

**As Introduced**

**132nd General Assembly**

**Regular Session**

**2017-2018**

**H. B. No. 349**

**Representative LaTourette**

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**A BILL**

To amend sections 2921.321 and 2929.18 of the 1  
Revised Code to increase the penalty for 2  
assaulting a police dog or horse and to include 3  
search and rescue dogs and horses in the 4  
prohibition against assaulting or harassing a 5  
police animal. 6

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

**Section 1.** That sections 2921.321 and 2929.18 of the 7  
Revised Code be amended to read as follows: 8

**Sec. 2921.321.** (A) No person shall knowingly cause, or 9  
attempt to cause, physical harm to a search and rescue dog or 10  
horse or police dog or horse in either of the following 11  
circumstances: 12

(1) The search and rescue dog or horse or police dog or 13  
horse is assisting a law enforcement officer, volunteer handler, 14  
or first responder in the performance of ~~the officer's~~ official 15  
duties or emergency services at the time the physical harm is 16  
caused or attempted. 17

(2) The search and rescue dog or horse or police dog or 18  
horse is not assisting a law enforcement officer, volunteer 19

handler, or first responder in the performance of ~~the officer's~~ official duties or emergency services at the time the physical harm is caused or attempted, but the offender has actual knowledge that the dog or horse is a search and rescue dog or horse or police dog or horse.

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

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

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

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

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

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

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

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

(e) Inhibits or restricts the ability of the search and rescue dog or horse or police dog or horse to assist a law enforcement officer, volunteer handler, or first responder. 48  
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(4) Engage in any conduct that is likely to cause serious physical injury or death to a search and rescue dog or horse or police dog or horse; 51  
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(5) If the person is the owner, keeper, or harbinger of a dog, fail to reasonably restrain the dog from taunting, tormenting, chasing, approaching in a menacing fashion or apparent attitude of attack, or attempting to bite or otherwise endanger a search and rescue dog or horse or police dog or horse that at the time of the conduct is assisting a law enforcement officer, volunteer handler, or first responder in the performance of ~~the officer's~~ official duties or emergency services or that the person knows is a search and rescue dog or horse or police dog or horse. 54  
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(C) No person shall knowingly cause, or attempt to cause, physical harm to an assistance dog in either of the following circumstances: 64  
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(1) The dog is assisting or serving a blind, deaf or hearing impaired, or mobility impaired person at the time the physical harm is caused or attempted. 67  
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(2) The dog is not assisting or serving a blind, deaf or hearing impaired, or mobility impaired person at the time the physical harm is caused or attempted, but the offender has actual knowledge that the dog is an assistance dog. 70  
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(D) No person shall recklessly do any of the following: 74

(1) Taunt, torment, or strike an assistance dog; 75

(2) Throw an object or substance at an assistance dog;	76
(3) Interfere with or obstruct an assistance dog, or interfere with or obstruct a blind, deaf or hearing impaired, or mobility impaired person who is being assisted or served by an assistance dog, in a manner that does any of the following:	77 78 79 80
(a) Inhibits or restricts the assisted or served person's control of the dog;	81 82
(b) Deprives the assisted or served person of control of the dog;	83 84
(c) Releases the dog from its area of control;	85
(d) Enters the area of control of the dog without the consent of the assisted or served person, including placing food or any other object or substance into that area;	86 87 88
(e) Inhibits or restricts the ability of the dog to assist the assisted or served person.	89 90
(4) Engage in any conduct that is likely to cause serious physical injury or death to an assistance dog;	91 92
(5) If the person is the owner, keeper, or harbinger of a dog, fail to reasonably restrain the dog from taunting, tormenting, chasing, approaching in a menacing fashion or apparent attitude of attack, or attempting to bite or otherwise endanger an assistance dog that at the time of the conduct is assisting or serving a blind, deaf or hearing impaired, or mobility impaired person or that the person knows is an assistance dog.	93 94 95 96 97 98 99 100
(E) (1) Whoever violates division (A) of this section is guilty of assaulting a <u>search and rescue dog or horse or police</u> dog or horse, and shall be punished as provided in divisions (E)	101 102 103

