

**As Introduced**

**132nd General Assembly**

**Regular Session**

**2017-2018**

**H. B. No. 147**

**Representative Hambley**

**Cosponsors: Representatives Hill, Lipps, O'Brien**

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**A BILL**

To amend sections 109.73, 935.19, 935.20, 959.131, 1717.01, 1717.02, 1717.03, 1717.04, 1717.06, 1717.07, 1717.09, 1717.10, 2151.421, 2921.02, and 2931.18, to enact sections 1717.061, 1717.062, 1717.16, and 1717.17, and to repeal section 1717.14 of the Revised Code to make changes to humane society law and to make humane society agents subject to bribery law.

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

**Section 1.** That sections 109.73, 935.19, 935.20, 959.131, 1717.01, 1717.02, 1717.03, 1717.04, 1717.06, 1717.07, 1717.09, 1717.10, 2151.421, 2921.02, and 2931.18 be amended and sections 1717.061, 1717.062, 1717.16, and 1717.17 of the Revised Code be enacted to read as follows:

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

(1) The approval, or revocation of approval, of peace officer training schools administered by the state, counties,

municipal corporations, public school districts, technical 19  
college districts, and the department of natural resources; 20

(2) Minimum courses of study, attendance requirements, and 21  
equipment and facilities to be required at approved state, 22  
county, municipal, and department of natural resources peace 23  
officer training schools; 24

(3) Minimum qualifications for instructors at approved 25  
state, county, municipal, and department of natural resources 26  
peace officer training schools; 27

(4) The requirements of minimum basic training that peace 28  
officers appointed to probationary terms shall complete before 29  
being eligible for permanent appointment, which requirements 30  
shall include training in the handling of the offense of 31  
domestic violence, other types of domestic violence-related 32  
offenses and incidents, and protection orders and consent 33  
agreements issued or approved under section 2919.26 or 3113.31 34  
of the Revised Code; crisis intervention training; and training 35  
in the handling of missing children and child abuse and neglect 36  
cases; and training in handling violations of section 2905.32 of 37  
the Revised Code; and the time within which such basic training 38  
shall be completed following appointment to a probationary term; 39

(5) The requirements of minimum basic training that peace 40  
officers not appointed for probationary terms but appointed on 41  
other than a permanent basis shall complete in order to be 42  
eligible for continued employment or permanent appointment, 43  
which requirements shall include training in the handling of the 44  
offense of domestic violence, other types of domestic violence- 45  
related offenses and incidents, and protection orders and 46  
consent agreements issued or approved under section 2919.26 or 47  
3113.31 of the Revised Code, crisis intervention training, and 48

training in the handling of missing children and child abuse and neglect cases, and training in handling violations of section 2905.32 of the Revised Code, and the time within which such basic training shall be completed following appointment on other than a permanent basis;

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

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

department; qualified nonprofit corporation police department; 80  
bank, savings and loan association, savings bank, credit union, 81  
or association of banks, savings and loan associations, savings 82  
banks, or credit unions; railroad company; hospital; or 83  
amusement park sponsoring the police officers pays the entire 84  
cost of the training and certification and if trainee vacancies 85  
are available; 86

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

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

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

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

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

or who provide correction services in such a jail or facility; 109

(12) Establishing requirements for the training of humane 110  
society agents ~~of a county humane society~~ under section ~~1717.06~~ 111  
1717.061 of the Revised Code, including, without limitation, a 112  
requirement that the agents receive instruction on traditional 113  
animal husbandry methods and training techniques, including 114  
customary owner-performed practices. 115

(B) The commission shall appoint an executive director, 116  
with the approval of the attorney general, who shall hold office 117  
during the pleasure of the commission. The executive director 118  
shall perform such duties assigned by the commission. The 119  
executive director shall receive a salary fixed pursuant to 120  
Chapter 124. of the Revised Code and reimbursement for expenses 121  
within the amounts available by appropriation. The executive 122  
director may appoint officers, employees, agents, and 123  
consultants as the executive director considers necessary, 124  
prescribe their duties, and provide for reimbursement of their 125  
expenses within the amounts available for reimbursement by 126  
appropriation and with the approval of the commission. 127

(C) The commission may do all of the following: 128

(1) Recommend studies, surveys, and reports to be made by 129  
the executive director regarding the carrying out of the 130  
objectives and purposes of sections 109.71 to 109.77 of the 131  
Revised Code; 132

(2) Visit and inspect any peace officer training school 133  
that has been approved by the executive director or for which 134  
application for approval has been made; 135

(3) Make recommendations, from time to time, to the 136  
executive director, the attorney general, and the general 137

assembly regarding the carrying out of the purposes of sections 138  
109.71 to 109.77 of the Revised Code; 139

(4) Report to the attorney general from time to time, and 140  
to the governor and the general assembly at least annually, 141  
concerning the activities of the commission; 142

(5) Establish fees for the services the commission offers 143  
under sections 109.71 to 109.79 of the Revised Code, including, 144  
but not limited to, fees for training, certification, and 145  
testing; 146

(6) Perform such other acts as are necessary or 147  
appropriate to carry out the powers and duties of the commission 148  
as set forth in sections 109.71 to 109.77 of the Revised Code. 149

(D) In establishing the requirements, under division (A) 150  
(12) of this section, the commission may consider any portions 151  
of the curriculum for instruction on the topic of animal 152  
husbandry practices, if any, of the Ohio state university 153  
college of veterinary medicine. No person or entity that fails 154  
to provide instruction on traditional animal husbandry methods 155  
and training techniques, including customary owner-performed 156  
practices, shall qualify to train a humane agent for appointment 157  
under ~~section~~sections 1717.04 and 1717.06 of the Revised Code. 158

**Sec. 935.19.** (A) (1) The director of agriculture or the 159  
director's designee may enter at all reasonable times any 160  
premises at which a dangerous wild animal or restricted snake is 161  
confined, with the consent of the owner of the premises, for the 162  
purpose of determining compliance with this chapter and rules. 163

(2) If the director or the director's designee is denied 164  
access to any such premises, and if the director reasonably 165  
suspects that the person who possesses the dangerous wild animal 166

or restricted snake is not in compliance with this chapter or 167  
rules, the director may apply to a court of competent 168  
jurisdiction in the county in which the premises is located for 169  
a search warrant authorizing access to the premises for the 170  
purposes of this section. 171

(3) The court shall issue the search warrant for the 172  
purposes requested if there is probable cause to believe that 173  
the person is not in compliance with this chapter or rules. The 174  
finding of probable cause may be based on hearsay, provided that 175  
there is a substantial basis for believing that the source of 176  
the hearsay is credible and that there is a factual basis for 177  
the information furnished. 178

(B) The director may designate any of the following to 179  
conduct inspections under this section: 180

(1) Employees of the department of agriculture; 181

(2) Natural resources law enforcement officers with the 182  
consent of the director of natural resources; 183

(3) Employees of the department of health with the consent 184  
of the director of health; 185

(4) Employees of a board of health with the consent of the 186  
board; 187

(5) ~~Agents of a humane~~ Humane society agents appointed 188  
under section 1717.04 or 1717.06 of the Revised Code with the 189  
consent of the humane society. 190

(C) If a person designated under division (B) of this 191  
section determines, while conducting an inspection, that a 192  
violation of this chapter or rules has occurred, is occurring, 193  
or may occur, the person shall immediately notify the director 194

of agriculture. The director may proceed as provided in section 195  
935.24 of the Revised Code. 196

**Sec. 935.20.** (A) On and after January 1, 2014, the 197  
director of agriculture immediately shall cause an investigation 198  
to be conducted if the director has reason to believe that one 199  
of the following may be occurring: 200

(1) A dangerous wild animal is possessed by a person who 201  
has not been issued a wildlife shelter permit, wildlife 202  
propagation permit, or rescue facility permit under this 203  
chapter. 204

(2) A restricted snake is possessed by a person that has 205  
not been issued a restricted snake possession permit or 206  
restricted snake propagation permit under this chapter. 207

(3) A dangerous wild animal or restricted snake is being 208  
treated or kept in a manner that is in violation of this chapter 209  
or rules. 210

For purposes of the investigation, the director or the 211  
director's designee may order the animal or snake that is the 212  
subject of the notification to be quarantined or may order the 213  
transfer of the animal or snake to a facility that is on the 214  
list maintained by the director under this section. If the 215  
director's designee orders the animal or snake to be quarantined 216  
or transferred, the designee shall provide a copy of the order 217  
to the director. 218

(B) The director shall attempt to notify the person owning 219  
or possessing an animal or snake that has been ordered to be 220  
quarantined or transferred under division (A) of this section. 221  
The notice shall be delivered in person or by certified mail. 222  
The director also may post a copy of a quarantine order at two 223

conspicuous locations on the premises where the animal or snake 224  
is quarantined. The director shall maintain a copy of an order 225  
issued under this section and evidence that the director 226  
attempted to notify the person owning or possessing the animal 227  
or snake. 228

