer" means any law enforcement officer, ~~agent of~~ 622  
~~a county humane society agent,~~ or other person appointed to act 623  
as an animal control officer for a municipal corporation or 624  
township in accordance with state law, an ordinance, or a 625  
resolution. 626

(B) An officer may seize and cause to be impounded at an 627

impounding agency ~~a companion~~ an animal that the officer has 628  
probable cause to believe is the subject of an offense. No 629  
officer or impounding agency shall impound ~~a companion~~ an animal 630  
that is the subject of an offense in a shelter owned, operated, 631  
or controlled by a board of county commissioners pursuant to 632  
Chapter 955. of the Revised Code unless the board, by 633  
resolution, authorizes the impoundment of such ~~a companion~~ an 634  
animal in a shelter owned, operated, or controlled by that board 635  
and has executed, in the case when the officer is other than a 636  
dog warden or assistant dog warden, a contract specifying the 637  
terms and conditions of the impoundment. 638

(C) The officer shall give written notice of the seizure 639  
and impoundment to the owner, keeper, or harbinger of the 640  
~~companion~~ animal that not later than twenty-four hours after the 641  
animal was seized and impounded. If the officer is unable to 642  
give the notice to the owner, keeper, or harbinger of the 643  
~~companion~~ animal, the officer shall post the notice on the door 644  
of the residence or in another conspicuous place on the premises 645  
at which the ~~companion~~ animal was seized. The notice shall 646  
include a statement that a hearing will be held not later than 647  
ten days after the notice is provided or at the next available 648  
court date to determine whether the officer had probable cause 649  
to seize the ~~companion~~ animal and, if applicable, to determine 650  
the amount of a bond or cash deposit that is needed to provide 651  
for the ~~companion~~ animal's care and keeping for not less than 652  
thirty days beginning on the date on which the ~~companion~~ animal 653  
was impounded. 654

(D) ~~A companion~~ An animal that is seized under this 655  
section may be humanely destroyed immediately or at any time 656  
during impoundment if a licensed veterinarian determines it to 657  
be necessary because the ~~companion~~ animal is suffering. 658

(E) (1) Not later than ten days after notice is provided or 659  
at the next available court date, the court shall hold a hearing 660  
to determine whether the officer impounding ~~a companion-an~~ 661  
animal had probable cause to seize the ~~companion-animal~~. If the 662  
court determines that probable cause exists, the court shall 663  
determine the amount of a bond or cash deposit that is ~~needed-~~ 664  
necessary and reasonable to provide for the ~~companion-animal's~~ 665  
care and keeping for not less than thirty days beginning on the 666  
date on which the ~~companion-animal~~ was impounded. 667

(2) If the court determines that probable cause does not 668  
exist, the court immediately shall order the impounding agency 669  
to return the ~~companion-animal~~ to its owner if possible. If the 670  
~~companion-animal~~ cannot be returned because it has died as a 671  
result of neglect or other misconduct by the impounding agency 672  
or if the ~~companion-animal~~ is injured as a result of neglect or 673  
other misconduct by the impounding agency, the court shall order 674  
the impounding agency to pay the owner an amount determined by 675  
the court to be equal to the reasonable market value of the 676  
~~companion-animal~~ at the time that it was impounded plus 677  
statutory interest as defined in section 1343.03 of the Revised 678  
Code from the date of the impoundment or an amount determined by 679  
the court to be equal to the reasonable cost of treatment of the 680  
injury to the ~~companion-animal~~, as applicable. The requirement 681  
established in division (E) (2) of this section regarding the 682  
payment of the reasonable market value of the ~~companion-animal~~ 683  
shall not apply in the case of a dog that, in violation of 684  
section 955.01 of the Revised Code, was not registered at the 685  
time it was seized and impounded. 686

(3) If the court determines that probable cause exists and 687  
determines the amount of a bond or cash deposit, the case shall 688  
continue and the owner shall post a bond or cash deposit to 689

provide for the ~~companion~~-animal's care and keeping for not less 690  
than thirty days beginning on the date on which the ~~companion~~- 691  
animal was impounded. The owner may renew a bond or cash deposit 692  
by posting, not later than ten days following the expiration of 693  
the period for which a previous bond or cash deposit was posted, 694  
a new bond or cash deposit in an amount that the court, in 695  
consultation with the impounding agency, determines is 696  
~~sufficient~~ necessary and reasonable to provide for the ~~companion~~- 697  
animal's care and keeping for not less than thirty days 698  
beginning on the date on which the previous period expired. If 699  
no bond or cash deposit is posted or if a bond or cash deposit 700  
expires and is not renewed, the impounding agency may determine 701  
the disposition of the ~~companion~~-animal unless the court issues 702  
an order that specifies otherwise. 703

(F) If a person is convicted of committing an offense, the 704  
court may impose the following additional penalties against the 705  
person: 706

(1) A requirement that the person pay for the costs 707  
incurred by the impounding agency in caring for a ~~companion~~-an 708  
animal involved in the applicable offense, provided that the 709  
costs were incurred during the ~~companion~~-animal's impoundment. A 710  
bond or cash deposit posted under this section may be applied to 711  
the costs. 712

(2) An order permanently terminating the person's right to 713  
possession, title, custody, or care of the ~~companion~~-animal that 714  
was involved in the offense. If the court issues such an order, 715  
the court shall order the disposition of the ~~companion~~-animal. 716

(G) If a person is found not guilty of committing an 717  
offense, the court immediately shall order the impounding agency 718  
to return the ~~companion~~-animal to its owner if possible and to 719

return the entire amount of any bond or cash deposit posted 720  
under division (E) of this section. If the ~~companion~~-animal 721  
cannot be returned because it has died as a result of neglect or 722  
other misconduct by the impounding agency or if the ~~companion~~- 723  
animal is injured as a result of neglect or other misconduct by 724  
the impounding agency, the court shall order the impounding 725  
agency to pay the owner an amount determined by the court to be 726  
equal to the reasonable market value of the ~~companion~~-animal at 727  
the time that it was impounded plus statutory interest as 728  
defined in section 1343.03 of the Revised Code from the date of 729  
the impoundment or an amount determined by the court to be equal 730  
to the reasonable cost of treatment of the injury to the 731  
~~companion~~-animal, as applicable. The requirements established in 732  
this division regarding the return of a bond or cash deposit and 733  
the payment of the reasonable market value of the ~~companion~~- 734  
animal shall not apply in the case of a dog that, in violation 735  
of section 955.01 of the Revised Code, was not registered at the 736  
time it was seized and impounded. 737

(H) If charges are filed under section 959.131 of the 738  
Revised Code against the custodian or caretaker of a companion 739  
animal, but the companion animal that is the subject of the 740  
charges is not impounded, the court in which the charges are 741  
pending may order the owner or person having custody of the 742  
companion animal to provide to the companion animal the 743  
necessities described in division (D) (2), (D) (3), (E) (2), (E) 744  
(3), (F) (2), or (F) (3) of section 959.131 of the Revised Code 745  
until the final disposition of the charges. If the court issues 746  
an order of that nature, the court also may authorize an officer 747  
or another person to visit the place where the companion animal 748  
is being kept, at the times and under the conditions that the 749  
court may set, to determine whether the companion animal is 750

receiving those necessities and to remove and impound the 751  
companion animal if the companion animal is not receiving those 752  
necessities. 753

**Sec. 1717.01.** As used in sections 1717.01 to ~~1717.14,~~ 754  
~~inclusive,~~ 1717.18 of the Revised Code, and in every law 755  
relating to animals: 756

(A) "Animal" includes every living dumb creature; 757

(B) "Cruelty," "torment," and "torture" include every act, 758  
omission, or neglect by which unnecessary or unjustifiable pain 759  
or suffering is caused, permitted, or allowed to continue, when 760  
there is a reasonable remedy or relief; 761

(C) "Owner" and "person" include corporations. For the 762  
purpose of this section the knowledge and acts of the agents and 763  
employees of a corporation, in regard to animals transported, 764  
owned, or employed by, or in the custody of, such agents and 765  
employees, are the knowledge and acts of the corporation. 766

**Sec. 1717.02.** The objects of the Ohio ~~humane~~ society for 767  
the prevention of cruelty to animals, and all societies 768  
organized under section 1717.05 of the Revised Code, shall be 769  
the inculcation of humane principles and the enforcement of laws 770  
for the prevention of cruelty, ~~especially~~ to ~~children and~~ 771  
animals. To promote those objects such societies may acquire 772  
property, real or personal, by purchase or gift. All property 773  
acquired by such a society, by gift, devise, or bequest, for 774  
special purposes, shall be vested in its board of trustees, 775  
which shall consist of three members elected by the society. The 776  
board shall manage such property and apply it in accordance with 777  
the terms of the gift, devise, or bequest, and may sell it and 778  
reinvest the proceeds. 779