(1) (a) and (b) of this section. 104

(a) Except as otherwise provided in this division, 105  
assaulting a search and rescue dog or horse or police dog or 106  
horse is a ~~misdemeanor~~ felony of the ~~second~~ fourth degree. If 107  
the violation results in the death of the search and rescue dog 108  
or horse or police dog or horse, assaulting a search and rescue 109  
dog or horse or police dog or horse is a felony of the ~~third~~ 110  
second degree and the court shall impose as a mandatory prison 111  
term one of the prison terms prescribed for a felony of the 112  
~~third~~ second degree. If the violation results in serious 113  
physical harm to the search and rescue dog or horse or police 114  
dog or horse other than its death, assaulting a search and 115  
rescue dog or horse or police dog or horse is a felony of the 116  
~~fourth~~ third degree. ~~If the violation results in physical harm~~ 117  
~~to the police dog or horse other than death or serious physical~~ 118  
~~harm, assaulting a police dog or horse is a misdemeanor of the~~ 119  
~~first degree.~~ 120

(b) In addition to any other sanction imposed for 121  
assaulting a search and rescue dog or horse or police dog or 122  
horse, if the violation of division (A) of this section results 123  
in the death of the search and rescue dog or horse or police dog 124  
or horse, the sentencing court shall impose as a financial 125  
sanction a mandatory fine under division (B)(10) of section 126  
2929.18 of the Revised Code. The fine shall be paid to the law 127  
enforcement agency, the volunteer unit, or the first responder 128  
that was served by the search and rescue dog or horse or police 129  
dog or horse that was killed, and shall be used by that law 130  
enforcement agency, volunteer unit, or first responder only for 131  
one or more of the following purposes: 132

(i) If the dog or horse was not owned by the law 133

enforcement agency, volunteer unit, or first responder, the 134  
payment to the owner of the dog or horse of the cost of the dog 135  
or horse and the cost of the training of the dog or horse to 136  
qualify it as a search and rescue dog or horse or police dog or 137  
horse, if that cost has not previously been paid by the law 138  
enforcement agency, volunteer unit, or first responder; 139

(ii) After payment of the costs described in division (E) 140  
(1) (b) (i) of this section, if applicable, payment of the cost of 141  
replacing the dog or horse that was killed; 142

(iii) After payment of the costs described in division (E) 143  
(1) (b) (i) of this section, if applicable, payment of the cost of 144  
training the replacement dog or horse to qualify it as a search 145  
and rescue dog or horse or police dog or horse; 146

(iv) After payment of the costs described in division (E) 147  
(1) (b) (i) of this section, if applicable, payment of the cost of 148  
further training of the replacement dog or horse that is needed 149  
to train it to the level of training that had been achieved by 150  
the dog or horse that was killed. 151

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

violation results in physical harm to the search and rescue dog 164  
or horse or police dog or horse, but does not result in its 165  
death or in serious physical harm to it, harassing a search and 166  
rescue dog or horse or police dog or horse is a misdemeanor of 167  
the first degree. 168

(3) Whoever violates division (C) of this section is 169  
guilty of assaulting an assistance dog. Except as otherwise 170  
provided in this division, assaulting an assistance dog is a 171  
misdemeanor of the second degree. If the violation results in 172  
the death of the assistance dog, assaulting an assistance dog is 173  
a felony of the third degree. If the violation results in 174  
serious physical harm to the assistance dog other than its 175  
death, assaulting an assistance dog is a felony of the fourth 176  
degree. If the violation results in physical harm to the 177  
assistance dog other than death or serious physical harm, 178  
assaulting an assistance dog is a misdemeanor of the first 179  
degree. 180

(4) Whoever violates division (D) of this section is 181  
guilty of harassing an assistance dog. Except as otherwise 182  
provided in this division, harassing an assistance dog is a 183  
misdemeanor of the second degree. If the violation results in 184  
the death of the assistance dog, harassing an assistance dog is 185  
a felony of the third degree. If the violation results in 186  
serious physical harm to the assistance dog, but does not result 187  
in its death, harassing an assistance dog is a felony of the 188  
fourth degree. If the violation results in physical harm to the 189  
assistance dog, but does not result in its death or in serious 190  
physical harm to it, harassing an assistance dog is a 191  
misdemeanor of the first degree. 192