(C) A quarantine or transfer order issued under this 229  
section shall contain all of the following: 230

(1) The name and address of the person owning or 231  
possessing the animal or snake, if known; 232

(2) A description of the quarantined or transferred animal 233  
or snake; 234

(3) A description of the premises affected by the 235  
quarantine or transfer; 236

(4) The reason for the quarantine or transfer; 237

(5) Any terms and conditions of the quarantine or 238  
transfer; 239

(6) A notice that a person adversely affected by the order 240  
may request a hearing to review the order. 241

(D) A person that is adversely affected by a quarantine or 242  
transfer order pertaining to a dangerous wild animal or 243  
restricted snake owned or possessed by the person, within thirty 244  
days after the order is issued, may request in writing an 245  
adjudication in accordance with Chapter 119. of the Revised 246  
Code. A request for an adjudication does not stay a quarantine 247  
or transfer order. 248

(E) The owner of or person possessing a dangerous wild 249  
animal or restricted snake that was quarantined or transferred 250  
under division (A) of this section shall be responsible for all 251

reasonable costs associated with the quarantine or transfer, 252  
including the costs of transportation, housing, food, and 253  
veterinary care for the animal or snake. If such an owner or 254  
person is unable to pay for the reasonable costs, the director 255  
shall certify the costs to the county auditor to be assessed 256  
against any property of the owner or person and thereby made a 257  
lien upon it and collected as other taxes. All money from the 258  
collection of liens under this division shall be credited in 259  
accordance with division (J) of this section. 260

(F) If the state veterinarian determines that a dangerous 261  
wild animal or restricted snake that was quarantined or 262  
transferred under division (A) of this section is infected with 263  
or exposed to a dangerously contagious or infectious disease or 264  
is seriously injured, the state veterinarian shall so notify the 265  
director. The director may order the animal or snake to be 266  
humanely euthanized by a veterinarian if the state veterinarian 267  
has indicated that euthanization is medically necessary. 268

(G) A quarantine or transfer order issued under this 269  
section shall remain in effect until one of the following 270  
occurs: 271

(1) The director, after reviewing the results of the 272  
investigation conducted under division (A) of this section, 273  
issues a written notice of release. 274

(2) A court of competent jurisdiction orders the 275  
quarantine or transfer order to be terminated in a proceeding 276  
conducted under division (H) of this section. 277

(3) A court of competent jurisdiction orders the seizure 278  
of the dangerous wild animal or restricted snake in a proceeding 279  
conducted under division (H) of this section. 280

(H) If, after reviewing the results of an investigation 281  
concerning a dangerous wild animal or restricted snake conducted 282  
under division (A) of this section and after resolution of any 283  
proceeding conducted under division (D) of this section, the 284  
director determines that a circumstance described in division 285  
(A) (1), (2), or (3) of this section is or was occurring, the 286  
director shall initiate, in a court of competent jurisdiction, a 287  
proceeding for the permanent seizure of the animal or snake, as 288  
applicable. If the court affirms the director's determination 289  
that a circumstance described in division (A) (1), (2), or (3) of 290  
this section is or was occurring, the court shall order the 291  
animal or snake seized and shall order the method of disposition 292  
of the animal or snake. The court may order the person owning or 293  
possessing the animal or snake to pay all reasonable costs 294  
associated with the seizure and, if applicable, the costs 295  
associated with the quarantine or transfer of the animal or 296  
snake, including the costs of transportation, housing, food, and 297  
veterinary care of the animal or snake. If the court does not 298  
affirm the director's determination, the court shall order the 299  
quarantine or transfer order to be terminated and the animal or 300  
snake to be returned to the person owning or possessing it, if 301  
applicable. 302

(I) The director may authorize any of the following to 303  
conduct an investigation and order the quarantine or transfer of 304  
a dangerous wild animal or restricted snake under division (A) 305  
of this section: 306

(1) Employees of the department of agriculture; 307

(2) Natural resources law enforcement officers with the 308  
consent of the director of natural resources; 309

(3) Employees of the department of health with the consent 310

of the director of health;	311
(4) Employees of a board of health with the consent of the board;	312 313
(5) <del>Agents of a humane</del> <u>Humane society agents</u> appointed under section <u>1717.04</u> or 1717.06 of the Revised Code with the consent of the humane society;	314 315 316
(6) Law enforcement officers with the consent of the sheriff of the county or the chief law enforcement officer of the township or municipal corporation, as applicable, by whom the law enforcement officers are employed;	317 318 319 320
(7) Law enforcement officers who are state highway patrol troopers with the consent of the superintendent of the state highway patrol.	321 322 323
(J) Money collected for reimbursement of costs associated with the quarantine or transfer of dangerous wild animals and restricted snakes under this section shall be credited to one of the following funds, as applicable:	324 325 326 327
(1) If the animal or snake was quarantined or transferred by an employee of the department of agriculture or the department of health, a natural resources law enforcement officer, or a law enforcement officer who is a state highway patrol trooper, the dangerous and restricted animal fund created in section 935.25 of the Revised Code;	328 329 330 331 332 333
(2) If the animal or snake was quarantined or transferred by an employee of a board of health, a special fund, which is hereby created in each health district, that shall be used exclusively for the administration and enforcement of this chapter and rules;	334 335 336 337 338

(3) If the animal or snake was quarantined or transferred 339  
by an agent of a humane society, a special fund, which is hereby 340  
created in each county that has a humane society, that shall be 341  
used exclusively for the administration and enforcement of this 342  
chapter and rules; 343

(4) If the animal or snake was quarantined or transferred 344  
by a law enforcement officer who is not a state highway patrol 345  
trooper, the special fund that is created in the political 346  
subdivision that employs the law enforcement officer in division 347  
(D) of section 935.16 of the Revised Code. 348

(K) The director shall maintain a list of facilities 349  
inside and outside the state that the director determines are 350  
eligible to accept dangerous wild animals and restricted snakes 351  
for the purposes of this section. 352

**Sec. 959.131.** (A) As used in this section: 353

(1) "Companion animal" means any animal that is kept 354  
inside a residential dwelling and any dog or cat regardless of 355  
where it is kept, including a pet store as defined in section 356  
956.01 of the Revised Code. "Companion animal" does not include 357  
livestock or any wild animal. 358

(2) "Cruelty," "torment," and "torture" have the same 359  
meanings as in section 1717.01 of the Revised Code. 360

(3) "Residential dwelling" means a structure or shelter or 361  
the portion of a structure or shelter that is used by one or 362  
more humans for the purpose of a habitation. 363

(4) "Practice of veterinary medicine" has the same meaning 364  
as in section 4741.01 of the Revised Code. 365

(5) "Wild animal" has the same meaning as in section 366

1531.01 of the Revised Code.	367
(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.	368 369 370 371 372 373 374 375
(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.	376 377 378
(8) "Boarding kennel" has the same meaning as in section 956.01 of the Revised Code.	379 380
(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.	381 382 383
(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.	384 385 386 387 388
(11) "Captive white-tailed deer" has the same meaning as in section 1531.01 of the Revised Code.	389 390
(12) "Serious physical harm" means any of the following:	391
(a) Physical harm that carries an unnecessary or unjustifiable substantial risk of death;	392 393
(b) Physical harm that involves either partial or total	394

permanent incapacity; 395

(c) Physical harm that involves acute pain of a duration 396  
that results in substantial suffering or that involves any 397  
degree of prolonged or intractable pain; 398

(d) Physical harm that results from a person who confines 399  
or who is the custodian or caretaker of a companion animal 400  
depriving the companion animal of good, wholesome food and water 401  
that proximately causes the death of the companion animal. 402

(B) No person shall knowingly torture, torment, needlessly 403  
mutilate or maim, cruelly beat, poison, needlessly kill, or 404  
commit an act of cruelty against a companion animal. 405

(C) No person shall knowingly cause serious physical harm 406  
to a companion animal. 407

(D) No person who confines or who is the custodian or 408  
caretaker of a companion animal shall negligently do any of the 409  
following: 410

(1) Torture, torment, or commit an act of cruelty against 411  
the companion animal; 412

(2) Deprive the companion animal of necessary sustenance 413  
or confine the companion animal without supplying it during the 414  
confinement with sufficient quantities of good, wholesome food 415  
and water if it can reasonably be expected that the companion 416  
animal would become sick or suffer in any other way as a result 417  
of or due to the deprivation or confinement; 418

(3) Impound or confine the companion animal without 419  
affording it, during the impoundment or confinement, with access 420  
to shelter from heat, cold, wind, rain, snow, or excessive 421  
direct sunlight if it can reasonably be expected that the 422

companion animal would become sick or suffer in any other way as 423  
a result of or due to the lack of adequate shelter. 424

(E) No owner, manager, or employee of a dog kennel who 425  
confines or is the custodian or caretaker of a companion animal 426  
shall knowingly do any of the following: 427

(1) Torture, torment, needlessly mutilate or maim, cruelly 428  
beat, poison, needlessly kill, or commit an act of cruelty 429  
against the companion animal; 430