**Sec. 1717.03.** The ~~state Ohio~~ society for the prevention of 780  
cruelty to animals ~~shall remain a body corporate, under the name~~ 781  
~~of "the Ohio humane society," with the powers, privileges,~~ 782  
~~immunities, and duties possessed before March 21, 1887, by the~~ 783  
~~state society for the prevention of cruelty to animals,~~ has the 784  
powers specified by sections 1717.01 to ~~1717.14, inclusive,~~ 785  
1717.18 of the Revised Code, as to county humane societies. 786

Branches of the Ohio ~~humane~~ society consisting of not less 787  
than ten members each may be organized in any part of the state 788  
to prosecute the work of the societies in their several 789  
localities, under rules and regulations prescribed by the Ohio 790  
~~humane~~ society. Humane societies organized in any county under 791  
section 1717.05 of the Revised Code may become branches of the 792  
Ohio ~~humane~~ society by resolution adopted at a meeting called 793  
for that purpose, a copy of which resolution shall be forwarded 794  
to the secretary of state. 795

The Ohio ~~humane~~ society may elect such officers, and make 796  
such rules, regulations, and bylaws, as are deemed expedient by 797  
its members for their own government and the proper management 798  
of its affairs. 799

**Sec. 1717.04.** (A) The Ohio ~~humane~~ society for the 800  
prevention of cruelty to animals is a humane society and may 801  
appoint humane society agents, in any county where no active 802  
county humane society exists under section 1717.05 of the 803  
Revised Code, to represent it and to within a specified 804  
jurisdiction of a county or of a municipal corporation. The 805  
society may receive and account for all funds coming to it from 806  
fines or otherwise, ~~and~~. The society also may ~~also~~ appoint 807  
agents at large to prosecute its work throughout the state. ~~Such~~ 808  
The agents may arrest any person found violating any law for the 809

protection of ~~persons or~~ animals, or the prevention of cruelty 810  
thereto. Upon making such arrest the agent forthwith shall 811  
convey the person arrested before ~~some~~ a court or magistrate 812  
having jurisdiction of the offense, and there make complaint 813  
against ~~him~~ the person. 814

~~Such agents shall not make such arrests within a municipal~~ 815  
~~corporation unless their appointment has been~~ The appointment of 816  
an agent under this section is subject to the requirements of 817  
section 1717.061 of the Revised Code, and is not final until the 818  
appointment has been approved under division (B) of this 819  
section. 820

(B) The appointment of an agent under this section does 821  
not take effect until it has been approved by the mayor of the 822  
municipal corporation, ~~or within a county beyond the limits of a~~ 823  
~~municipal corporation unless their appointment has been~~ for 824  
which it is made. If the society operates outside a municipal 825  
corporation, the appointment does not take effect until it has 826  
been approved by the probate judge of the county for which it is 827  
made, or in the case of an individual appointed as an at large 828  
agent, approved by the probate judge of the Franklin county 829  
court of common pleas. Such mayor or probate judge shall keep a 830  
record of ~~such~~ the appointments and shall maintain as a public 831  
record a copy of the proof of successful completion of training 832  
for each agent acting within the approving authority's 833  
jurisdiction. 834

(C) The approving authority shall notify the appropriate 835  
county sheriff and the board of county commissioners when the 836  
appointment of a humane society agent has been approved and, not 837  
later than two business days after the appointment has been 838  
approved, shall file a copy of the proof of successful 839

completion of training with the sheriff. An approving authority 840  
that has approved an at large agent shall notify the sheriff of 841  
Franklin county and the board of county commissioners of 842  
Franklin county, and shall file a copy of the proof of 843  
successful completion of training with the sheriff of Franklin 844  
county. The county sheriff shall maintain as a public record a 845  
copy of the proof for each humane society agent that is 846  
operating in the county. 847

(D) The Ohio society for the prevention of cruelty to 848  
animals shall notify the county sheriff and the approving 849  
authority when all approved humane society agents have ceased to 850  
perform the duties of the appointment and no agents are 851  
operating within the jurisdiction. 852

(E) A humane society agent only has the specific authority 853  
granted to the agent under the Revised Code. 854

**Sec. 1717.06.** (A) A county humane society organized under 855  
section 1717.05 of the Revised Code may appoint humane society 856  
agents for the purpose of prosecuting any person guilty of an 857  
act of cruelty to ~~persons or~~ animals. Such agents may arrest any 858  
person found violating this chapter or any other law for 859  
protecting ~~persons or~~ animals or preventing acts of cruelty 860  
thereto. Upon making an arrest the agent forthwith shall convey 861  
the person arrested before ~~some~~ a court or magistrate having 862  
jurisdiction of the offense, and there make complaint against 863  
the person on oath or affirmation of the offense. 864

~~All appointments of agents~~ The appointment of an agent 865  
under this section is subject to the requirements of section 866  
1717.061 of the Revised Code, and is not final until the 867  
appointment has been approved under division (B) of this 868  
section. 869

(B) The appointment of an agent under this section shall 870  
be does not take effect unless it has been approved by the mayor 871  
of the municipal corporation for which they are it is made. If 872  
the society exists operates outside a municipal corporation, 873  
such appointments shall be the appointment does not take effect 874  
until it has been approved by the probate judge of the county 875  
for which they are it is made. The mayor or probate judge shall 876  
keep a record of such the appointments and shall maintain as a 877  
public record a copy of the proof of successful completion of 878  
training for each humane society agent acting within the 879  
approving authority's jurisdiction. 880

~~In order to qualify for appointment as a humane agent~~ 881  
~~under this section, a person first shall successfully complete a~~ 882  
~~minimum of twenty hours of training on issues relating to the~~ 883  
~~investigation and prosecution of cruelty to and neglect of~~ 884  
~~animals. The training shall comply with rules recommended by the~~ 885  
~~peace officer training commission under section 109.73 of the~~ 886  
~~Revised Code and shall include, without limitation, instruction~~ 887  
~~regarding animal husbandry practices as described in division~~ 888  
~~(A) (12) of that section. A person who has been appointed as a~~ 889  
~~humane agent under this section prior to April 9, 2003, may~~ 890  
~~continue to act as a humane agent for a period of time on and~~ 891  
~~after April 9, 2003, without completing the training. However,~~ 892  
~~on or before December 31, 2004, a person who has been appointed~~ 893  
~~as a humane agent under this section prior to April 9, 2003,~~ 894  
~~shall successfully complete the training described in this~~ 895  
~~paragraph and submit proof of its successful completion to the~~ 896  
~~appropriate appointing mayor or probate judge in order to~~ 897  
~~continue to act as a humane agent after December 31, 2004.~~ 898

(C) The approving authority shall notify the appropriate 899  
county sheriff and the board of county commissioners when the 900

appointment of a humane society agent has been approved and, not 901  
later than two business days after the appointment has been 902  
approved, shall file a copy of the proof of successful 903  
completion of training with the sheriff. The county sheriff 904  
shall maintain as a public record a copy of the proof for each 905  
humane society agent that is operating in the county. 906

(D) A humane society shall notify the county sheriff and 907  
the approving authority when all approved humane society agents 908  
have ceased to perform the duties of the appointment and there 909  
are no humane society agents operating in the county. 910

(E) An agent of a county humane society only has the 911  
specific authority granted to the agent under ~~this section and~~ 912  
~~section 1717.08 of the Revised Code.~~ 913

**Sec. 1717.061.** In order to qualify for appointment as a 914  
humane society agent under section 1717.04 or 1717.06 of the 915  
Revised Code, an individual shall do both of the following: 916

(A) Successfully complete a minimum of twenty hours of 917  
training on issues relating to the investigation and prosecution 918  
of cruelty to and neglect of animals. The training shall comply 919  
with rules recommended by the peace officer training commission 920  
under section 109.73 of the Revised Code and shall include, 921  
without limitation, instruction regarding animal husbandry 922  
practices as described in division (A)(12) of that section. 923

(B) Present proof of successful completion of training, 924  
that has been signed by the chief executive officer of the 925  
organization or entity that provided the training, or the 926  
officer's designee, to the current active approving authority 927  
for approval. 928

**Sec. 1717.062.** (A) An individual who has reasonable cause 929

to believe that a humane society agent has not successfully 930  
completed the training that is required under section 1717.061 931  
of the Revised Code or who has reasonable cause to believe that 932  
an agent's proof of successful completion of training contains 933  
false or misleading information may file a complaint, in the 934  
form of a affidavit sworn to by the individual, with the current 935  
acting authority that is responsible for considering approval of 936  
agent appointments within the jurisdiction. The authority shall 937  
notify the agent's humane society, and shall investigate the 938  
complaint. 939

(B) If the authority finds that the agent has not provided 940  
signed proof of successful completion of training as required 941  
under section 1717.061 of the Revised Code, the authority shall 942  
provide written notification to the agent's humane society to 943  
inform the society that the agent has a right to cure period of 944  
thirty days from the date of the notification. If the agent has 945  
not provided signed proof by the end of the right to cure 946  
period, the authority shall rescind the approval of the 947  
appointment and order the applicable humane society to revoke 948  
the appointment. 949