(5) In addition to any other sanction or penalty imposed 193

for the offense under this section, Chapter 2929., or any other 194  
provision of the Revised Code, whoever violates division (A), 195  
(B), (C), or (D) of this section is responsible for the payment 196  
of all of the following: 197

(a) Any veterinary bill or bill for medication incurred as 198  
a result of the violation by the police department, the 199  
volunteer unit, or the first responder regarding a violation of 200  
division (A) or (B) of this section or by the blind, deaf or 201  
hearing impaired, or mobility impaired person assisted or served 202  
by the assistance dog regarding a violation of division (C) or 203  
(D) of this section; 204

(b) The cost of any damaged equipment that results from 205  
the violation; 206

(c) If the violation did not result in the death of the 207  
search and rescue dog or horse, police dog or horse, or the 208  
assistance dog that was the subject of the violation and if, as 209  
a result of that dog or horse being the subject of the 210  
violation, the dog or horse needs further training or retraining 211  
to be able to continue in the capacity of a search and rescue 212  
dog or horse, police dog or horse, or an assistance dog, the 213  
cost of any further training or retraining of that dog or horse 214  
by a law enforcement officer, volunteer handler, or first 215  
responder or by the blind, deaf or hearing impaired, or mobility 216  
impaired person assisted or served by the assistance dog; 217

(d) If the violation resulted in the death of the 218  
assistance dog that was the subject of the violation or resulted 219  
in serious physical harm to the search and rescue dog or horse, 220  
police dog or horse, or the assistance dog or horse that was the 221  
subject of the violation to the extent that the dog or horse 222  
needs to be replaced on either a temporary or a permanent basis, 223

the cost of replacing that dog or horse and of any further 224  
training of a new search and rescue dog or horse, police dog or 225  
horse, or a new assistance dog by a law enforcement officer,\_\_ 226  
volunteer handler, or first responder or by the blind, deaf or 227  
hearing impaired, or mobility impaired person assisted or served 228  
by the assistance dog, which replacement or training is required 229  
because of the death of or the serious physical harm to the dog 230  
or horse that was the subject of the violation. 231

(F) This section does not apply to a licensed veterinarian 232  
whose conduct is in accordance with Chapter 4741. of the Revised 233  
Code. 234

(G) This section only applies to an offender who knows or 235  
should know at the time of the violation that the search and 236  
rescue dog or horse, police dog or horse, or assistance dog that 237  
is the subject of a violation under this section is a search and 238  
rescue dog or horse, police dog or horse, or an assistance dog. 239

(H) As used in this section: 240

(1) "Physical harm" means any injury, illness, or other 241  
physiological impairment, regardless of its gravity or duration. 242

(2) "Police dog or horse" means a dog or horse that has 243  
been trained, and may be used, to assist law enforcement 244  
officers in the performance of their official duties. 245

(3) "Serious physical harm" means any of the following: 246

(a) Any physical harm that carries a substantial risk of 247  
death; 248

(b) Any physical harm that causes permanent maiming or 249  
that involves some temporary, substantial maiming; 250

(c) Any physical harm that causes acute pain of a duration 251

that results in substantial suffering.	252
(4) "Assistance dog," "blind," and "mobility impaired person" have the same meanings as in section 955.011 of the Revised Code.	253 254 255
<u>(5) "Search and rescue dog or horse" means a dog or horse that is trained or certified to locate missing persons.</u>	256 257
<u>(6) "First responder" has the same meaning as in section 4765.01 of the Revised Code and also includes any individual who holds a current, valid certificate issued under section 4765.55 of the Revised Code to provide services as a firefighter.</u>	258 259 260 261
<u>(7) "Volunteer handler" means a member of a volunteer search and rescue unit who trains or employs search and rescue dogs or horses to locate missing persons.</u>	262 263 264
<b>Sec. 2929.18.</b> (A) Except as otherwise provided in this division and in addition to imposing court costs pursuant to section 2947.23 of the Revised Code, the court imposing a sentence upon an offender for a felony may sentence the offender to any financial sanction or combination of financial sanctions authorized under this section or, in the circumstances specified in section 2929.32 of the Revised Code, may impose upon the offender a fine in accordance with that section. Financial sanctions that may be imposed pursuant to this section include, but are not limited to, the following:	265 266 267 268 269 270 271 272 273 274
(1) Restitution by the offender to the victim of the offender's crime or any survivor of the victim, in an amount based on the victim's economic loss. If the court imposes restitution, the court shall order that the restitution be made to the victim in open court, to the adult probation department that serves the county on behalf of the victim, to the clerk of	275 276 277 278 279 280