(2) Deprive the companion animal of necessary sustenance 431  
or confine the companion animal without supplying it during the 432  
confinement with sufficient quantities of good, wholesome food 433  
and water if it is reasonably expected that the companion animal 434  
would die or experience unnecessary or unjustifiable pain or 435  
suffering as a result of the deprivation or confinement; 436

(3) Impound or confine the companion animal without 437  
affording it, during the impoundment or confinement, with access 438  
to shelter from heat, cold, wind, rain, snow, or excessive 439  
direct sunlight if it is reasonably expected that the companion 440  
animal would die or experience unnecessary or unjustifiable pain 441  
or suffering as a result of or due to the lack of adequate 442  
shelter. 443

(F) No owner, manager, or employee of a dog kennel who 444  
confines or is the custodian or caretaker of a companion animal 445  
shall negligently do any of the following: 446

(1) Torture, torment, or commit an act of cruelty against 447  
the companion animal; 448

(2) Deprive the companion animal of necessary sustenance 449  
or confine the companion animal without supplying it during the 450  
confinement with sufficient quantities of good, wholesome food 451

and water if it can reasonably be expected that the companion 452  
animal would become sick or suffer in any other way as a result 453  
of or due to the deprivation or confinement; 454

(3) Impound or confine the companion animal without 455  
affording it, during the impoundment or confinement, with access 456  
to shelter from heat, cold, wind, rain, snow, or excessive 457  
direct sunlight if it can reasonably be expected that the 458  
companion animal would become sick or suffer in any other way as 459  
a result of or due to the lack of adequate shelter. 460

(G) Divisions (B), (C), (D), (E), and (F) of this section 461  
do not apply to any of the following: 462

(1) A companion animal used in scientific research 463  
conducted by an institution in accordance with the federal 464  
animal welfare act and related regulations; 465

(2) The lawful practice of veterinary medicine by a person 466  
who has been issued a license, temporary permit, or registration 467  
certificate to do so under Chapter 4741. of the Revised Code; 468

(3) Dogs being used or intended for use for hunting or 469  
field trial purposes, provided that the dogs are being treated 470  
in accordance with usual and commonly accepted practices for the 471  
care of hunting dogs; 472

(4) The use of common training devices, if the companion 473  
animal is being treated in accordance with usual and commonly 474  
accepted practices for the training of animals; 475

(5) The administering of medicine to a companion animal 476  
that was properly prescribed by a person who has been issued a 477  
license, temporary permit, or registration certificate under 478  
Chapter 4741. of the Revised Code. 479

(H) Notwithstanding any section of the Revised Code that otherwise provides for the distribution of fine moneys, the clerk of court shall forward all fines the clerk collects that are so imposed for any violation of this section to the treasurer of the political subdivision or the state, whose county humane society or law enforcement agency is to be paid the fine money as determined under this division. The treasurer to whom the fines are forwarded shall pay the fine moneys to the county humane society or the county, township, municipal corporation, or state law enforcement agency in this state that primarily was responsible for or involved in the investigation and prosecution of the violation. If a county humane society receives any fine moneys under this division, the county humane society shall use the fine moneys either to provide the training that is required for humane society agents under section ~~1717.06~~ 1717.061 of the Revised Code or to provide additional training for humane society agents.

**Sec. 1717.01.** As used in sections 1717.01 to ~~1717.14~~ 1717.17, inclusive, of the Revised Code, and in every law relating to animals:

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

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

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

**Sec. 1717.02.** The objects of the Ohio humane society, and 510  
all societies organized under section 1717.05 of the Revised 511  
Code, shall be the inculcation of humane principles and the 512  
enforcement of laws for the prevention of cruelty, especially to 513  
~~children and~~ animals. To promote those objects such societies 514  
may acquire property, real or personal, by purchase or gift. All 515  
property acquired by such a society, by gift, devise, or 516  
bequest, for special purposes, shall be vested in its board of 517  
trustees, which shall consist of three members elected by the 518  
society. The board shall manage such property and apply it in 519  
accordance with the terms of the gift, devise, or bequest, and 520  
may sell it and reinvest the proceeds. 521

**Sec. 1717.03.** The state society for the prevention of 522  
cruelty to animals shall remain a body corporate, under the name 523  
of "the Ohio humane society," with the powers, privileges, 524  
immunities, and duties possessed before March 21, 1887, by the 525  
state society for the prevention of cruelty to animals, 526  
specified by sections 1717.01 to ~~1717.14~~ 1717.17, inclusive, of 527  
the Revised Code, as to county humane societies. 528

Branches of the Ohio humane society consisting of not less 529  
than ten members each may be organized in any part of the state 530  
to prosecute the work of the societies in their several 531  
localities, under rules and regulations prescribed by the Ohio 532  
humane society. Humane societies organized in any county under 533  
section 1717.05 of the Revised Code may become branches of the 534  
Ohio humane society by resolution adopted at a meeting called 535  
for that purpose, a copy of which resolution shall be forwarded 536  
to the secretary of state. 537

The Ohio humane society may elect such officers, and make 538  
such rules, regulations, and bylaws, as are deemed expedient by 539

its members for their own government and the proper management 540  
of its affairs. 541

**Sec. 1717.04.** (A) The Ohio humane society may appoint 542  
agents, in any county where no active county humane society 543  
exists under section 1717.05 of the Revised Code, to represent 544  
it within a specified jurisdiction of a county or of a municipal 545  
corporation and to receive and account for all funds coming to 546  
it from fines or otherwise, and may also appoint agents at large 547  
to prosecute its work throughout the state. ~~Such~~ The agents may 548  
arrest any person found violating any law for the protection of 549  
~~persons or~~ animals, or the prevention of cruelty thereto. Upon 550  
making such arrest the agent forthwith shall convey the person 551  
arrested before ~~some~~ a court or magistrate having jurisdiction 552  
of the offense, and there make complaint against ~~him~~ the person. 553

The appointment of an agent under this section is subject 554  
to the requirements of section 1717.061 of the Revised Code, and 555  
is not final until proof of training as required under that 556  
section has been filed with the appropriate county sheriff and 557  
until the appointment has been approved under division (B) of 558  
this section. An individual appointed as an agent at large shall 559  
file proof of training with the sheriff of Franklin county. 560

~~Such agents shall not make such arrests within a municipal~~ 561  
~~corporation unless their appointment has been~~ (B) The 562  
appointment of an agent under this section does not take effect 563  
until it has been approved by the mayor of the municipal 564  
~~corporation, or within a county beyond the limits of a municipal~~ 565  
~~corporation unless their appointment has been~~ for which it is 566  
made. If the society operates outside a municipal corporation, 567  
the appointment does not take effect until it has been approved 568  
by the probate judge of the county for which it is made, or in 569

the case of an individual appointed as an at large agent, 570  
approved by the probate judge of the Franklin county court of 571  
common pleas. Such mayor or probate judge shall keep a record of 572  
~~such~~ the appointments. 573

A humane society shall notify the mayor, the probate 574  
judge, the county sheriff, and the board of county commissioners 575  
when an approved humane society agent has ceased to perform the 576  
duties of the appointment. 577

(C) A humane society agent only has the specific authority 578  
granted to the agent under this section and section 1717.08 of 579  
the Revised Code. 580

**Sec. 1717.06.** (A) A county humane society organized under 581  
section 1717.05 of the Revised Code may appoint agents, ~~who are~~ 582  
~~residents of the county or municipal corporation for which the~~ 583  
~~appointment is made,~~ for the purpose of prosecuting any person 584  
guilty of an act of cruelty to ~~persons or~~ animals. Such agents 585  
may arrest any person found violating this chapter or any other 586  
law for protecting ~~persons or~~ animals or preventing acts of 587  
cruelty thereto. Upon making an arrest the agent forthwith shall 588  
convey the person arrested before ~~some~~ a court or magistrate 589  
having jurisdiction of the offense, and there make complaint 590  
against the person on oath or affirmation of the offense. 591

The appointment of an agent under this section is subject 592  
to the requirements of section 1717.061 of the Revised Code, and 593  
is not final until proof of training as required under that 594  
section has been filed with the appropriate county sheriff and 595  
until the appointment has been approved under division (B) of 596  
this section. 597

~~All appointments of agents~~ (B) The appointment of an agent 598

under this section ~~shall be~~ does not take effect unless it has 599  
been approved by the mayor of the municipal corporation for 600  
which ~~they are~~ it is made. If the society exists outside a 601  
municipal corporation, ~~such appointments shall be the~~ 602  
appointment does not take effect until it has been approved by 603  
the probate judge of the county for which ~~they are~~ it is made. 604  
The mayor or probate judge shall keep a record of ~~such the~~ 605  
appointments. 606

~~In order to qualify for appointment as a humane agent~~ 607  
~~under this section, a person first shall successfully complete a~~ 608  
~~minimum of twenty hours of training on issues relating to the~~ 609  
~~investigation and prosecution of cruelty to and neglect of~~ 610  
~~animals. The training shall comply with rules recommended by the~~ 611  
~~peace officer training commission under section 109.73 of the~~ 612  
~~Revised Code and shall include, without limitation, instruction~~ 613  
~~regarding animal husbandry practices as described in division~~ 614  
~~(A) (12) of that section. A person who has been appointed as a~~ 615  
~~humane agent under this section prior to the effective date of~~ 616  
~~this amendment may continue to act as a humane agent for a~~ 617  
~~period of time on and after the effective date of this amendment~~ 618  
~~without completing the training. However, on or before December~~ 619  
~~31, 2004, a person who has been appointed as a humane agent~~ 620  
~~under this section prior to the effective date of this amendment~~ 621  
~~shall successfully complete the training described in this~~ 622  
~~paragraph and submit proof of its successful completion to the~~ 623  
~~appropriate appointing mayor or probate judge in order to~~ 624  
~~continue to act as a humane agent after December 31, 2004.~~ 625

A humane society shall notify the mayor, the probate 626  
judge, the county sheriff, and the board of county commissioners 627  
when an approved humane society agent has ceased to perform the 628  
duties of the appointment. 629

An agent of a county humane society only has the specific authority granted to the agent under this section and section 1717.08 of the Revised Code.