(C) If the authority finds that the agent knowingly 950  
provided proof of successful completion of training that 951  
contains false or misleading information, the authority shall 952  
rescind the approval of the appointment and order the applicable 953  
humane society to revoke the appointment. 954

(D) The applicable humane society shall file written 955  
notice with the county sheriff of the revocation under this 956  
section of a humane society agent's appointment. 957

**Sec. 1717.07.** Upon the approval by the mayor of a 958  
municipal corporation of the appointment of an agent under 959

section 1717.04 or 1717.06 of the Revised Code, the legislative 960  
authority of such municipal corporation shall pay monthly to 961  
such agent, from the general revenue fund of the municipal 962  
corporation, ~~such the~~ salary ~~as that~~ the legislative authority 963  
~~deems considers~~ just and reasonable. Upon the approval by the 964  
probate judge of a county of such an appointment, the board of 965  
county commissioners of ~~such the~~ county shall pay monthly to 966  
~~such the~~ agent, from the general ~~revenue~~ fund of the county, 967  
~~such or from the dog and kennel fund of the county, the salary~~ 968  
~~as that~~ the board ~~deems considers~~ just and reasonable. Such 969  
board and such legislative authority may agree upon the amount 970  
each is to pay ~~such the~~ agent monthly. The salary to be paid 971  
monthly to ~~such the~~ agent by the legislative authority of a 972  
village shall be not less than ~~five twenty-five~~ dollars; by the 973  
legislative authority of a city, not less than ~~twenty one~~ 974  
hundred twenty-five dollars; and by the board of county 975  
commissioners of a county, not less than ~~twenty five one hundred~~ 976  
fifty dollars. Beginning January 1, 2020, and on the first day 977  
of January every five years thereafter, these salary amounts 978  
shall increase by five dollars. Not more than one such agent in 979  
each county shall receive remuneration from the board under this 980  
section. 981

**Sec. 1717.08.** An officer, agent, or member of the Ohio 982  
~~humane~~ society for the prevention of cruelty to animals or of a 983  
county humane society may interfere to prevent the perpetration 984  
of any act of cruelty to animals in ~~his~~ the officer's, agent's, 985  
or member's presence, may use such force as is necessary to 986  
prevent it, and to that end may summon to ~~his~~ the officer's, 987  
agent's, or member's aid any bystanders. 988

**Sec. 1717.09.** A member of the Ohio ~~humane~~ society for the 989  
prevention of cruelty to animals or of a county humane society 990

may require the sheriff of any county, the constable of any township, the marshal or a ~~policeman~~ police officer of any municipal corporation, or any agent of such a society, to arrest any person found violating the laws in relation to cruelty to ~~persons or~~ animals, and to take possession of any animal cruelly treated in their respective counties or municipal corporations, and deliver such animal to the proper officers of the society.

**Sec. 1717.10.** For all services rendered in carrying out sections 1717.01 to ~~1717.14, inclusive,~~ 1717.18 of the Revised Code, a sheriff, constable, marshal, or ~~policeman~~ police officer shall be paid such fees as ~~he~~ the sheriff, constable, marshal, or police officer is allowed for like services in other cases. Such fees must be charged as costs, and reimbursed to the humane society by the person convicted.

**Sec. 1717.16.** (A) Annually, a county humane society shall submit enforcement activity reports to the county sheriff. The Ohio society for the prevention of cruelty to animals shall submit the annual enforcement activity reports to the sheriff of Franklin county.

(B) Records of an enforcement activity by a humane society agent are public records under section 149.43 of the Revised Code, except that any such records that are confidential law enforcement investigatory records, as defined in division (A)(2) of section 149.43 of the Revised Code, are not public records.

**Sec. 1717.17.** A probate judge of a county in which a humane society agent operates may revoke the approval of an appointment for just cause, under the following procedure. A movant may commence the procedure by filing with the probate court a motion to revoke the appointment, in the form of an affidavit sworn to by the movant, describing the conduct that

constitutes just cause for the motion. The probate judge, upon a 1021  
review of the facts, may dismiss the motion without a hearing, 1022  
or shall direct the clerk of the probate court to serve the 1023  
humane society agent and the humane society with a summons and a 1024  
copy of the motion and any accompanying memorandum in accordance 1025  
with the Rules of Civil Procedure. The summons shall state the 1026  
time and place at which the probate court will conduct a hearing 1027  
on the motion. The humane society agent may waive the right to a 1028  
hearing. If the humane society agent waives the right to a 1029  
hearing, the probate judge shall revoke the humane society 1030  
agent's approval of appointment as prayed for in the motion. If 1031  
the humane society agent does not waive the right to a hearing, 1032  
the probate judge shall conduct a hearing on the motion. The 1033  
humane society agent is entitled to the assistance of counsel at 1034  
the hearing. The Rules of Evidence govern conduct of the 1035  
hearing. At the hearing, the movant has the burden of proving, 1036  
by a preponderance of the evidence, that just cause exists for 1037  
the revocation of the humane society agent's appointment. If, 1038  
after the hearing, the probate judge finds that the movant has 1039  
not sustained the burden of proof, the probate judge shall deny 1040  
the motion. If, after the hearing, the probate judge finds that 1041  
the movant has sustained the burden of proof, the probate judge 1042  
shall grant the motion and revoke the humane society agent's 1043  
approval of appointment. 1044

**Sec. 1717.18.** (A) A humane society may not enter into a 1045  
written agreement with a person, wherein the humane society 1046  
agrees not to prosecute the person for an alleged violation of 1047  
law, unless the proposed agreement has been reviewed and 1048  
approved by the judge that has presided over the hearing that is 1049  
required to determine if the officer had probable cause to seize 1050  
the animal, and which is related to the case that is the subject 1051

of the agreement. As part of the review, if bond has previously 1052  
been set, the judge shall reconsider whether or not the amount 1053  
of the bond determined by the court to be needed for the 1054  
animal's care is necessary and reasonable. A judge shall not 1055  
approve a nonprosecution agreement that requires a person to 1056  
provide financial compensation that is in excess of what is 1057  
necessary and reasonable for the animal's care for the duration 1058  
of the impoundment. 1059

(B) A nonprosecution agreement between a humane society 1060  
and a person, as described in division (A) of this section, is 1061  
void and unenforceable unless it has been approved under 1062  
division (A) of this section. 1063

**Sec. 2151.421.** (A) (1) (a) No person described in division 1064  
(A) (1) (b) of this section who is acting in an official or 1065  
professional capacity and knows, or has reasonable cause to 1066  
suspect based on facts that would cause a reasonable person in a 1067  
similar position to suspect, that a child under eighteen years 1068  
of age, or a person under twenty-one years of age with a 1069  
developmental disability or physical impairment, has suffered or 1070  
faces a threat of suffering any physical or mental wound, 1071  
injury, disability, or condition of a nature that reasonably 1072  
indicates abuse or neglect of the child shall fail to 1073  
immediately report that knowledge or reasonable cause to suspect 1074  
to the entity or persons specified in this division. Except as 1075  
otherwise provided in this division or section 5120.173 of the 1076  
Revised Code, the person making the report shall make it to the 1077  
public children services agency or a peace officer in the county 1078  
in which the child resides or in which the abuse or neglect is 1079  
occurring or has occurred. If the person making the report is a 1080  
peace officer, the officer shall make it to the public children 1081  
services agency in the county in which the child resides or in 1082

which the abuse or neglect is occurring or has occurred. In the 1083  
circumstances described in section 5120.173 of the Revised Code, 1084  
the person making the report shall make it to the entity 1085  
specified in that section. 1086

(b) Division (A)(1)(a) of this section applies to any 1087  
person who is an attorney; health care professional; 1088  
practitioner of a limited branch of medicine as specified in 1089  
section 4731.15 of the Revised Code; licensed school 1090  
psychologist; independent marriage and family therapist or 1091  
marriage and family therapist; coroner; administrator or 1092  
employee of a child day-care center; administrator or employee 1093  
of a residential camp, child day camp, or private, nonprofit 1094  
therapeutic wilderness camp; administrator or employee of a 1095  
certified child care agency or other public or private children 1096  
services agency; school teacher; school employee; school 1097  
authority; peace officer; agent of the Ohio society for the 1098  
prevention of cruelty to animals or of a county humane society; 1099  
person, other than a cleric, rendering spiritual treatment 1100  
through prayer in accordance with the tenets of a well- 1101  
recognized religion; employee of a county department of job and 1102  
family services who is a professional and who works with 1103  
children and families; superintendent or regional administrator 1104  
employed by the department of youth services; superintendent, 1105  
board member, or employee of a county board of developmental 1106  
disabilities; investigative agent contracted with by a county 1107  
board of developmental disabilities; employee of the department 1108  
of developmental disabilities; employee of a facility or home 1109  
that provides respite care in accordance with section 5123.171 1110  
of the Revised Code; employee of an entity that provides 1111  
homemaker services; a person performing the duties of an 1112  
assessor pursuant to Chapter 3107. or 5103. of the Revised Code; 1113

third party employed by a public children services agency to 1114  
assist in providing child or family related services; court 1115  
appointed special advocate; or guardian ad litem. 1116