courts, or to another agency designated by the court. If the 281  
court imposes restitution, at sentencing, the court shall 282  
determine the amount of restitution to be made by the offender. 283  
If the court imposes restitution, the court may base the amount 284  
of restitution it orders on an amount recommended by the victim, 285  
the offender, a presentence investigation report, estimates or 286  
receipts indicating the cost of repairing or replacing property, 287  
and other information, provided that the amount the court orders 288  
as restitution shall not exceed the amount of the economic loss 289  
suffered by the victim as a direct and proximate result of the 290  
commission of the offense. If the court decides to impose 291  
restitution, the court shall hold a hearing on restitution if 292  
the offender, victim, or survivor disputes the amount. All 293  
restitution payments shall be credited against any recovery of 294  
economic loss in a civil action brought by the victim or any 295  
survivor of the victim against the offender. 296

If the court imposes restitution, the court may order that 297  
the offender pay a surcharge of not more than five per cent of 298  
the amount of the restitution otherwise ordered to the entity 299  
responsible for collecting and processing restitution payments. 300

The victim or survivor may request that the prosecutor in 301  
the case file a motion, or the offender may file a motion, for 302  
modification of the payment terms of any restitution ordered. If 303  
the court grants the motion, it may modify the payment terms as 304  
it determines appropriate. 305

(2) Except as provided in division (B)(1), (3), or (4) of 306  
this section, a fine payable by the offender to the state, to a 307  
political subdivision, or as described in division (B)(2) of 308  
this section to one or more law enforcement agencies, with the 309  
amount of the fine based on a standard percentage of the 310

offender's daily income over a period of time determined by the 311  
court and based upon the seriousness of the offense. A fine 312  
ordered under this division shall not exceed the maximum 313  
conventional fine amount authorized for the level of the offense 314  
under division (A) (3) of this section. 315

(3) Except as provided in division (B) (1), (3), or (4) of 316  
this section, a fine payable by the offender to the state, to a 317  
political subdivision when appropriate for a felony, or as 318  
described in division (B) (2) of this section to one or more law 319  
enforcement agencies, in the following amount: 320

(a) For a felony of the first degree, not more than twenty 321  
thousand dollars; 322

(b) For a felony of the second degree, not more than 323  
fifteen thousand dollars; 324

(c) For a felony of the third degree, not more than ten 325  
thousand dollars; 326

(d) For a felony of the fourth degree, not more than five 327  
thousand dollars; 328

(e) For a felony of the fifth degree, not more than two 329  
thousand five hundred dollars. 330

(4) A state fine or costs as defined in section 2949.111 331  
of the Revised Code. 332

(5) (a) Reimbursement by the offender of any or all of the 333  
costs of sanctions incurred by the government, including the 334  
following: 335

(i) All or part of the costs of implementing any community 336  
control sanction, including a supervision fee under section 337  
2951.021 of the Revised Code; 338

(ii) All or part of the costs of confinement under a 339  
sanction imposed pursuant to section 2929.14, 2929.142, or 340  
2929.16 of the Revised Code, provided that the amount of 341  
reimbursement ordered under this division shall not exceed the 342  
total amount of reimbursement the offender is able to pay as 343  
determined at a hearing and shall not exceed the actual cost of 344  
the confinement; 345

(iii) All or part of the cost of purchasing and using an 346  
immobilizing or disabling device, including a certified ignition 347  
interlock device, or a remote alcohol monitoring device that a 348  
court orders an offender to use under section 4510.13 of the 349  
Revised Code. 350