Sec. 1717.061. (A) In order to qualify for appointment as a humane society agent under section 1717.04 or 1717.06 of the Revised Code, an individual shall do all of the following:

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

(2) Present proof of successful completion of training, that has been signed by the chief executive officer of the organization or entity that provided the training and by the chief officer of the humane society appointing the agent, to the current active approving authority for approval. Proof of successful completion of training shall be signed by the appropriate approving authority before the proof is filed under division (A)(3) of this section.

(3) File proof of successful completion of training, which is signed as required by divisions (A)(1) and (2) of this section, with the county sheriff.

(B) An individual who is serving as a humane society agent on the effective date of this section shall file proof of successful completion of training, including the required signatures, with the county sheriff not later than six months after the effective date of this section. An individual who has

not filed the required proof of successful completion of 659  
training with the county sheriff, as required by this division, 660  
is suspended as a humane society agent by operation of law until 661  
the individual files proof with the county sheriff. 662

**Sec. 1717.062.** An individual who suspects that a humane 663  
society agent has not successfully completed the training that 664  
is required under section 1717.061 of the Revised Code or who 665  
suspects that an agent's proof of successful completion of 666  
training contains false or misleading information may file a 667  
complaint with the current acting authority that is responsible 668  
for considering approval of agent appointments within the 669  
jurisdiction. The authority shall investigate the complaint. If 670  
the authority finds that the agent has not successfully 671  
completed the required training or that the proof of successful 672  
completion contains false or misleading information, the 673  
authority shall rescind the approval of the appointment and 674  
order the applicable humane society to revoke the appointment. 675  
The applicable humane society shall file written notice with the 676  
county sheriff of the revocation under this division of a humane 677  
society agent's appointment. 678

**Sec. 1717.07.** Upon the approval by the mayor of a 679  
municipal corporation of the appointment of an agent under 680  
section 1717.04 or 1717.06 of the Revised Code, the legislative 681  
authority of such municipal corporation shall pay monthly to 682  
such agent, from the general revenue fund of the municipal 683  
corporation, ~~such the salary as that~~ the legislative authority 684  
~~deems considers~~ just and reasonable. Upon the approval by the 685  
probate judge of a county of such an appointment, the board of 686  
county commissioners of ~~such the~~ county shall pay monthly to 687  
~~such the~~ agent, from the general ~~revenue~~ fund of the county, 688  
~~such or from the dog and kennel fund of the county, the salary~~ 689

~~as that~~ the board ~~deems~~ considers just and reasonable. Such 690  
board and such legislative authority may agree upon the amount 691  
each is to pay ~~such the~~ agent monthly. The salary to be paid 692  
monthly to ~~such the~~ agent by the legislative authority of a 693  
village shall be not less than ~~five twenty-five~~ dollars; by the 694  
legislative authority of a city, not less than ~~twenty one~~ 695  
hundred twenty-five dollars; and by the board of county 696  
commissioners of a county, not less than ~~twenty five one hundred~~ 697  
fifty dollars. Beginning January 1, 2019, and on the first day 698  
of January every five years thereafter, these salary amounts 699  
shall increase by five dollars. Not more than one such agent in 700  
each county shall receive remuneration from the board under this 701  
section. 702

**Sec. 1717.09.** A member of the Ohio humane society or of a 703  
county humane society may require the sheriff of any county, the 704  
constable of any township, the marshal or a ~~policeman~~ police 705  
officer of any municipal corporation, or any agent of such a 706  
society, to arrest any person found violating the laws in 707  
relation to cruelty to ~~persons or~~ animals, and to take 708  
possession of any animal cruelly treated in their respective 709  
counties or municipal corporations, and deliver such animal to 710  
the proper officers of the society. 711

**Sec. 1717.10.** For all services rendered in carrying out 712  
sections 1717.01 to ~~1717.14~~ 1717.17, inclusive, of the Revised 713  
Code, a sheriff, constable, marshal, or ~~policeman~~ police officer 714  
shall be paid such fees as ~~he~~ the sheriff, constable, marshal, 715  
or police officer is allowed for like services in other cases. 716  
Such fees must be charged as costs, and reimbursed to the humane 717  
society by the person convicted. 718

**Sec. 1717.16.** (A) Annually, a county humane society shall 719

submit enforcement activity reports to the county sheriff. The 720  
Ohio humane society shall submit the annual enforcement activity 721  
reports to the sheriff of Franklin county. 722

(B) Records of an enforcement activity by a humane society 723  
agent are public records under section 149.43 of the Revised 724  
Code, except that any such records that are confidential law 725  
enforcement investigatory records, as defined in division (A) (2) 726  
of section 149.43 of the Revised Code, are not public records. 727

**Sec. 1717.17.** A probate judge of the county in which a 728  
humane society agent operates may revoke the approval of an 729  
appointment for just cause, under the following procedure. A 730  
movant may commence the procedure by filing with the probate 731  
court a motion to revoke the appointment. The movant shall 732  
describe in the motion, or in a memorandum accompanying the 733  
motion, the conduct that constitutes just cause for the motion. 734  
The clerk of the probate court shall serve the humane society 735  
agent with a summons and a copy of the motion and any 736  
accompanying memorandum in accordance with the Rules of Civil 737  
Procedure. The summons shall state the time and place at which 738  
the probate court will conduct a hearing on the motion. The 739  
humane society agent may waive the right to a hearing. If the 740  
humane society agent waives the right to a hearing, the probate 741  
judge shall revoke the humane society agent's approval of 742  
appointment as prayed for in the motion. If the humane society 743  
agent does not waive the right to a hearing, the probate judge 744  
shall conduct a hearing on the motion. The humane society agent 745  
is entitled to the assistance of counsel at the hearing. The 746  
Rules of Evidence govern conduct of the hearing. At the hearing, 747  
the movant has the burden of proving, by a preponderance of the 748  
evidence, that just cause exists for the revocation of the 749  
humane society agent's appointment. If, after the hearing, the 750

probate judge finds that the movant has not sustained the burden 751  
of proof, the probate judge shall deny the motion. If, after the 752  
hearing, the probate judge finds that the movant has sustained 753  
the burden of proof, the probate judge shall grant the motion 754  
and revoke the humane society agent's approval of appointment. 755

**Sec. 2151.421.** (A) (1) (a) No person described in division 756  
(A) (1) (b) of this section who is acting in an official or 757  
professional capacity and knows, or has reasonable cause to 758  
suspect based on facts that would cause a reasonable person in a 759  
similar position to suspect, that a child under eighteen years 760  
of age, or a person under twenty-one years of age with a 761  
developmental disability or physical impairment, has suffered or 762  
faces a threat of suffering any physical or mental wound, 763  
injury, disability, or condition of a nature that reasonably 764  
indicates abuse or neglect of the child shall fail to 765  
immediately report that knowledge or reasonable cause to suspect 766  
to the entity or persons specified in this division. Except as 767  
provided in section 5120.173 of the Revised Code, the person 768  
making the report shall make it to the public children services 769  
agency or a municipal or county peace officer in the county in 770  
which the child resides or in which the abuse or neglect is 771  
occurring or has occurred. In the circumstances described in 772  
section 5120.173 of the Revised Code, the person making the 773  
report shall make it to the entity specified in that section. 774