(c) If two or more health care professionals, after 1117  
providing health care services to a child, determine or suspect 1118  
that the child has been or is being abused or neglected, the 1119  
health care professionals may designate one of the health care 1120  
professionals to report the abuse or neglect. A single report 1121  
made under this division shall meet the reporting requirements 1122  
of division (A) (1) of this section. 1123

(2) Except as provided in division (A) (3) of this section, 1124  
an attorney or a physician is not required to make a report 1125  
pursuant to division (A) (1) of this section concerning any 1126  
communication the attorney or physician receives from a client 1127  
or patient in an attorney-client or physician-patient 1128  
relationship, if, in accordance with division (A) or (B) of 1129  
section 2317.02 of the Revised Code, the attorney or physician 1130  
could not testify with respect to that communication in a civil 1131  
or criminal proceeding. 1132

(3) The client or patient in an attorney-client or 1133  
physician-patient relationship described in division (A) (2) of 1134  
this section is deemed to have waived any testimonial privilege 1135  
under division (A) or (B) of section 2317.02 of the Revised Code 1136  
with respect to any communication the attorney or physician 1137  
receives from the client or patient in that attorney-client or 1138  
physician-patient relationship, and the attorney or physician 1139  
shall make a report pursuant to division (A) (1) of this section 1140  
with respect to that communication, if all of the following 1141  
apply: 1142

(a) The client or patient, at the time of the 1143

communication, is a child under eighteen years of age or is a 1144  
person under twenty-one years of age with a developmental 1145  
disability or physical impairment. 1146

(b) The attorney or physician knows, or has reasonable 1147  
cause to suspect based on facts that would cause a reasonable 1148  
person in similar position to suspect that the client or patient 1149  
has suffered or faces a threat of suffering any physical or 1150  
mental wound, injury, disability, or condition of a nature that 1151  
reasonably indicates abuse or neglect of the client or patient. 1152

(c) The abuse or neglect does not arise out of the 1153  
client's or patient's attempt to have an abortion without the 1154  
notification of her parents, guardian, or custodian in 1155  
accordance with section 2151.85 of the Revised Code. 1156

(4) (a) No cleric and no person, other than a volunteer, 1157  
designated by any church, religious society, or faith acting as 1158  
a leader, official, or delegate on behalf of the church, 1159  
religious society, or faith who is acting in an official or 1160  
professional capacity, who knows, or has reasonable cause to 1161  
believe based on facts that would cause a reasonable person in a 1162  
similar position to believe, that a child under eighteen years 1163  
of age, or a person under twenty-one years of age with a 1164  
developmental disability or physical impairment, has suffered or 1165  
faces a threat of suffering any physical or mental wound, 1166  
injury, disability, or condition of a nature that reasonably 1167  
indicates abuse or neglect of the child, and who knows, or has 1168  
reasonable cause to believe based on facts that would cause a 1169  
reasonable person in a similar position to believe, that another 1170  
cleric or another person, other than a volunteer, designated by 1171  
a church, religious society, or faith acting as a leader, 1172  
official, or delegate on behalf of the church, religious 1173

society, or faith caused, or poses the threat of causing, the 1174  
wound, injury, disability, or condition that reasonably 1175  
indicates abuse or neglect shall fail to immediately report that 1176  
knowledge or reasonable cause to believe to the entity or 1177  
persons specified in this division. Except as provided in 1178  
section 5120.173 of the Revised Code, the person making the 1179  
report shall make it to the public children services agency or a 1180  
peace officer in the county in which the child resides or in 1181  
which the abuse or neglect is occurring or has occurred. In the 1182  
circumstances described in section 5120.173 of the Revised Code, 1183  
the person making the report shall make it to the entity 1184  
specified in that section. 1185

(b) Except as provided in division (A) (4) (c) of this 1186  
section, a cleric is not required to make a report pursuant to 1187  
division (A) (4) (a) of this section concerning any communication 1188  
the cleric receives from a penitent in a cleric-penitent 1189  
relationship, if, in accordance with division (C) of section 1190  
2317.02 of the Revised Code, the cleric could not testify with 1191  
respect to that communication in a civil or criminal proceeding. 1192

(c) The penitent in a cleric-penitent relationship 1193  
described in division (A) (4) (b) of this section is deemed to 1194  
have waived any testimonial privilege under division (C) of 1195  
section 2317.02 of the Revised Code with respect to any 1196  
communication the cleric receives from the penitent in that 1197  
cleric-penitent relationship, and the cleric shall make a report 1198  
pursuant to division (A) (4) (a) of this section with respect to 1199  
that communication, if all of the following apply: 1200

(i) The penitent, at the time of the communication, is a 1201  
child under eighteen years of age or is a person under twenty- 1202  
one years of age with a developmental disability or physical 1203

impairment. 1204

(ii) The cleric knows, or has reasonable cause to believe 1205  
based on facts that would cause a reasonable person in a similar 1206  
position to believe, as a result of the communication or any 1207  
observations made during that communication, the penitent has 1208  
suffered or faces a threat of suffering any physical or mental 1209  
wound, injury, disability, or condition of a nature that 1210  
reasonably indicates abuse or neglect of the penitent. 1211

(iii) The abuse or neglect does not arise out of the 1212  
penitent's attempt to have an abortion performed upon a child 1213  
under eighteen years of age or upon a person under twenty-one 1214  
years of age with a developmental disability or physical 1215  
impairment without the notification of her parents, guardian, or 1216  
custodian in accordance with section 2151.85 of the Revised 1217  
Code. 1218

(d) Divisions (A) (4) (a) and (c) of this section do not 1219  
apply in a cleric-penitent relationship when the disclosure of 1220  
any communication the cleric receives from the penitent is in 1221  
violation of the sacred trust. 1222

(e) As used in divisions (A) (1) and (4) of this section, 1223  
"cleric" and "sacred trust" have the same meanings as in section 1224  
2317.02 of the Revised Code. 1225

(B) Anyone who knows, or has reasonable cause to suspect 1226  
based on facts that would cause a reasonable person in similar 1227  
circumstances to suspect, that a child under eighteen years of 1228  
age, or a person under twenty-one years of age with a 1229  
developmental disability or physical impairment, has suffered or 1230  
faces a threat of suffering any physical or mental wound, 1231  
injury, disability, or other condition of a nature that 1232

reasonably indicates abuse or neglect of the child may report or 1233  
cause reports to be made of that knowledge or reasonable cause 1234  
to suspect to the entity or persons specified in this division. 1235  
Except as provided in section 5120.173 of the Revised Code, a 1236  
person making a report or causing a report to be made under this 1237  
division shall make it or cause it to be made to the public 1238  
children services agency or to a peace officer. In the 1239  
circumstances described in section 5120.173 of the Revised Code, 1240  
a person making a report or causing a report to be made under 1241  
this division shall make it or cause it to be made to the entity 1242  
specified in that section. 1243

(C) Any report made pursuant to division (A) or (B) of 1244  
this section shall be made forthwith either by telephone or in 1245  
person and shall be followed by a written report, if requested 1246  
by the receiving agency or officer. The written report shall 1247  
contain: 1248

(1) The names and addresses of the child and the child's 1249  
parents or the person or persons having custody of the child, if 1250  
known; 1251

(2) The child's age and the nature and extent of the 1252  
child's injuries, abuse, or neglect that is known or reasonably 1253  
suspected or believed, as applicable, to have occurred or of the 1254  
threat of injury, abuse, or neglect that is known or reasonably 1255  
suspected or believed, as applicable, to exist, including any 1256  
evidence of previous injuries, abuse, or neglect; 1257

(3) Any other information, including, but not limited to, 1258  
results and reports of any medical examinations, tests, or 1259  
procedures performed under division (D) of this section, that 1260  
might be helpful in establishing the cause of the injury, abuse, 1261  
or neglect that is known or reasonably suspected or believed, as 1262

applicable, to have occurred or of the threat of injury, abuse, 1263  
or neglect that is known or reasonably suspected or believed, as 1264  
applicable, to exist. 1265

(D) (1) Any person, who is required by division (A) of this 1266  
section to report child abuse or child neglect that is known or 1267  
reasonably suspected or believed to have occurred, may take or 1268  
cause to be taken color photographs of areas of trauma visible 1269  
on a child and, if medically necessary for the purpose of 1270  
diagnosing or treating injuries that are suspected to have 1271  
occurred as a result of child abuse or child neglect, perform or 1272  
cause to be performed radiological examinations and any other 1273  
medical examinations of, and tests or procedures on, the child. 1274