(b) If the offender is sentenced to a sanction of 351  
confinement pursuant to section 2929.14 or 2929.16 of the 352  
Revised Code that is to be served in a facility operated by a 353  
board of county commissioners, a legislative authority of a 354  
municipal corporation, or another local governmental entity, if, 355  
pursuant to section 307.93, 341.14, 341.19, 341.23, 753.02, 356  
753.04, 753.16, 2301.56, or 2947.19 of the Revised Code and 357  
section 2929.37 of the Revised Code, the board, legislative 358  
authority, or other local governmental entity requires prisoners 359  
to reimburse the county, municipal corporation, or other entity 360  
for its expenses incurred by reason of the prisoner's 361  
confinement, and if the court does not impose a financial 362  
sanction under division (A) (5) (a) (ii) of this section, 363  
confinement costs may be assessed pursuant to section 2929.37 of 364  
the Revised Code. In addition, the offender may be required to 365  
pay the fees specified in section 2929.38 of the Revised Code in 366  
accordance with that section. 367

(c) Reimbursement by the offender for costs pursuant to 368

section 2929.71 of the Revised Code. 369

(B)(1) For a first, second, or third degree felony 370  
violation of any provision of Chapter 2925., 3719., or 4729. of 371  
the Revised Code, the sentencing court shall impose upon the 372  
offender a mandatory fine of at least one-half of, but not more 373  
than, the maximum statutory fine amount authorized for the level 374  
of the offense pursuant to division (A)(3) of this section. If 375  
an offender alleges in an affidavit filed with the court prior 376  
to sentencing that the offender is indigent and unable to pay 377  
the mandatory fine and if the court determines the offender is 378  
an indigent person and is unable to pay the mandatory fine 379  
described in this division, the court shall not impose the 380  
mandatory fine upon the offender. 381

(2) Any mandatory fine imposed upon an offender under 382  
division (B)(1) of this section and any fine imposed upon an 383  
offender under division (A)(2) or (3) of this section for any 384  
fourth or fifth degree felony violation of any provision of 385  
Chapter 2925., 3719., or 4729. of the Revised Code shall be paid 386  
to law enforcement agencies pursuant to division (F) of section 387  
2925.03 of the Revised Code. 388

(3) For a fourth degree felony OVI offense and for a third 389  
degree felony OVI offense, the sentencing court shall impose 390  
upon the offender a mandatory fine in the amount specified in 391  
division (G)(1)(d) or (e) of section 4511.19 of the Revised 392  
Code, whichever is applicable. The mandatory fine so imposed 393  
shall be disbursed as provided in the division pursuant to which 394  
it is imposed. 395

(4) Notwithstanding any fine otherwise authorized or 396  
required to be imposed under division (A)(2) or (3) or (B)(1) of 397  
this section or section 2929.31 of the Revised Code for a 398

violation of section 2925.03 of the Revised Code, in addition to 399  
any penalty or sanction imposed for that offense under section 400  
2925.03 or sections 2929.11 to 2929.18 of the Revised Code and 401  
in addition to the forfeiture of property in connection with the 402  
offense as prescribed in Chapter 2981. of the Revised Code, the 403  
court that sentences an offender for a violation of section 404  
2925.03 of the Revised Code may impose upon the offender a fine 405  
in addition to any fine imposed under division (A) (2) or (3) of 406  
this section and in addition to any mandatory fine imposed under 407  
division (B) (1) of this section. The fine imposed under division 408  
(B) (4) of this section shall be used as provided in division (H) 409  
of section 2925.03 of the Revised Code. A fine imposed under 410  
division (B) (4) of this section shall not exceed whichever of 411  
the following is applicable: 412

(a) The total value of any personal or real property in 413  
which the offender has an interest and that was used in the 414  
course of, intended for use in the course of, derived from, or 415  
realized through conduct in violation of section 2925.03 of the 416  
Revised Code, including any property that constitutes proceeds 417  
derived from that offense; 418