(b) Division (A) (1) (a) of this section applies to any 775  
person who is an attorney; health care professional; 776  
practitioner of a limited branch of medicine as specified in 777  
section 4731.15 of the Revised Code; licensed school 778  
psychologist; independent marriage and family therapist or 779  
marriage and family therapist; coroner; administrator or 780  
employee of a child day-care center; administrator or employee 781

of a residential camp, child day camp, or private, nonprofit 782  
therapeutic wilderness camp; administrator or employee of a 783  
certified child care agency or other public or private children 784  
services agency; school teacher; school employee; school 785  
authority; agent of the Ohio humane society or of a county 786  
humane society; person, other than a cleric, rendering spiritual 787  
treatment through prayer in accordance with the tenets of a 788  
well-recognized religion; employee of a county department of job 789  
and family services who is a professional and who works with 790  
children and families; superintendent or regional administrator 791  
employed by the department of youth services; superintendent, 792  
board member, or employee of a county board of developmental 793  
disabilities; investigative agent contracted with by a county 794  
board of developmental disabilities; employee of the department 795  
of developmental disabilities; employee of a facility or home 796  
that provides respite care in accordance with section 5123.171 797  
of the Revised Code; employee of an entity that provides 798  
homemaker services; a person performing the duties of an 799  
assessor pursuant to Chapter 3107. or 5103. of the Revised Code; 800  
third party employed by a public children services agency to 801  
assist in providing child or family related services; court 802  
appointed special advocate; or guardian ad litem. 803

(c) If two or more health care professionals, after 804  
providing health care services to a child, determine or suspect 805  
that the child has been or is being abused or neglected, the 806  
health care professionals may designate one of the health care 807  
professionals to report the abuse or neglect. A single report 808  
made under this division shall meet the reporting requirements 809  
of division (A) (1) of this section. 810

(2) Except as provided in division (A) (3) of this section, 811  
an attorney or a physician is not required to make a report 812

pursuant to division (A) (1) of this section concerning any 813  
communication the attorney or physician receives from a client 814  
or patient in an attorney-client or physician-patient 815  
relationship, if, in accordance with division (A) or (B) of 816  
section 2317.02 of the Revised Code, the attorney or physician 817  
could not testify with respect to that communication in a civil 818  
or criminal proceeding. 819

(3) The client or patient in an attorney-client or 820  
physician-patient relationship described in division (A) (2) of 821  
this section is deemed to have waived any testimonial privilege 822  
under division (A) or (B) of section 2317.02 of the Revised Code 823  
with respect to any communication the attorney or physician 824  
receives from the client or patient in that attorney-client or 825  
physician-patient relationship, and the attorney or physician 826  
shall make a report pursuant to division (A) (1) of this section 827  
with respect to that communication, if all of the following 828  
apply: 829

(a) The client or patient, at the time of the 830  
communication, is a child under eighteen years of age or is a 831  
person under twenty-one years of age with a developmental 832  
disability or physical impairment. 833

(b) The attorney or physician knows, or has reasonable 834  
cause to suspect based on facts that would cause a reasonable 835  
person in similar position to suspect that the client or patient 836  
has suffered or faces a threat of suffering any physical or 837  
mental wound, injury, disability, or condition of a nature that 838  
reasonably indicates abuse or neglect of the client or patient. 839

(c) The abuse or neglect does not arise out of the 840  
client's or patient's attempt to have an abortion without the 841  
notification of her parents, guardian, or custodian in 842

accordance with section 2151.85 of the Revised Code. 843

(4) (a) No cleric and no person, other than a volunteer, 844  
designated by any church, religious society, or faith acting as 845  
a leader, official, or delegate on behalf of the church, 846  
religious society, or faith who is acting in an official or 847  
professional capacity, who knows, or has reasonable cause to 848  
believe based on facts that would cause a reasonable person in a 849  
similar position to believe, that a child under eighteen years 850  
of age, or a person under twenty-one years of age with a 851  
developmental disability or physical impairment, has suffered or 852  
faces a threat of suffering any physical or mental wound, 853  
injury, disability, or condition of a nature that reasonably 854  
indicates abuse or neglect of the child, and who knows, or has 855  
reasonable cause to believe based on facts that would cause a 856  
reasonable person in a similar position to believe, that another 857  
cleric or another person, other than a volunteer, designated by 858  
a church, religious society, or faith acting as a leader, 859  
official, or delegate on behalf of the church, religious 860  
society, or faith caused, or poses the threat of causing, the 861  
wound, injury, disability, or condition that reasonably 862  
indicates abuse or neglect shall fail to immediately report that 863  
knowledge or reasonable cause to believe to the entity or 864  
persons specified in this division. Except as provided in 865  
section 5120.173 of the Revised Code, the person making the 866  
report shall make it to the public children services agency or a 867  
municipal or county peace officer in the county in which the 868  
child resides or in which the abuse or neglect is occurring or 869  
has occurred. In the circumstances described in section 5120.173 870  
of the Revised Code, the person making the report shall make it 871  
to the entity specified in that section. 872

(b) Except as provided in division (A) (4) (c) of this 873

section, a cleric is not required to make a report pursuant to 874  
division (A) (4) (a) of this section concerning any communication 875  
the cleric receives from a penitent in a cleric-penitent 876  
relationship, if, in accordance with division (C) of section 877  
2317.02 of the Revised Code, the cleric could not testify with 878  
respect to that communication in a civil or criminal proceeding. 879

(c) The penitent in a cleric-penitent relationship 880  
described in division (A) (4) (b) of this section is deemed to 881  
have waived any testimonial privilege under division (C) of 882  
section 2317.02 of the Revised Code with respect to any 883  
communication the cleric receives from the penitent in that 884  
cleric-penitent relationship, and the cleric shall make a report 885  
pursuant to division (A) (4) (a) of this section with respect to 886  
that communication, if all of the following apply: 887

(i) The penitent, at the time of the communication, is a 888  
child under eighteen years of age or is a person under twenty- 889  
one years of age with a developmental disability or physical 890  
impairment. 891

(ii) The cleric knows, or has reasonable cause to believe 892  
based on facts that would cause a reasonable person in a similar 893  
position to believe, as a result of the communication or any 894  
observations made during that communication, the penitent has 895  
suffered or faces a threat of suffering any physical or mental 896  
wound, injury, disability, or condition of a nature that 897  
reasonably indicates abuse or neglect of the penitent. 898

(iii) The abuse or neglect does not arise out of the 899  
penitent's attempt to have an abortion performed upon a child 900  
under eighteen years of age or upon a person under twenty-one 901  
years of age with a developmental disability or physical 902  
impairment without the notification of her parents, guardian, or 903

custodian in accordance with section 2151.85 of the Revised Code. 904  
905

(d) Divisions (A) (4) (a) and (c) of this section do not 906  
apply in a cleric-penitent relationship when the disclosure of 907  
any communication the cleric receives from the penitent is in 908  
violation of the sacred trust. 909

(e) As used in divisions (A) (1) and (4) of this section, 910  
"cleric" and "sacred trust" have the same meanings as in section 911  
2317.02 of the Revised Code. 912

(B) Anyone who knows, or has reasonable cause to suspect 913  
based on facts that would cause a reasonable person in similar 914  
circumstances to suspect, that a child under eighteen years of 915  
age, or a person under twenty-one years of age with a 916  
developmental disability or physical impairment, has suffered or 917  
faces a threat of suffering any physical or mental wound, 918  
injury, disability, or other condition of a nature that 919  
reasonably indicates abuse or neglect of the child may report or 920  
cause reports to be made of that knowledge or reasonable cause 921  
to suspect to the entity or persons specified in this division. 922  
Except as provided in section 5120.173 of the Revised Code, a 923  
person making a report or causing a report to be made under this 924  
division shall make it or cause it to be made to the public 925  
children services agency or to a municipal or county peace 926  
officer. In the circumstances described in section 5120.173 of 927  
the Revised Code, a person making a report or causing a report 928  
to be made under this division shall make it or cause it to be 929  
made to the entity specified in that section. 930

(C) Any report made pursuant to division (A) or (B) of 931  
this section shall be made forthwith either by telephone or in 932  
person and shall be followed by a written report, if requested 933

by the receiving agency or officer. The written report shall 934  
contain: 935

(1) The names and addresses of the child and the child's 936  
parents or the person or persons having custody of the child, if 937  
known; 938

(2) The child's age and the nature and extent of the 939  
child's injuries, abuse, or neglect that is known or reasonably 940  
suspected or believed, as applicable, to have occurred or of the 941  
threat of injury, abuse, or neglect that is known or reasonably 942  
suspected or believed, as applicable, to exist, including any 943  
evidence of previous injuries, abuse, or neglect; 944

(3) Any other information, including, but not limited to, 945  
results and reports of any medical examinations, tests, or 946  
procedures performed under division (D) of this section, that 947  
might be helpful in establishing the cause of the injury, abuse, 948  
or neglect that is known or reasonably suspected or believed, as 949  
applicable, to have occurred or of the threat of injury, abuse, 950  
or neglect that is known or reasonably suspected or believed, as 951  
applicable, to exist. 952

(D) (1) Any person, who is required by division (A) of this 953  
section to report child abuse or child neglect that is known or 954  
reasonably suspected or believed to have occurred, may take or 955  
cause to be taken color photographs of areas of trauma visible 956  
on a child and, if medically necessary for the purpose of 957  
diagnosing or treating injuries that are suspected to have 958  
occurred as a result of child abuse or child neglect, perform or 959  
cause to be performed radiological examinations and any other 960  
medical examinations of, and tests or procedures on, the child. 961