(2) The results and any available reports of examinations, 1275  
tests, or procedures made under division (D) (1) of this section 1276  
shall be included in a report made pursuant to division (A) of 1277  
this section. Any additional reports of examinations, tests, or 1278  
procedures that become available shall be provided to the public 1279  
children services agency, upon request. 1280

(3) If a health care professional provides health care 1281  
services in a hospital, children's advocacy center, or emergency 1282  
medical facility to a child about whom a report has been made 1283  
under division (A) of this section, the health care professional 1284  
may take any steps that are reasonably necessary for the release 1285  
or discharge of the child to an appropriate environment. Before 1286  
the child's release or discharge, the health care professional 1287  
may obtain information, or consider information obtained, from 1288  
other entities or individuals that have knowledge about the 1289  
child. Nothing in division (D) (3) of this section shall be 1290  
construed to alter the responsibilities of any person under 1291  
sections 2151.27 and 2151.31 of the Revised Code. 1292

(4) A health care professional may conduct medical 1293  
examinations, tests, or procedures on the siblings of a child 1294  
about whom a report has been made under division (A) of this 1295  
section and on other children who reside in the same home as the 1296  
child, if the professional determines that the examinations, 1297  
tests, or procedures are medically necessary to diagnose or 1298  
treat the siblings or other children in order to determine 1299  
whether reports under division (A) of this section are warranted 1300  
with respect to such siblings or other children. The results of 1301  
the examinations, tests, or procedures on the siblings and other 1302  
children may be included in a report made pursuant to division 1303  
(A) of this section. 1304

(5) Medical examinations, tests, or procedures conducted 1305  
under divisions (D)(1) and (4) of this section and decisions 1306  
regarding the release or discharge of a child under division (D) 1307  
(3) of this section do not constitute a law enforcement 1308  
investigation or activity. 1309

(E)(1) When a peace officer receives a report made 1310  
pursuant to division (A) or (B) of this section, upon receipt of 1311  
the report, the peace officer who receives the report shall 1312  
refer the report to the appropriate public children services 1313  
agency, unless an arrest is made at the time of the report that 1314  
results in the appropriate public children services agency being 1315  
contacted concerning the possible abuse or neglect of a child or 1316  
the possible threat of abuse or neglect of a child. 1317

(2) When a public children services agency receives a 1318  
report pursuant to this division or division (A) or (B) of this 1319  
section, upon receipt of the report, the public children 1320  
services agency shall do both of the following: 1321

(a) Comply with section 2151.422 of the Revised Code; 1322

(b) If the county served by the agency is also served by a 1323  
children's advocacy center and the report alleges sexual abuse 1324  
of a child or another type of abuse of a child that is specified 1325  
in the memorandum of understanding that creates the center as 1326  
being within the center's jurisdiction, comply regarding the 1327  
report with the protocol and procedures for referrals and 1328  
investigations, with the coordinating activities, and with the 1329  
authority or responsibility for performing or providing 1330  
functions, activities, and services stipulated in the 1331  
interagency agreement entered into under section 2151.428 of the 1332  
Revised Code relative to that center. 1333

(F) No peace officer shall remove a child about whom a 1334  
report is made pursuant to this section from the child's 1335  
parents, stepparents, or guardian or any other persons having 1336  
custody of the child without consultation with the public 1337  
children services agency, unless, in the judgment of the 1338  
officer, and, if the report was made by physician, the 1339  
physician, immediate removal is considered essential to protect 1340  
the child from further abuse or neglect. The agency that must be 1341  
consulted shall be the agency conducting the investigation of 1342  
the report as determined pursuant to section 2151.422 of the 1343  
Revised Code. 1344

(G) (1) Except as provided in section 2151.422 of the 1345  
Revised Code or in an interagency agreement entered into under 1346  
section 2151.428 of the Revised Code that applies to the 1347  
particular report, the public children services agency shall 1348  
investigate, within twenty-four hours, each report of child 1349  
abuse or child neglect that is known or reasonably suspected or 1350  
believed to have occurred and of a threat of child abuse or 1351  
child neglect that is known or reasonably suspected or believed 1352  
to exist that is referred to it under this section to determine 1353

the circumstances surrounding the injuries, abuse, or neglect or 1354  
the threat of injury, abuse, or neglect, the cause of the 1355  
injuries, abuse, neglect, or threat, and the person or persons 1356  
responsible. The investigation shall be made in cooperation with 1357  
the law enforcement agency and in accordance with the memorandum 1358  
of understanding prepared under division (K) of this section. A 1359  
representative of the public children services agency shall, at 1360  
the time of initial contact with the person subject to the 1361  
investigation, inform the person of the specific complaints or 1362  
allegations made against the person. The information shall be 1363  
given in a manner that is consistent with division (I)(1) of 1364  
this section and protects the rights of the person making the 1365  
report under this section. 1366

A failure to make the investigation in accordance with the 1367  
memorandum is not grounds for, and shall not result in, the 1368  
dismissal of any charges or complaint arising from the report or 1369  
the suppression of any evidence obtained as a result of the 1370  
report and does not give, and shall not be construed as giving, 1371  
any rights or any grounds for appeal or post-conviction relief 1372  
to any person. The public children services agency shall report 1373  
each case to the uniform statewide automated child welfare 1374  
information system that the department of job and family 1375  
services shall maintain in accordance with section 5101.13 of 1376  
the Revised Code. The public children services agency shall 1377  
submit a report of its investigation, in writing, to the law 1378  
enforcement agency. 1379

(2) The public children services agency shall make any 1380  
recommendations to the county prosecuting attorney or city 1381  
director of law that it considers necessary to protect any 1382  
children that are brought to its attention. 1383

(H) (1) (a) Except as provided in divisions (H) (1) (b) and 1384  
(I) (3) of this section, any person, health care professional, 1385  
hospital, institution, school, health department, or agency 1386  
shall be immune from any civil or criminal liability for injury, 1387  
death, or loss to person or property that otherwise might be 1388  
incurred or imposed as a result of any of the following: 1389

(i) Participating in the making of reports pursuant to 1390  
division (A) of this section or in the making of reports in good 1391  
faith, pursuant to division (B) of this section; 1392

(ii) Participating in medical examinations, tests, or 1393  
procedures under division (D) of this section; 1394

(iii) Providing information used in a report made pursuant 1395  
to division (A) of this section or providing information in good 1396  
faith used in a report made pursuant to division (B) of this 1397  
section; 1398

(iv) Participating in a judicial proceeding resulting from 1399  
a report made pursuant to division (A) of this section or 1400  
participating in good faith in a proceeding resulting from a 1401  
report made pursuant to division (B) of this section. 1402

(b) Immunity under division (H) (1) (a) (ii) of this section 1403  
shall not apply when a health care provider has deviated from 1404  
the standard of care applicable to the provider's profession. 1405

(c) Notwithstanding section 4731.22 of the Revised Code, 1406  
the physician-patient privilege shall not be a ground for 1407  
excluding evidence regarding a child's injuries, abuse, or 1408  
neglect, or the cause of the injuries, abuse, or neglect in any 1409  
judicial proceeding resulting from a report submitted pursuant 1410  
to this section. 1411

(2) In any civil or criminal action or proceeding in which 1412

it is alleged and proved that participation in the making of a 1413  
report under this section was not in good faith or participation 1414  
in a judicial proceeding resulting from a report made under this 1415  
section was not in good faith, the court shall award the 1416  
prevailing party reasonable attorney's fees and costs and, if a 1417  
civil action or proceeding is voluntarily dismissed, may award 1418  
reasonable attorney's fees and costs to the party against whom 1419  
the civil action or proceeding is brought. 1420

(I) (1) Except as provided in divisions (I) (4) and (O) of 1421  
this section, a report made under this section is confidential. 1422  
The information provided in a report made pursuant to this 1423  
section and the name of the person who made the report shall not 1424  
be released for use, and shall not be used, as evidence in any 1425  
civil action or proceeding brought against the person who made 1426  
the report. Nothing in this division shall preclude the use of 1427  
reports of other incidents of known or suspected abuse or 1428  
neglect in a civil action or proceeding brought pursuant to 1429  
division (N) of this section against a person who is alleged to 1430  
have violated division (A) (1) of this section, provided that any 1431  
information in a report that would identify the child who is the 1432  
subject of the report or the maker of the report, if the maker 1433  
of the report is not the defendant or an agent or employee of 1434  
the defendant, has been redacted. In a criminal proceeding, the 1435  
report is admissible in evidence in accordance with the Rules of 1436  
Evidence and is subject to discovery in accordance with the 1437  
Rules of Criminal Procedure. 1438

(2) (a) Except as provided in division (I) (2) (b) of this 1439  
section, no person shall permit or encourage the unauthorized 1440  
dissemination of the contents of any report made under this 1441  
section. 1442

(b) A health care professional that obtains the same 1443  
information contained in a report made under this section from a 1444  
source other than the report may disseminate the information, if 1445  
its dissemination is otherwise permitted by law. 1446