(b) If the offender has no interest in any property of the 419  
type described in division (B) (4) (a) of this section or if it is 420  
not possible to ascertain whether the offender has an interest 421  
in any property of that type in which the offender may have an 422  
interest, the amount of the mandatory fine for the offense 423  
imposed under division (B) (1) of this section or, if no 424  
mandatory fine is imposed under division (B) (1) of this section, 425  
the amount of the fine authorized for the level of the offense 426  
imposed under division (A) (3) of this section. 427

(5) Prior to imposing a fine under division (B) (4) of this 428

section, the court shall determine whether the offender has an 429  
interest in any property of the type described in division (B) 430  
(4) (a) of this section. Except as provided in division (B) (6) or 431  
(7) of this section, a fine that is authorized and imposed under 432  
division (B) (4) of this section does not limit or affect the 433  
imposition of the penalties and sanctions for a violation of 434  
section 2925.03 of the Revised Code prescribed under those 435  
sections or sections 2929.11 to 2929.18 of the Revised Code and 436  
does not limit or affect a forfeiture of property in connection 437  
with the offense as prescribed in Chapter 2981. of the Revised 438  
Code. 439

(6) If the sum total of a mandatory fine amount imposed 440  
for a first, second, or third degree felony violation of section 441  
2925.03 of the Revised Code under division (B) (1) of this 442  
section plus the amount of any fine imposed under division (B) 443  
(4) of this section does not exceed the maximum statutory fine 444  
amount authorized for the level of the offense under division 445  
(A) (3) of this section or section 2929.31 of the Revised Code, 446  
the court may impose a fine for the offense in addition to the 447  
mandatory fine and the fine imposed under division (B) (4) of 448  
this section. The sum total of the amounts of the mandatory 449  
fine, the fine imposed under division (B) (4) of this section, 450  
and the additional fine imposed under division (B) (6) of this 451  
section shall not exceed the maximum statutory fine amount 452  
authorized for the level of the offense under division (A) (3) of 453  
this section or section 2929.31 of the Revised Code. The clerk 454  
of the court shall pay any fine that is imposed under division 455  
(B) (6) of this section to the county, township, municipal 456  
corporation, park district as created pursuant to section 511.18 457  
or 1545.04 of the Revised Code, or state law enforcement 458  
agencies in this state that primarily were responsible for or 459

involved in making the arrest of, and in prosecuting, the 460  
offender pursuant to division (F) of section 2925.03 of the 461  
Revised Code. 462

(7) If the sum total of the amount of a mandatory fine 463  
imposed for a first, second, or third degree felony violation of 464  
section 2925.03 of the Revised Code plus the amount of any fine 465  
imposed under division (B) (4) of this section exceeds the 466  
maximum statutory fine amount authorized for the level of the 467  
offense under division (A) (3) of this section or section 2929.31 468  
of the Revised Code, the court shall not impose a fine under 469  
division (B) (6) of this section. 470

(8) (a) If an offender who is convicted of or pleads guilty 471  
to a violation of section 2905.01, 2905.02, 2907.21, 2907.22, or 472  
2923.32, division (A) (1) or (2) of section 2907.323, or division 473  
(B) (1), (2), (3), (4), or (5) of section 2919.22 of the Revised 474  
Code also is convicted of or pleads guilty to a specification of 475  
the type described in section 2941.1422 of the Revised Code that 476  
charges that the offender knowingly committed the offense in 477  
furtherance of human trafficking, the sentencing court shall 478  
sentence the offender to a financial sanction of restitution by 479  
the offender to the victim or any survivor of the victim, with 480  
the restitution including the costs of housing, counseling, and 481  
medical and legal assistance incurred by the victim as a direct 482  
result of the offense and the greater of the following: 483

(i) The gross income or value to the offender of the 484  
victim's labor or services; 485

(ii) The value of the victim's labor as guaranteed under 486  
the minimum wage and overtime provisions of the "Federal Fair 487  
Labor Standards Act of 1938," 52 Stat. 1060, 20 U.S.C. 207, and 488  
state labor laws. 489

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

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

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

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

impose a fine of not less than seventy nor more than five 520  
hundred dollars, which shall be transmitted to the treasurer of 521  
state to be credited to the address confidentiality program fund 522  
created by section 111.48 of the Revised Code: 523