(2) The results and any available reports of examinations, 962

tests, or procedures made under division (D) (1) of this section 963  
shall be included in a report made pursuant to division (A) of 964  
this section. Any additional reports of examinations, tests, or 965  
procedures that become available shall be provided to the public 966  
children services agency, upon request. 967

(3) If a health care professional provides health care 968  
services in a hospital, children's advocacy center, or emergency 969  
medical facility to a child about whom a report has been made 970  
under division (A) of this section, the health care professional 971  
may take any steps that are reasonably necessary for the release 972  
or discharge of the child to an appropriate environment. Before 973  
the child's release or discharge, the health care professional 974  
may obtain information, or consider information obtained, from 975  
other entities or individuals that have knowledge about the 976  
child. Nothing in division (D) (3) of this section shall be 977  
construed to alter the responsibilities of any person under 978  
sections 2151.27 and 2151.31 of the Revised Code. 979

(4) A health care professional may conduct medical 980  
examinations, tests, or procedures on the siblings of a child 981  
about whom a report has been made under division (A) of this 982  
section and on other children who reside in the same home as the 983  
child, if the professional determines that the examinations, 984  
tests, or procedures are medically necessary to diagnose or 985  
treat the siblings or other children in order to determine 986  
whether reports under division (A) of this section are warranted 987  
with respect to such siblings or other children. The results of 988  
the examinations, tests, or procedures on the siblings and other 989  
children may be included in a report made pursuant to division 990  
(A) of this section. 991

(5) Medical examinations, tests, or procedures conducted 992

under divisions (D) (1) and (4) of this section and decisions	993
regarding the release or discharge of a child under division (D)	994
(3) of this section do not constitute a law enforcement	995
investigation or activity.	996
(E) (1) When a municipal or county peace officer receives a	997
report concerning the possible abuse or neglect of a child or	998
the possible threat of abuse or neglect of a child, upon receipt	999
of the report, the municipal or county peace officer who	1000
receives the report shall refer the report to the appropriate	1001
public children services agency.	1002
(2) When a public children services agency receives a	1003
report pursuant to this division or division (A) or (B) of this	1004
section, upon receipt of the report, the public children	1005
services agency shall do both of the following:	1006
(a) Comply with section 2151.422 of the Revised Code;	1007
(b) If the county served by the agency is also served by a	1008
children's advocacy center and the report alleges sexual abuse	1009
of a child or another type of abuse of a child that is specified	1010
in the memorandum of understanding that creates the center as	1011
being within the center's jurisdiction, comply regarding the	1012
report with the protocol and procedures for referrals and	1013
investigations, with the coordinating activities, and with the	1014
authority or responsibility for performing or providing	1015
functions, activities, and services stipulated in the	1016
interagency agreement entered into under section 2151.428 of the	1017
Revised Code relative to that center.	1018
(F) No township, municipal, or county peace officer shall	1019
remove a child about whom a report is made pursuant to this	1020
section from the child's parents, stepparents, or guardian or	1021

any other persons having custody of the child without 1022  
consultation with the public children services agency, unless, 1023  
in the judgment of the officer, and, if the report was made by 1024  
physician, the physician, immediate removal is considered 1025  
essential to protect the child from further abuse or neglect. 1026  
The agency that must be consulted shall be the agency conducting 1027  
the investigation of the report as determined pursuant to 1028  
section 2151.422 of the Revised Code. 1029

(G) (1) Except as provided in section 2151.422 of the 1030  
Revised Code or in an interagency agreement entered into under 1031  
section 2151.428 of the Revised Code that applies to the 1032  
particular report, the public children services agency shall 1033  
investigate, within twenty-four hours, each report of child 1034  
abuse or child neglect that is known or reasonably suspected or 1035  
believed to have occurred and of a threat of child abuse or 1036  
child neglect that is known or reasonably suspected or believed 1037  
to exist that is referred to it under this section to determine 1038  
the circumstances surrounding the injuries, abuse, or neglect or 1039  
the threat of injury, abuse, or neglect, the cause of the 1040  
injuries, abuse, neglect, or threat, and the person or persons 1041  
responsible. The investigation shall be made in cooperation with 1042  
the law enforcement agency and in accordance with the memorandum 1043  
of understanding prepared under division (K) of this section. A 1044  
representative of the public children services agency shall, at 1045  
the time of initial contact with the person subject to the 1046  
investigation, inform the person of the specific complaints or 1047  
allegations made against the person. The information shall be 1048  
given in a manner that is consistent with division (I) (1) of 1049  
this section and protects the rights of the person making the 1050  
report under this section. 1051

A failure to make the investigation in accordance with the 1052

memorandum is not grounds for, and shall not result in, the 1053  
dismissal of any charges or complaint arising from the report or 1054  
the suppression of any evidence obtained as a result of the 1055  
report and does not give, and shall not be construed as giving, 1056  
any rights or any grounds for appeal or post-conviction relief 1057  
to any person. The public children services agency shall report 1058  
each case to the uniform statewide automated child welfare 1059  
information system that the department of job and family 1060  
services shall maintain in accordance with section 5101.13 of 1061  
the Revised Code. The public children services agency shall 1062  
submit a report of its investigation, in writing, to the law 1063  
enforcement agency. 1064

(2) The public children services agency shall make any 1065  
recommendations to the county prosecuting attorney or city 1066  
director of law that it considers necessary to protect any 1067  
children that are brought to its attention. 1068

(H) (1) (a) Except as provided in divisions (H) (1) (b) and 1069  
(I) (3) of this section, any person, health care professional, 1070  
hospital, institution, school, health department, or agency 1071  
shall be immune from any civil or criminal liability for injury, 1072  
death, or loss to person or property that otherwise might be 1073  
incurred or imposed as a result of any of the following: 1074

(i) Participating in the making of reports pursuant to 1075  
division (A) of this section or in the making of reports in good 1076  
faith, pursuant to division (B) of this section; 1077

(ii) Participating in medical examinations, tests, or 1078  
procedures under division (D) of this section; 1079

(iii) Providing information used in a report made pursuant 1080  
to division (A) of this section or providing information in good 1081

faith used in a report made pursuant to division (B) of this 1082  
section; 1083

(iv) Participating in a judicial proceeding resulting from 1084  
a report made pursuant to division (A) of this section or 1085  
participating in good faith in a proceeding resulting from a 1086  
report made pursuant to division (B) of this section. 1087

(b) Immunity under division (H)(1)(a)(ii) of this section 1088  
shall not apply when a health care provider has deviated from 1089  
the standard of care applicable to the provider's profession. 1090

(c) Notwithstanding section 4731.22 of the Revised Code, 1091  
the physician-patient privilege shall not be a ground for 1092  
excluding evidence regarding a child's injuries, abuse, or 1093  
neglect, or the cause of the injuries, abuse, or neglect in any 1094  
judicial proceeding resulting from a report submitted pursuant 1095  
to this section. 1096

(2) In any civil or criminal action or proceeding in which 1097  
it is alleged and proved that participation in the making of a 1098  
report under this section was not in good faith or participation 1099  
in a judicial proceeding resulting from a report made under this 1100  
section was not in good faith, the court shall award the 1101  
prevailing party reasonable attorney's fees and costs and, if a 1102  
civil action or proceeding is voluntarily dismissed, may award 1103  
reasonable attorney's fees and costs to the party against whom 1104  
the civil action or proceeding is brought. 1105

(I)(1) Except as provided in divisions (I)(4) and (O) of 1106  
this section, a report made under this section is confidential. 1107  
The information provided in a report made pursuant to this 1108  
section and the name of the person who made the report shall not 1109  
be released for use, and shall not be used, as evidence in any 1110

civil action or proceeding brought against the person who made 1111  
the report. Nothing in this division shall preclude the use of 1112  
reports of other incidents of known or suspected abuse or 1113  
neglect in a civil action or proceeding brought pursuant to 1114  
division (N) of this section against a person who is alleged to 1115  
have violated division (A)(1) of this section, provided that any 1116  
information in a report that would identify the child who is the 1117  
subject of the report or the maker of the report, if the maker 1118  
of the report is not the defendant or an agent or employee of 1119  
the defendant, has been redacted. In a criminal proceeding, the 1120  
report is admissible in evidence in accordance with the Rules of 1121  
Evidence and is subject to discovery in accordance with the 1122  
Rules of Criminal Procedure. 1123

(2) (a) Except as provided in division (I)(2)(b) of this 1124  
section, no person shall permit or encourage the unauthorized 1125  
dissemination of the contents of any report made under this 1126  
section. 1127

(b) A health care professional that obtains the same 1128  
information contained in a report made under this section from a 1129  
source other than the report may disseminate the information, if 1130  
its dissemination is otherwise permitted by law. 1131

(3) A person who knowingly makes or causes another person 1132  
to make a false report under division (B) of this section that 1133  
alleges that any person has committed an act or omission that 1134  
resulted in a child being an abused child or a neglected child 1135  
is guilty of a violation of section 2921.14 of the Revised Code. 1136

