

Sub. H.B. 24
L_133_0240-2

Topic: Humane society's reimbursement for care of any animal

_____ moved to amend as follows:

In line 2 of the title, after "959.132," insert "959.99," 1

In line 14, after "959.132," insert "959.99," 2

After line 747, insert: 3

"**Sec. 959.99.** (A) Whoever violates section 959.18 or 959.19 4
of the Revised Code is guilty of a minor misdemeanor. 5

(B) Except as otherwise provided in this division, whoever 6
violates section 959.02 of the Revised Code is guilty of a 7
misdemeanor of the second degree. If the value of the animal 8
killed or the injury done amounts to three hundred dollars or 9
more, whoever violates section 959.02 of the Revised Code is 10
guilty of a misdemeanor of the first degree. 11

(C) Whoever violates section 959.03, 959.06, 959.12, or 12
959.17 or division (A) of section 959.15 of the Revised Code is 13
guilty of a misdemeanor of the fourth degree. 14

(D) Whoever violates division (A) of section 959.13 or 15
section 959.21 of the Revised Code is guilty of a misdemeanor of 16
the second degree. In addition, the court may order the offender 17
to forfeit the animal or livestock and may provide for its 18
disposition, including, but not limited to, the sale of the animal 19

or livestock. If an animal or livestock is forfeited and sold
pursuant to this division, the proceeds from the sale first shall
be applied to pay the expenses incurred with regard to the care of
the animal from the time it was taken from the custody of the
former owner. The balance of the proceeds from the sale, if any,
shall be paid to the former owner of the animal.

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(E)(1) Whoever violates division (B) of section 959.131 of
the Revised Code is guilty of a misdemeanor of the first degree on
a first offense and a felony of the fifth degree on each
subsequent offense.

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(2) Whoever violates division (C) of section 959.131 of the
Revised Code is guilty of a felony of the fifth degree.

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(3) Whoever violates section 959.01 of the Revised Code or
division (D) of section 959.131 of the Revised Code is guilty of a
misdemeanor of the second degree on a first offense and a
misdemeanor of the first degree on each subsequent offense.

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(4) Whoever violates division (E) of section 959.131 of the
Revised Code is guilty of a felony of the fifth degree.

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(5) Whoever violates division (F) of section 959.131 of the
Revised Code is guilty of a misdemeanor of the first degree.

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(6)(a) A court may order a person who is convicted of or
pleads guilty to a violation of section 959.131 of the Revised
Code to forfeit to an impounding agency, as defined in section
959.132 of the Revised Code, any or all of the companion animals
in that person's ownership or care. The court also may prohibit or
place limitations on the person's ability to own or care for any
companion animals for a specified or indefinite period of time.

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(b) A court may order a person who is convicted of or pleads
guilty to a violation of division (A) of section 959.13 or section

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959.131 of the Revised Code to reimburse an impounding agency for 49
the ~~reasonably~~ reasonable and necessary costs incurred by the 50
agency for the care of ~~a companion~~ an animal or livestock that the 51
agency impounded as a result of the investigation or prosecution 52
of the violation, provided that the costs were not otherwise paid 53
under section 959.132 of the Revised Code. 54

(7) If a court has reason to believe that a person who is 55
convicted of or pleads guilty to a violation of section 959.131 or 56
959.21 of the Revised Code suffers from a mental or emotional 57
disorder that contributed to the violation, the court may impose 58
as a community control sanction or as a condition of probation a 59
requirement that the offender undergo psychological evaluation or 60
counseling. The court shall order the offender to pay the costs of 61
the evaluation or counseling. 62

(F) Whoever violates section 959.14 of the Revised Code is 63
guilty of a misdemeanor of the second degree on a first offense 64
and a misdemeanor of the first degree on each subsequent offense. 65

(G) Whoever violates section 959.05 or 959.20 of the Revised 66
Code is guilty of a misdemeanor of the first degree. 67

(H) Whoever violates section 959.16 of the Revised Code is 68
guilty of a felony of the fourth degree for a first offense and a 69
felony of the third degree on each subsequent offense. 70

(I) Whoever violates division (B) or (C) of section 959.15 of 71
the Revised Code is guilty of a felony and shall be fined not more 72
than ten thousand dollars." 73

In line 1898, after "959.132," insert "959.99," 74

After line 1930, insert: 75

"**Section 6.** Section 959.99 of the Revised Code is presented 76
in this act as a composite of the section as amended by both Sub. 77

H.B. 60 and Sub. S.B. 331 of the 131st General Assembly. The 78
General Assembly, applying the principle stated in division (B) of 79
section 1.52 of the Revised Code that amendments are to be 80
harmonized if reasonably capable of simultaneous operation, finds 81
that the composite is the resulting version of the section in 82
effect prior to the effective date of the section as presented in 83
this act." 84

The motion was _____ agreed to.