(a) Domestic violence; 524

(b) Menacing by stalking; 525

(c) Rape; 526

(d) Sexual battery; 527

(e) Trafficking in persons; 528

(f) A violation of section 2905.01, 2905.02, 2907.21, 529  
2907.22, or 2923.32, division (A) (1) or (2) of section 2907.323, 530  
or division (B) (1), (2), (3), (4), or (5) of section 2919.22 of 531  
the Revised Code, if the offender also is convicted of a 532  
specification of the type described in section 2941.1422 of the 533  
Revised Code that charges that the offender knowingly committed 534  
the offense in furtherance of human trafficking. 535

(C) (1) Except as provided in section 2951.021 of the 536  
Revised Code, the offender shall pay reimbursements imposed upon 537  
the offender pursuant to division (A) (5) (a) of this section to 538  
pay the costs incurred by a county pursuant to any sanction 539  
imposed under this section or section 2929.16 or 2929.17 of the 540  
Revised Code or in operating a facility used to confine 541  
offenders pursuant to a sanction imposed under section 2929.16 542  
of the Revised Code to the county treasurer. The county 543  
treasurer shall deposit the reimbursements in the sanction cost 544  
reimbursement fund that each board of county commissioners shall 545  
create in its county treasury. The county shall use the amounts 546  
deposited in the fund to pay the costs incurred by the county 547  
pursuant to any sanction imposed under this section or section 548

2929.16 or 2929.17 of the Revised Code or in operating a 549  
facility used to confine offenders pursuant to a sanction 550  
imposed under section 2929.16 of the Revised Code. 551

(2) Except as provided in section 2951.021 of the Revised 552  
Code, the offender shall pay reimbursements imposed upon the 553  
offender pursuant to division (A) (5) (a) of this section to pay 554  
the costs incurred by a municipal corporation pursuant to any 555  
sanction imposed under this section or section 2929.16 or 556  
2929.17 of the Revised Code or in operating a facility used to 557  
confine offenders pursuant to a sanction imposed under section 558  
2929.16 of the Revised Code to the treasurer of the municipal 559  
corporation. The treasurer shall deposit the reimbursements in a 560  
special fund that shall be established in the treasury of each 561  
municipal corporation. The municipal corporation shall use the 562  
amounts deposited in the fund to pay the costs incurred by the 563  
municipal corporation pursuant to any sanction imposed under 564  
this section or section 2929.16 or 2929.17 of the Revised Code 565  
or in operating a facility used to confine offenders pursuant to 566  
a sanction imposed under section 2929.16 of the Revised Code. 567

(3) Except as provided in section 2951.021 of the Revised 568  
Code, the offender shall pay reimbursements imposed pursuant to 569  
division (A) (5) (a) of this section for the costs incurred by a 570  
private provider pursuant to a sanction imposed under this 571  
section or section 2929.16 or 2929.17 of the Revised Code to the 572  
provider. 573

(D) Except as otherwise provided in this division, a 574  
financial sanction imposed pursuant to division (A) or (B) of 575  
this section is a judgment in favor of the state or a political 576  
subdivision in which the court that imposed the financial 577  
sanction is located, and the offender subject to the financial 578

sanction is the judgment debtor. A financial sanction of 579  
reimbursement imposed pursuant to division (A) (5) (a) (ii) of this 580  
section upon an offender who is incarcerated in a state facility 581  
or a municipal jail is a judgment in favor of the state or the 582  
municipal corporation, and the offender subject to the financial 583  
sanction is the judgment debtor. A financial sanction of 584  
reimbursement imposed upon an offender pursuant to this section 585  
for costs incurred by a private provider of sanctions is a 586  
judgment in favor of the private provider, and the offender 587  
subject to the financial sanction is the judgment debtor. A 588  
financial sanction of a mandatory fine imposed under division 589  
(B) (10) of this section that is required under that division to 590  
be paid to a law enforcement agency, volunteer unit, or first 591  
responder is a judgment in favor of the specified law 592  
enforcement agency, volunteer unit, or first responder, and the 593  
offender subject to the financial sanction is the judgment 594  
debtor. A financial sanction of restitution imposed pursuant to 595  
division (A) (1) or (B) (8) of this section is an order in favor 596  
of the victim of the offender's criminal act that can be 597  
collected through a certificate of judgment as described in 598  
division (D) (1) of this section, through execution as described 599  
in division (D) (2) of this section, or through an order as 600  
described in division (D) (3) of this section, and the offender 601  
shall be considered for purposes of the collection as the 602  
judgment debtor. Imposition of a financial sanction and 603  
execution on the judgment does not preclude any other power of 604  
the court to impose or enforce sanctions on the offender. Once 605  
the financial sanction is imposed as a judgment or order under 606  
this division, the victim, private provider, state, or political 607  
subdivision may do any of the following: 608