(4) If a report is made pursuant to division (A) or (B) of 1137  
this section and the child who is the subject of the report dies 1138  
for any reason at any time after the report is made, but before 1139  
the child attains eighteen years of age, the public children 1140

services agency or municipal or county peace officer to which 1141  
the report was made or referred, on the request of the child 1142  
fatality review board or the director of health pursuant to 1143  
guidelines established under section 3701.70 of the Revised 1144  
Code, shall submit a summary sheet of information providing a 1145  
summary of the report to the review board of the county in which 1146  
the deceased child resided at the time of death or to the 1147  
director. On the request of the review board or director, the 1148  
agency or peace officer may, at its discretion, make the report 1149  
available to the review board or director. If the county served 1150  
by the public children services agency is also served by a 1151  
children's advocacy center and the report of alleged sexual 1152  
abuse of a child or another type of abuse of a child is 1153  
specified in the memorandum of understanding that creates the 1154  
center as being within the center's jurisdiction, the agency or 1155  
center shall perform the duties and functions specified in this 1156  
division in accordance with the interagency agreement entered 1157  
into under section 2151.428 of the Revised Code relative to that 1158  
advocacy center. 1159

(5) A public children services agency shall advise a 1160  
person alleged to have inflicted abuse or neglect on a child who 1161  
is the subject of a report made pursuant to this section, 1162  
including a report alleging sexual abuse of a child or another 1163  
type of abuse of a child referred to a children's advocacy 1164  
center pursuant to an interagency agreement entered into under 1165  
section 2151.428 of the Revised Code, in writing of the 1166  
disposition of the investigation. The agency shall not provide 1167  
to the person any information that identifies the person who 1168  
made the report, statements of witnesses, or police or other 1169  
investigative reports. 1170

(J) Any report that is required by this section, other 1171

than a report that is made to the state highway patrol as 1172  
described in section 5120.173 of the Revised Code, shall result 1173  
in protective services and emergency supportive services being 1174  
made available by the public children services agency on behalf 1175  
of the children about whom the report is made, in an effort to 1176  
prevent further neglect or abuse, to enhance their welfare, and, 1177  
whenever possible, to preserve the family unit intact. The 1178  
agency required to provide the services shall be the agency 1179  
conducting the investigation of the report pursuant to section 1180  
2151.422 of the Revised Code. 1181

(K) (1) Each public children services agency shall prepare 1182  
a memorandum of understanding that is signed by all of the 1183  
following: 1184

(a) If there is only one juvenile judge in the county, the 1185  
juvenile judge of the county or the juvenile judge's 1186  
representative; 1187

(b) If there is more than one juvenile judge in the 1188  
county, a juvenile judge or the juvenile judges' representative 1189  
selected by the juvenile judges or, if they are unable to do so 1190  
for any reason, the juvenile judge who is senior in point of 1191  
service or the senior juvenile judge's representative; 1192

(c) The county peace officer; 1193

(d) All chief municipal peace officers within the county; 1194

(e) Other law enforcement officers handling child abuse 1195  
and neglect cases in the county; 1196

(f) The prosecuting attorney of the county; 1197

(g) If the public children services agency is not the 1198  
county department of job and family services, the county 1199

department of job and family services; 1200

(h) The Ohio humane society or county humane society; 1201

(i) If the public children services agency participated in 1202  
the execution of a memorandum of understanding under section 1203  
2151.426 of the Revised Code establishing a children's advocacy 1204  
center, each participating member of the children's advocacy 1205  
center established by the memorandum. 1206

(2) A memorandum of understanding shall set forth the 1207  
normal operating procedure to be employed by all concerned 1208  
officials in the execution of their respective responsibilities 1209  
under this section and division (C) of section 2919.21, division 1210  
(B) (1) of section 2919.22, division (B) of section 2919.23, and 1211  
section 2919.24 of the Revised Code and shall have as two of its 1212  
primary goals the elimination of all unnecessary interviews of 1213  
children who are the subject of reports made pursuant to 1214  
division (A) or (B) of this section and, when feasible, 1215  
providing for only one interview of a child who is the subject 1216  
of any report made pursuant to division (A) or (B) of this 1217  
section. A failure to follow the procedure set forth in the 1218  
memorandum by the concerned officials is not grounds for, and 1219  
shall not result in, the dismissal of any charges or complaint 1220  
arising from any reported case of abuse or neglect or the 1221  
suppression of any evidence obtained as a result of any reported 1222  
child abuse or child neglect and does not give, and shall not be 1223  
construed as giving, any rights or any grounds for appeal or 1224  
post-conviction relief to any person. 1225

(3) A memorandum of understanding shall include all of the 1226  
following: 1227

(a) The roles and responsibilities for handling emergency 1228

and nonemergency cases of abuse and neglect; 1229

(b) Standards and procedures to be used in handling and 1230  
coordinating investigations of reported cases of child abuse and 1231  
reported cases of child neglect, methods to be used in 1232  
interviewing the child who is the subject of the report and who 1233  
allegedly was abused or neglected, and standards and procedures 1234  
addressing the categories of persons who may interview the child 1235  
who is the subject of the report and who allegedly was abused or 1236  
neglected. 1237

(4) If a public children services agency participated in 1238  
the execution of a memorandum of understanding under section 1239  
2151.426 of the Revised Code establishing a children's advocacy 1240  
center, the agency shall incorporate the contents of that 1241  
memorandum in the memorandum prepared pursuant to this section. 1242

(5) The clerk of the court of common pleas in the county 1243  
may sign the memorandum of understanding prepared under division 1244  
(K) (1) of this section. If the clerk signs the memorandum of 1245  
understanding, the clerk shall execute all relevant 1246  
responsibilities as required of officials specified in the 1247  
memorandum. 1248

(L) (1) Except as provided in division (L) (4) or (5) of 1249  
this section, a person who is required to make a report pursuant 1250  
to division (A) of this section may make a reasonable number of 1251  
requests of the public children services agency that receives or 1252  
is referred the report, or of the children's advocacy center 1253  
that is referred the report if the report is referred to a 1254  
children's advocacy center pursuant to an interagency agreement 1255  
entered into under section 2151.428 of the Revised Code, to be 1256  
provided with the following information: 1257

(a) Whether the agency or center has initiated an investigation of the report;	1258 1259
(b) Whether the agency or center is continuing to investigate the report;	1260 1261
(c) Whether the agency or center is otherwise involved with the child who is the subject of the report;	1262 1263
(d) The general status of the health and safety of the child who is the subject of the report;	1264 1265
(e) Whether the report has resulted in the filing of a complaint in juvenile court or of criminal charges in another court.	1266 1267 1268
(2) A person may request the information specified in division (L)(1) of this section only if, at the time the report is made, the person's name, address, and telephone number are provided to the person who receives the report.	1269 1270 1271 1272
When a municipal or county peace officer or employee of a public children services agency receives a report pursuant to division (A) or (B) of this section the recipient of the report shall inform the person of the right to request the information described in division (L)(1) of this section. The recipient of the report shall include in the initial child abuse or child neglect report that the person making the report was so informed and, if provided at the time of the making of the report, shall include the person's name, address, and telephone number in the report.	1273 1274 1275 1276 1277 1278 1279 1280 1281 1282
Each request is subject to verification of the identity of the person making the report. If that person's identity is verified, the agency shall provide the person with the information described in division (L)(1) of this section a	1283 1284 1285 1286

reasonable number of times, except that the agency shall not 1287  
disclose any confidential information regarding the child who is 1288  
the subject of the report other than the information described 1289  
in those divisions. 1290

(3) A request made pursuant to division (L)(1) of this 1291  
section is not a substitute for any report required to be made 1292  
pursuant to division (A) of this section. 1293

(4) If an agency other than the agency that received or 1294  
was referred the report is conducting the investigation of the 1295  
report pursuant to section 2151.422 of the Revised Code, the 1296  
agency conducting the investigation shall comply with the 1297  
requirements of division (L) of this section. 1298

(5) A health care professional who made a report under 1299  
division (A) of this section, or on whose behalf such a report 1300  
was made as provided in division (A)(1)(c) of this section, may 1301  
authorize a person to obtain the information described in 1302  
division (L)(1) of this section if the person requesting the 1303  
information is associated with or acting on behalf of the health 1304  
care professional who provided health care services to the child 1305  
about whom the report was made. 1306

(M) The director of job and family services shall adopt 1307  
rules in accordance with Chapter 119. of the Revised Code to 1308  
implement this section. The department of job and family 1309  
services may enter into a plan of cooperation with any other 1310  
governmental entity to aid in ensuring that children are 1311  
protected from abuse and neglect. The department shall make 1312  
recommendations to the attorney general that the department 1313  
determines are necessary to protect children from child abuse 1314  
and child neglect. 1315