(3) A person who knowingly makes or causes another person 1447  
to make a false report under division (B) of this section that 1448  
alleges that any person has committed an act or omission that 1449  
resulted in a child being an abused child or a neglected child 1450  
is guilty of a violation of section 2921.14 of the Revised Code. 1451

(4) If a report is made pursuant to division (A) or (B) of 1452  
this section and the child who is the subject of the report dies 1453  
for any reason at any time after the report is made, but before 1454  
the child attains eighteen years of age, the public children 1455  
services agency or peace officer to which the report was made or 1456  
referred, on the request of the child fatality review board or 1457  
the director of health pursuant to guidelines established under 1458  
section 3701.70 of the Revised Code, shall submit a summary 1459  
sheet of information providing a summary of the report to the 1460  
review board of the county in which the deceased child resided 1461  
at the time of death or to the director. On the request of the 1462  
review board or director, the agency or peace officer may, at 1463  
its discretion, make the report available to the review board or 1464  
director. If the county served by the public children services 1465  
agency is also served by a children's advocacy center and the 1466  
report of alleged sexual abuse of a child or another type of 1467  
abuse of a child is specified in the memorandum of understanding 1468  
that creates the center as being within the center's 1469  
jurisdiction, the agency or center shall perform the duties and 1470  
functions specified in this division in accordance with the 1471  
interagency agreement entered into under section 2151.428 of the 1472  
Revised Code relative to that advocacy center. 1473

(5) A public children services agency shall advise a 1474  
person alleged to have inflicted abuse or neglect on a child who 1475  
is the subject of a report made pursuant to this section, 1476  
including a report alleging sexual abuse of a child or another 1477  
type of abuse of a child referred to a children's advocacy 1478  
center pursuant to an interagency agreement entered into under 1479  
section 2151.428 of the Revised Code, in writing of the 1480  
disposition of the investigation. The agency shall not provide 1481  
to the person any information that identifies the person who 1482  
made the report, statements of witnesses, or police or other 1483  
investigative reports. 1484

(J) Any report that is required by this section, other 1485  
than a report that is made to the state highway patrol as 1486  
described in section 5120.173 of the Revised Code, shall result 1487  
in protective services and emergency supportive services being 1488  
made available by the public children services agency on behalf 1489  
of the children about whom the report is made, in an effort to 1490  
prevent further neglect or abuse, to enhance their welfare, and, 1491  
whenever possible, to preserve the family unit intact. The 1492  
agency required to provide the services shall be the agency 1493  
conducting the investigation of the report pursuant to section 1494  
2151.422 of the Revised Code. 1495

(K) (1) Each public children services agency shall prepare 1496  
a memorandum of understanding that is signed by all of the 1497  
following: 1498

(a) If there is only one juvenile judge in the county, the 1499  
juvenile judge of the county or the juvenile judge's 1500  
representative; 1501

(b) If there is more than one juvenile judge in the 1502  
county, a juvenile judge or the juvenile judges' representative 1503

selected by the juvenile judges or, if they are unable to do so 1504  
for any reason, the juvenile judge who is senior in point of 1505  
service or the senior juvenile judge's representative; 1506

(c) The county peace officer; 1507

(d) All chief municipal peace officers within the county; 1508

(e) Other law enforcement officers handling child abuse 1509  
and neglect cases in the county; 1510

(f) The prosecuting attorney of the county; 1511

(g) If the public children services agency is not the 1512  
county department of job and family services, the county 1513  
department of job and family services; 1514

(h) The Ohio humane society for the prevention of cruelty 1515  
to animals or the county humane society; 1516

(i) If the public children services agency participated in 1517  
the execution of a memorandum of understanding under section 1518  
2151.426 of the Revised Code establishing a children's advocacy 1519  
center, each participating member of the children's advocacy 1520  
center established by the memorandum. 1521

(2) A memorandum of understanding shall set forth the 1522  
normal operating procedure to be employed by all concerned 1523  
officials in the execution of their respective responsibilities 1524  
under this section and division (C) of section 2919.21, division 1525  
(B) (1) of section 2919.22, division (B) of section 2919.23, and 1526  
section 2919.24 of the Revised Code and shall have as two of its 1527  
primary goals the elimination of all unnecessary interviews of 1528  
children who are the subject of reports made pursuant to 1529  
division (A) or (B) of this section and, when feasible, 1530  
providing for only one interview of a child who is the subject 1531

of any report made pursuant to division (A) or (B) of this 1532  
section. A failure to follow the procedure set forth in the 1533  
memorandum by the concerned officials is not grounds for, and 1534  
shall not result in, the dismissal of any charges or complaint 1535  
arising from any reported case of abuse or neglect or the 1536  
suppression of any evidence obtained as a result of any reported 1537  
child abuse or child neglect and does not give, and shall not be 1538  
construed as giving, any rights or any grounds for appeal or 1539  
post-conviction relief to any person. 1540

(3) A memorandum of understanding shall include all of the 1541  
following: 1542

(a) The roles and responsibilities for handling emergency 1543  
and nonemergency cases of abuse and neglect; 1544

(b) Standards and procedures to be used in handling and 1545  
coordinating investigations of reported cases of child abuse and 1546  
reported cases of child neglect, methods to be used in 1547  
interviewing the child who is the subject of the report and who 1548  
allegedly was abused or neglected, and standards and procedures 1549  
addressing the categories of persons who may interview the child 1550  
who is the subject of the report and who allegedly was abused or 1551  
neglected. 1552

(4) If a public children services agency participated in 1553  
the execution of a memorandum of understanding under section 1554  
2151.426 of the Revised Code establishing a children's advocacy 1555  
center, the agency shall incorporate the contents of that 1556  
memorandum in the memorandum prepared pursuant to this section. 1557

(5) The clerk of the court of common pleas in the county 1558  
may sign the memorandum of understanding prepared under division 1559  
(K) (1) of this section. If the clerk signs the memorandum of 1560

understanding, the clerk shall execute all relevant 1561  
responsibilities as required of officials specified in the 1562  
memorandum. 1563

(L) (1) Except as provided in division (L) (4) or (5) of 1564  
this section, a person who is required to make a report pursuant 1565  
to division (A) of this section may make a reasonable number of 1566  
requests of the public children services agency that receives or 1567  
is referred the report, or of the children's advocacy center 1568  
that is referred the report if the report is referred to a 1569  
children's advocacy center pursuant to an interagency agreement 1570  
entered into under section 2151.428 of the Revised Code, to be 1571  
provided with the following information: 1572

(a) Whether the agency or center has initiated an 1573  
investigation of the report; 1574

(b) Whether the agency or center is continuing to 1575  
investigate the report; 1576

(c) Whether the agency or center is otherwise involved 1577  
with the child who is the subject of the report; 1578

(d) The general status of the health and safety of the 1579  
child who is the subject of the report; 1580

(e) Whether the report has resulted in the filing of a 1581  
complaint in juvenile court or of criminal charges in another 1582  
court. 1583

(2) A person may request the information specified in 1584  
division (L) (1) of this section only if, at the time the report 1585  
is made, the person's name, address, and telephone number are 1586  
provided to the person who receives the report. 1587

When a peace officer or employee of a public children 1588

services agency receives a report pursuant to division (A) or 1589  
(B) of this section the recipient of the report shall inform the 1590  
person of the right to request the information described in 1591  
division (L)(1) of this section. The recipient of the report 1592  
shall include in the initial child abuse or child neglect report 1593  
that the person making the report was so informed and, if 1594  
provided at the time of the making of the report, shall include 1595  
the person's name, address, and telephone number in the report. 1596

Each request is subject to verification of the identity of 1597  
the person making the report. If that person's identity is 1598  
verified, the agency shall provide the person with the 1599  
information described in division (L)(1) of this section a 1600  
reasonable number of times, except that the agency shall not 1601  
disclose any confidential information regarding the child who is 1602  
the subject of the report other than the information described 1603  
in those divisions. 1604

(3) A request made pursuant to division (L)(1) of this 1605  
section is not a substitute for any report required to be made 1606  
pursuant to division (A) of this section. 1607

(4) If an agency other than the agency that received or 1608  
was referred the report is conducting the investigation of the 1609  
report pursuant to section 2151.422 of the Revised Code, the 1610  
agency conducting the investigation shall comply with the 1611  
requirements of division (L) of this section. 1612

(5) A health care professional who made a report under 1613  
division (A) of this section, or on whose behalf such a report 1614  
was made as provided in division (A)(1)(c) of this section, may 1615  
authorize a person to obtain the information described in 1616  
division (L)(1) of this section if the person requesting the 1617  
information is associated with or acting on behalf of the health 1618

care professional who provided health care services to the child 1619  
about whom the report was made. 1620

(M) The director of job and family services shall adopt 1621  
rules in accordance with Chapter 119. of the Revised Code to 1622  
implement this section. The department of job and family 1623  
services may enter into a plan of cooperation with any other 1624  
governmental entity to aid in ensuring that children are 1625  
protected from abuse and neglect. The department shall make 1626  
recommendations to the attorney general that the department 1627  
determines are necessary to protect children from child abuse 1628  
and child neglect. 1629