- (1) Obtain from the clerk of the court in which the 609

judgment was entered a certificate of judgment that shall be in 610  
the same manner and form as a certificate of judgment issued in 611  
a civil action; 612

(2) Obtain execution of the judgment or order through any 613  
available procedure, including: 614

(a) An execution against the property of the judgment 615  
debtor under Chapter 2329. of the Revised Code; 616

(b) An execution against the person of the judgment debtor 617  
under Chapter 2331. of the Revised Code; 618

(c) A proceeding in aid of execution under Chapter 2333. 619  
of the Revised Code, including: 620

(i) A proceeding for the examination of the judgment 621  
debtor under sections 2333.09 to 2333.12 and sections 2333.15 to 622  
2333.27 of the Revised Code; 623

(ii) A proceeding for attachment of the person of the 624  
judgment debtor under section 2333.28 of the Revised Code; 625

(iii) A creditor's suit under section 2333.01 of the 626  
Revised Code. 627

(d) The attachment of the property of the judgment debtor 628  
under Chapter 2715. of the Revised Code; 629

(e) The garnishment of the property of the judgment debtor 630  
under Chapter 2716. of the Revised Code. 631

(3) Obtain an order for the assignment of wages of the 632  
judgment debtor under section 1321.33 of the Revised Code. 633

(E) A court that imposes a financial sanction upon an 634  
offender may hold a hearing if necessary to determine whether 635  
the offender is able to pay the sanction or is likely in the 636

future to be able to pay it. 637

(F) Each court imposing a financial sanction upon an 638  
offender under this section or under section 2929.32 of the 639  
Revised Code may designate the clerk of the court or another 640  
person to collect the financial sanction. The clerk or other 641  
person authorized by law or the court to collect the financial 642  
sanction may enter into contracts with one or more public 643  
agencies or private vendors for the collection of, amounts due 644  
under the financial sanction imposed pursuant to this section or 645  
section 2929.32 of the Revised Code. Before entering into a 646  
contract for the collection of amounts due from an offender 647  
pursuant to any financial sanction imposed pursuant to this 648  
section or section 2929.32 of the Revised Code, a court shall 649  
comply with sections 307.86 to 307.92 of the Revised Code. 650

(G) If a court that imposes a financial sanction under 651  
division (A) or (B) of this section finds that an offender 652  
satisfactorily has completed all other sanctions imposed upon 653  
the offender and that all restitution that has been ordered has 654  
been paid as ordered, the court may suspend any financial 655  
sanctions imposed pursuant to this section or section 2929.32 of 656  
the Revised Code that have not been paid. 657

(H) No financial sanction imposed under this section or 658  
section 2929.32 of the Revised Code shall preclude a victim from 659  
bringing a civil action against the offender. 660

**Section 2.** That existing sections 2921.321 and 2929.18 of 661  
the Revised Code are hereby repealed. 662

**Section 3.** Section 2929.18 of the Revised Code is 663  
presented in this act as a composite of the section as amended 664  
by both Sub. H.B. 60 and Sub. H.B. 359 of the 131st General 665

Assembly. The General Assembly, applying the principle stated in 666  
division (B) of section 1.52 of the Revised Code that amendments 667  
are to be harmonized if reasonably capable of simultaneous 668  
operation, finds that the composite is the resulting version of 669  
the section in effect prior to the effective date of the section 670  
as presented in this act. 671