(N) Whoever violates division (A) of this section is 1316  
liable for compensatory and exemplary damages to the child who 1317  
would have been the subject of the report that was not made. A 1318  
person who brings a civil action or proceeding pursuant to this 1319  
division against a person who is alleged to have violated 1320  
division (A) (1) of this section may use in the action or 1321  
proceeding reports of other incidents of known or suspected 1322  
abuse or neglect, provided that any information in a report that 1323  
would identify the child who is the subject of the report or the 1324  
maker of the report, if the maker is not the defendant or an 1325  
agent or employee of the defendant, has been redacted. 1326

(O) (1) As used in this division: 1327

(a) "Out-of-home care" includes a nonchartered nonpublic 1328  
school if the alleged child abuse or child neglect, or alleged 1329  
threat of child abuse or child neglect, described in a report 1330  
received by a public children services agency allegedly occurred 1331  
in or involved the nonchartered nonpublic school and the alleged 1332  
perpetrator named in the report holds a certificate, permit, or 1333  
license issued by the state board of education under section 1334  
3301.071 or Chapter 3319. of the Revised Code. 1335

(b) "Administrator, director, or other chief 1336  
administrative officer" means the superintendent of the school 1337  
district if the out-of-home care entity subject to a report made 1338  
pursuant to this section is a school operated by the district. 1339

(2) No later than the end of the day following the day on 1340  
which a public children services agency receives a report of 1341  
alleged child abuse or child neglect, or a report of an alleged 1342  
threat of child abuse or child neglect, that allegedly occurred 1343  
in or involved an out-of-home care entity, the agency shall 1344  
provide written notice of the allegations contained in and the 1345

person named as the alleged perpetrator in the report to the 1346  
administrator, director, or other chief administrative officer 1347  
of the out-of-home care entity that is the subject of the report 1348  
unless the administrator, director, or other chief 1349  
administrative officer is named as an alleged perpetrator in the 1350  
report. If the administrator, director, or other chief 1351  
administrative officer of an out-of-home care entity is named as 1352  
an alleged perpetrator in a report of alleged child abuse or 1353  
child neglect, or a report of an alleged threat of child abuse 1354  
or child neglect, that allegedly occurred in or involved the 1355  
out-of-home care entity, the agency shall provide the written 1356  
notice to the owner or governing board of the out-of-home care 1357  
entity that is the subject of the report. The agency shall not 1358  
provide witness statements or police or other investigative 1359  
reports. 1360

(3) No later than three days after the day on which a 1361  
public children services agency that conducted the investigation 1362  
as determined pursuant to section 2151.422 of the Revised Code 1363  
makes a disposition of an investigation involving a report of 1364  
alleged child abuse or child neglect, or a report of an alleged 1365  
threat of child abuse or child neglect, that allegedly occurred 1366  
in or involved an out-of-home care entity, the agency shall send 1367  
written notice of the disposition of the investigation to the 1368  
administrator, director, or other chief administrative officer 1369  
and the owner or governing board of the out-of-home care entity. 1370  
The agency shall not provide witness statements or police or 1371  
other investigative reports. 1372

(P) As used in this section: 1373

(1) "Children's advocacy center" and "sexual abuse of a 1374  
child" have the same meanings as in section 2151.425 of the 1375

Revised Code. 1376

(2) "Health care professional" means an individual who 1377  
provides health-related services including a physician, hospital 1378  
intern or resident, dentist, podiatrist, registered nurse, 1379  
licensed practical nurse, visiting nurse, licensed psychologist, 1380  
speech pathologist, audiologist, person engaged in social work 1381  
or the practice of professional counseling, and employee of a 1382  
home health agency. "Health care professional" does not include 1383  
a practitioner of a limited branch of medicine as specified in 1384  
section 4731.15 of the Revised Code, licensed school 1385  
psychologist, independent marriage and family therapist or 1386  
marriage and family therapist, or coroner. 1387

(3) "Investigation" means the public children services 1388  
agency's response to an accepted report of child abuse or 1389  
neglect through either an alternative response or a traditional 1390  
response. 1391

**Sec. 2921.02.** (A) No person, with purpose to corrupt a 1392  
public servant or party official, or improperly to influence a 1393  
public servant or party official with respect to the discharge 1394  
of the public servant's or party official's duty, whether before 1395  
or after the public servant or party official is elected, 1396  
appointed, qualified, employed, summoned, or sworn, shall 1397  
promise, offer, or give any valuable thing or valuable benefit. 1398

(B) No person, either before or after the person is 1399  
elected, appointed, qualified, employed, summoned, or sworn as a 1400  
public servant or party official, shall knowingly solicit or 1401  
accept for self or another person any valuable thing or valuable 1402  
benefit to corrupt or improperly influence the person or another 1403  
public servant or party official with respect to the discharge 1404  
of the person's or the other public servant's or party 1405

official's duty. 1406

(C) No person, with purpose to corrupt a witness or 1407  
improperly to influence a witness with respect to the witness's 1408  
testimony in an official proceeding, either before or after the 1409  
witness is subpoenaed or sworn, shall promise, offer, or give 1410  
the witness or another person any valuable thing or valuable 1411  
benefit. 1412

(D) No person, either before or after the person is 1413  
subpoenaed or sworn as a witness, shall knowingly solicit or 1414  
accept for self or another person any valuable thing or valuable 1415  
benefit to corrupt or improperly influence self or another 1416  
person with respect to testimony given in an official 1417  
proceeding. 1418

(E) No person, with purpose to corrupt a director, 1419  
officer, or employee of a municipal school district 1420  
transformation alliance established under section 3311.86 of the 1421  
Revised Code, or improperly to influence a director, officer, or 1422  
employee of a municipal school district transformation alliance 1423  
with respect to the discharge of the director's, officer's, or 1424  
employee's duties, whether before or after the director, 1425  
officer, or employee is appointed or employed, shall promise, 1426  
offer, or give the director, officer, or employee any valuable 1427  
thing or valuable benefit. 1428

(F) No person, either before or after the person is 1429  
appointed or employed as a director, officer, or employee of a 1430  
municipal school district transformation alliance established 1431  
under section 3311.86 of the Revised Code, shall knowingly 1432  
solicit or accept for self or another person any valuable thing 1433  
or valuable benefit to corrupt or improperly influence the 1434  
person or another director, officer, or employee of a municipal 1435

school district transformation alliance with respect to the 1436  
discharge of the person's or other director's, officer's, or 1437  
employee's duties. 1438

(G) As used in this section, "public servant" includes a 1439  
humane society agent approved under section 1717.04 or 1717.06 1440  
of the Revised Code. 1441

(H) Whoever violates this section is guilty of bribery, a 1442  
felony of the third degree. 1443

~~(H)~~ (I) A public servant or party official, or director, 1444  
officer, or employee of a municipal school district 1445  
transformation alliance established under section 3311.86 of the 1446  
Revised Code, who is convicted of bribery is forever 1447  
disqualified from holding any public office, employment, or 1448  
position of trust in this state. 1449

**Sec. 2931.18.** (A) A humane society ~~or its agent~~ may ~~employ~~ 1450  
appoint an attorney, and may also ~~employ~~ appoint one or more 1451  
assistant attorneys, to prosecute violations of law relating to: 1452

~~(1) Except prevention of cruelty to animals, except as~~ 1453  
~~provided in division (B) of this section, prevention of cruelty-~~ 1454  
~~to animals or children;~~ 1455

~~(2) Abandonment, nonsupport, or ill treatment of a child-~~ 1456  
~~by its parent;~~ 1457

~~(3) Employment of a child under fourteen years of age in-~~ 1458  
~~public exhibitions or vocations injurious to health, life, or~~ 1459  
~~morals or which cause or permit such child to suffer unnecessary-~~ 1460  
~~physical or mental pain;~~ 1461

~~(4) Neglect or refusal of an adult to support a destitute-~~ 1462  
~~parent.~~ 1463

~~Such~~The attorneys shall be paid out of the county 1464  
treasury, from the general fund of the county or from the dog 1465  
and kennel fund of the county, in an amount approved as just and 1466  
reasonable by the board of county commissioners of that county. 1467

(B) A humane society or its agent shall not employ an 1468  
attorney or one or more assistant attorneys to prosecute a 1469  
felony violation of section 959.131 of the Revised Code. 1470

**Section 2.** That existing sections 109.73, 935.19, 935.20, 1471  
959.131, 1717.01, 1717.02, 1717.03, 1717.04, 1717.06, 1717.07, 1472  
1717.09, 1717.10, 2151.421, 2921.02, and 2931.18 and section 1473  
1717.14 of the Revised Code are hereby repealed. 1474

**Section 3.** Section 2151.421 of the Revised Code is 1475  
presented in this act as a composite of the section as amended 1476  
by both Sub. H.B. 158 and Am. Sub. H.B. 493 of the 131st General 1477  
Assembly. The General Assembly, applying the principle stated in 1478  
division (B) of section 1.52 of the Revised Code that amendments 1479  
are to be harmonized if reasonably capable of simultaneous 1480  
operation, finds that the composite is the resulting version of 1481  
the section in effect prior to the effective date of the section 1482  
as presented in this act. 1483