(N) Whoever violates division (A) of this section is 1630  
liable for compensatory and exemplary damages to the child who 1631  
would have been the subject of the report that was not made. A 1632  
person who brings a civil action or proceeding pursuant to this 1633  
division against a person who is alleged to have violated 1634  
division (A)(1) of this section may use in the action or 1635  
proceeding reports of other incidents of known or suspected 1636  
abuse or neglect, provided that any information in a report that 1637  
would identify the child who is the subject of the report or the 1638  
maker of the report, if the maker is not the defendant or an 1639  
agent or employee of the defendant, has been redacted. 1640

(O) (1) As used in this division: 1641

(a) "Out-of-home care" includes a nonchartered nonpublic 1642  
school if the alleged child abuse or child neglect, or alleged 1643  
threat of child abuse or child neglect, described in a report 1644  
received by a public children services agency allegedly occurred 1645  
in or involved the nonchartered nonpublic school and the alleged 1646  
perpetrator named in the report holds a certificate, permit, or 1647  
license issued by the state board of education under section 1648

3301.071 or Chapter 3319. of the Revised Code. 1649

(b) "Administrator, director, or other chief 1650  
administrative officer" means the superintendent of the school 1651  
district if the out-of-home care entity subject to a report made 1652  
pursuant to this section is a school operated by the district. 1653

(2) No later than the end of the day following the day on 1654  
which a public children services agency receives a report of 1655  
alleged child abuse or child neglect, or a report of an alleged 1656  
threat of child abuse or child neglect, that allegedly occurred 1657  
in or involved an out-of-home care entity, the agency shall 1658  
provide written notice of the allegations contained in and the 1659  
person named as the alleged perpetrator in the report to the 1660  
administrator, director, or other chief administrative officer 1661  
of the out-of-home care entity that is the subject of the report 1662  
unless the administrator, director, or other chief 1663  
administrative officer is named as an alleged perpetrator in the 1664  
report. If the administrator, director, or other chief 1665  
administrative officer of an out-of-home care entity is named as 1666  
an alleged perpetrator in a report of alleged child abuse or 1667  
child neglect, or a report of an alleged threat of child abuse 1668  
or child neglect, that allegedly occurred in or involved the 1669  
out-of-home care entity, the agency shall provide the written 1670  
notice to the owner or governing board of the out-of-home care 1671  
entity that is the subject of the report. The agency shall not 1672  
provide witness statements or police or other investigative 1673  
reports. 1674

(3) No later than three days after the day on which a 1675  
public children services agency that conducted the investigation 1676  
as determined pursuant to section 2151.422 of the Revised Code 1677  
makes a disposition of an investigation involving a report of 1678

alleged child abuse or child neglect, or a report of an alleged 1679  
threat of child abuse or child neglect, that allegedly occurred 1680  
in or involved an out-of-home care entity, the agency shall send 1681  
written notice of the disposition of the investigation to the 1682  
administrator, director, or other chief administrative officer 1683  
and the owner or governing board of the out-of-home care entity. 1684  
The agency shall not provide witness statements or police or 1685  
other investigative reports. 1686

(P) As used in this section: 1687

(1) "Children's advocacy center" and "sexual abuse of a 1688  
child" have the same meanings as in section 2151.425 of the 1689  
Revised Code. 1690

(2) "Health care professional" means an individual who 1691  
provides health-related services including a physician, hospital 1692  
intern or resident, dentist, podiatrist, registered nurse, 1693  
licensed practical nurse, visiting nurse, licensed psychologist, 1694  
speech pathologist, audiologist, person engaged in social work 1695  
or the practice of professional counseling, and employee of a 1696  
home health agency. "Health care professional" does not include 1697  
a practitioner of a limited branch of medicine as specified in 1698  
section 4731.15 of the Revised Code, licensed school 1699  
psychologist, independent marriage and family therapist or 1700  
marriage and family therapist, or coroner. 1701

(3) "Investigation" means the public children services 1702  
agency's response to an accepted report of child abuse or 1703  
neglect through either an alternative response or a traditional 1704  
response. 1705

(4) "Peace officer" means a sheriff, deputy sheriff, 1706  
constable, police officer of a township or joint police 1707

district, marshal, deputy marshal, municipal police officer, or 1708  
a state highway patrol trooper. 1709

**Sec. 2921.02.** (A) No person, with purpose to corrupt a 1710  
public servant or party official, or improperly to influence a 1711  
public servant or party official with respect to the discharge 1712  
of the public servant's or party official's duty, whether before 1713  
or after the public servant or party official is elected, 1714  
appointed, qualified, employed, summoned, or sworn, shall 1715  
promise, offer, or give any valuable thing or valuable benefit. 1716

(B) No person, either before or after the person is 1717  
elected, appointed, qualified, employed, summoned, or sworn as a 1718  
public servant or party official, shall knowingly solicit or 1719  
accept for self or another person any valuable thing or valuable 1720  
benefit to corrupt or improperly influence the person or another 1721  
public servant or party official with respect to the discharge 1722  
of the person's or the other public servant's or party 1723  
official's duty. 1724

(C) No person, with purpose to corrupt a witness or 1725  
improperly to influence a witness with respect to the witness's 1726  
testimony in an official proceeding, either before or after the 1727  
witness is subpoenaed or sworn, shall promise, offer, or give 1728  
the witness or another person any valuable thing or valuable 1729  
benefit. 1730

(D) No person, either before or after the person is 1731  
subpoenaed or sworn as a witness, shall knowingly solicit or 1732  
accept for self or another person any valuable thing or valuable 1733  
benefit to corrupt or improperly influence self or another 1734  
person with respect to testimony given in an official 1735  
proceeding. 1736

(E) No person, with purpose to corrupt a director, 1737  
officer, or employee of a municipal school district 1738  
transformation alliance established under section 3311.86 of the 1739  
Revised Code, or improperly to influence a director, officer, or 1740  
employee of a municipal school district transformation alliance 1741  
with respect to the discharge of the director's, officer's, or 1742  
employee's duties, whether before or after the director, 1743  
officer, or employee is appointed or employed, shall promise, 1744  
offer, or give the director, officer, or employee any valuable 1745  
thing or valuable benefit. 1746

(F) No person, either before or after the person is 1747  
appointed or employed as a director, officer, or employee of a 1748  
municipal school district transformation alliance established 1749  
under section 3311.86 of the Revised Code, shall knowingly 1750  
solicit or accept for self or another person any valuable thing 1751  
or valuable benefit to corrupt or improperly influence the 1752  
person or another director, officer, or employee of a municipal 1753  
school district transformation alliance with respect to the 1754  
discharge of the person's or other director's, officer's, or 1755  
employee's duties. 1756

(G) As used in this section, "public servant" includes a 1757  
humane society agent approved under section 1717.04 or 1717.06 1758  
of the Revised Code. 1759

(H) Whoever violates this section is guilty of bribery, a 1760  
felony of the third degree. 1761

~~(H)~~ (I) A public servant or party official, or director, 1762  
officer, or employee of a municipal school district 1763  
transformation alliance established under section 3311.86 of the 1764  
Revised Code, who is convicted of bribery is forever 1765  
disqualified from holding any public office, employment, or 1766

position of trust in this state. 1767

**Sec. 2931.18.** (A) A humane society ~~or its agent~~ may ~~employ~~ 1768  
appoint an attorney, and may also ~~employ~~ appoint one or more 1769  
assistant attorneys, ~~to~~ prosecute violations of law relating to+ 1770

~~(1) Except prevention of cruelty to animals, except as~~ 1771  
provided in division (B) of this section, ~~prevention of cruelty~~ 1772  
~~to animals or children;~~ 1773

~~(2) Abandonment, nonsupport, or ill treatment of a child~~ 1774  
~~by its parent;~~ 1775

~~(3) Employment of a child under fourteen years of age in~~ 1776  
~~public exhibitions or vocations injurious to health, life, or~~ 1777  
~~morals or which cause or permit such child to suffer unnecessary~~ 1778  
~~physical or mental pain;~~ 1779

~~(4) Neglect or refusal of an adult to support a destitute~~ 1780  
~~parent.~~ 1781

~~Such~~ The attorneys shall be paid out of the county 1782  
treasury, from the general fund of the county or from the dog 1783  
and kennel fund of the county, in an amount approved as just and 1784  
reasonable by the board of county commissioners of that county. 1785

(B) A humane society or its agent shall not employ an 1786  
attorney or one or more assistant attorneys to prosecute a 1787  
felony violation of section 959.131 of the Revised Code. 1788

**Sec. 5101.63.** (A) (1) Any individual listed in division (A) 1789  
(2) of this section having reasonable cause to believe that an 1790  
adult is being abused, neglected, or exploited, or is in a 1791  
condition which is the result of abuse, neglect, or exploitation 1792  
shall immediately report such belief to the county department of 1793  
job and family services. 1794

(2) All of the following are subject to division (A) (1) of this section:	1795
	1796
(a) An attorney admitted to the practice of law in this state;	1797
	1798
(b) An individual authorized under Chapter 4731. of the Revised Code to practice medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery;	1799
	1800
	1801
(c) An individual licensed under Chapter 4734. of the Revised Code as a chiropractor;	1802
	1803
(d) An individual licensed under Chapter 4715. of the Revised Code as a dentist;	1804
	1805
(e) An individual licensed under Chapter 4723. of the Revised Code as a registered nurse or licensed practical nurse;	1806
	1807
(f) An individual licensed under Chapter 4732. of the Revised Code as a psychologist;	1808
	1809
(g) An individual licensed under Chapter 4757. of the Revised Code as a social worker, independent social worker, professional counselor, professional clinical counselor, marriage and family therapist, or independent marriage and family therapist;	1810
	1811
	1812
	1813
	1814
(h) An individual licensed under Chapter 4729. of the Revised Code as a pharmacist;	1815
	1816
(i) An individual holding a certificate to practice as a dialysis technician issued under Chapter 4723. of the Revised Code;	1817
	1818
	1819
(j) An employee of a home health agency, as defined in section 3701.881 of the Revised Code;	1820
	1821

(k) An employee of an outpatient health facility;	1822
(l) An employee of a hospital, as defined in section 3727.01 of the Revised Code;	1823 1824
(m) An employee of a hospital or public hospital, as defined in section 5122.01 of the Revised Code;	1825 1826
(n) An employee of a nursing home or residential care facility, as defined in section 3721.01 of the Revised Code;	1827 1828
(o) An employee of a residential facility licensed under section 5119.22 of the Revised Code that provides accommodations, supervision, and personal care services for three to sixteen unrelated adults;	1829 1830 1831 1832
(p) An employee of a health department operated by the board of health of a city or general health district or the authority having the duties of a board of health under section 3709.05 of the Revised Code;	1833 1834 1835 1836
(q) An employee of a community mental health agency, as defined in section 5122.01 of the Revised Code;	1837 1838
(r) <del>An agent of a county</del> <u>A humane society organized under section 1717.05</u> agent appointed under section 1717.04 or 1717.06 of the Revised Code;	1839 1840 1841
(s) An individual who is a firefighter for a lawfully constituted fire department;	1842 1843
(t) An individual who is an ambulance driver for an emergency medical service organization, as defined in section 4765.01 of the Revised Code;	1844 1845 1846
(u) A first responder, emergency medical technician-basic, emergency medical technician-intermediate, or paramedic, as	1847 1848

those terms are defined in section 4765.01 of the Revised Code;	1849
(v) An official employed by a local building department to	1850
conduct inspections of houses and other residential buildings;	1851
(w) A peace officer;	1852
(x) A coroner;	1853
(y) A member of the clergy;	1854
(z) An individual who holds a certificate issued under	1855
Chapter 4701. of the Revised Code as a certified public	1856
accountant or is registered under that chapter as a public	1857
accountant;	1858
(aa) An individual licensed under Chapter 4735. of the	1859
Revised Code as a real estate broker or real estate salesperson;	1860
(bb) An individual appointed and commissioned under	1861
section 147.01 of the Revised Code as a notary public;	1862
(cc) An employee of a bank, savings bank, savings and loan	1863
association, or credit union organized under the laws of this	1864
state, another state, or the United States;	1865
(dd) An investment adviser, as defined in section 1707.01	1866
of the Revised Code;	1867
(ee) A financial planner accredited by a national	1868
accreditation agency;	1869
(ff) Any other individual who is a senior service	1870
provider, other than a representative of the office of the state	1871
long-term care <u>ombudsman</u> program as defined in section 173.14 of	1872
the Revised Code.	1873
(B) Any person having reasonable cause to believe that an	1874
adult has suffered abuse, neglect, or exploitation may report,	1875

or cause a report to be made of such belief to the county 1876  
department of job and family services. 1877

This division applies to a representative of the office of 1878  
the state long-term care ombudsman program only to the extent 1879  
permitted by federal law. 1880

(C) The reports made under this section shall be made 1881  
orally or in writing except that oral reports shall be followed 1882  
by a written report if a written report is requested by the 1883  
department. Written reports shall include: 1884

(1) The name, address, and approximate age of the adult 1885  
who is the subject of the report; 1886

(2) The name and address of the individual responsible for 1887  
the adult's care, if any individual is, and if the individual is 1888  
known; 1889

(3) The nature and extent of the alleged abuse, neglect, 1890  
or exploitation of the adult; 1891

(4) The basis of the reporter's belief that the adult has 1892  
been abused, neglected, or exploited. 1893

(D) Any person with reasonable cause to believe that an 1894  
adult is suffering abuse, neglect, or exploitation who makes a 1895  
report pursuant to this section or who testifies in any 1896  
administrative or judicial proceeding arising from such a 1897  
report, or any employee of the state or any of its subdivisions 1898  
who is discharging responsibilities under section 5101.65 of the 1899  
Revised Code shall be immune from civil or criminal liability on 1900  
account of such investigation, report, or testimony, except 1901  
liability for perjury, unless the person has acted in bad faith 1902  
or with malicious purpose. 1903

(E) No employer or any other person with the authority to do so shall do any of the following as a result of an employee's having filed a report under this section:

(1) Discharge, demote, transfer, or prepare a negative work performance evaluation;

(2) Reduce benefits, pay, or work privileges;

(3) Take any other action detrimental to an employee or in any way retaliate against the employee.

(F) The written or oral report provided for in this section and the investigatory report provided for in section 5101.65 of the Revised Code are confidential and are not public records, as defined in section 149.43 of the Revised Code. In accordance with rules adopted by the department of job and family services, information contained in the report shall upon request be made available to the adult who is the subject of the report and to legal counsel for the adult. If it determines that there is a risk of harm to a person who makes a report under this section or to the adult who is the subject of the report, the county department of job and family services may redact the name and identifying information related to the person who made the report.

(G) The county department of job and family services shall be available to receive the written or oral report provided for in this section twenty-four hours a day and seven days a week.

**Sec. 5147.22.** Except for prisoners participating in a county jail industry program established under section 5147.30 of the Revised Code, the board of county commissioners, or officer in charge of any workhouse or jail, shall place to the credit of each prisoner the amount of the prisoner's earnings

that the board or officer considers equitable and just, taking 1933  
into consideration the character of the prisoner, the nature of 1934  
the crime for which ~~he~~ the prisoner is imprisoned, and the 1935  
prisoner's general deportment. The board or officer may cancel 1936  
any portion of that credit for violation of the rules, want of 1937  
propriety, or other misconduct. When such earnings are credited 1938  
to any such prisoner and the prisoner has a child under the age 1939  
of sixteen or a spouse, the board or officer in control of the 1940  
workhouse or jail shall pay the earnings weekly to the person 1941  
having custody of the child, ~~to any incorporated humane society~~ 1942  
~~that will serve as trustees for the child without compensation,~~ 1943  
or to the spouse of the prisoner, as the board or officer 1944  
determines. When the prisoner has no such child or spouse, the 1945  
earnings shall be paid to the prisoner upon discharge. 1946

**Section 2.** That existing sections 109.73, 935.19, 935.20, 1947  
955.16, 959.131, 959.132, 1717.01, 1717.02, 1717.03, 1717.04, 1948  
1717.06, 1717.07, 1717.08, 1717.09, 1717.10, 2151.421, 2921.02, 1949  
2931.18, 5101.63, and 5147.22 of the Revised Code are hereby 1950  
repealed. 1951

**Section 3.** That sections 1717.14 and 3113.10 of the 1952  
Revised Code are hereby repealed. 1953

**Section 4.** Not later than six months after the effective 1954  
date of this act, an individual who is serving as a humane 1955  
society agent on that date shall obtain and present proof of 1956  
successful completion of training, as required under section 1957  
1717.061 of the Revised Code, to the current active approving 1958  
authority for approval. The approving authority, not later than 1959  
two business days after having received the proof of successful 1960  
completion of training, shall notify the appropriate county 1961  
sheriff and board of county commissioners, and shall file with 1962

the sheriff a copy of the proof of successful completion of 1963  
training. 1964

An individual who has not presented the required proof of 1965  
successful completion of training to the approving authority, as 1966  
required by this section, is suspended as a humane society agent 1967  
by operation of law until the signed proof of successful 1968  
completion of training is filed with the county sheriff. 1969

**Section 5.** Not later than ninety days after the effective 1970  
date of this act, the probate judge of a county in which a 1971  
humane society agent operates shall send written notice to the 1972  
humane society informing the humane society of the requirements 1973  
of section 1717.16 of the Revised Code and Section 4 as enacted 1974  
in this act. 1975