

**As Reported by the House Criminal Justice Committee**

**132nd General Assembly**

**Regular Session**

**2017-2018**

**Sub. H. B. No. 349**

**Representative LaTourette**

**Cosponsor: Representative Manning**

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**A BILL**

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

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

**Section 1.** That sections 2921.321 and 2929.18 of the 5  
Revised Code be amended to read as follows: 6

**Sec. 2921.321.** (A) No person shall knowingly cause, or 7  
attempt to cause, physical harm to a search and rescue dog or 8  
horse or police dog or horse in either of the following 9  
circumstances: 10

(1) The search and rescue dog or horse or police dog or 11  
horse is assisting a law enforcement officer, certified 12  
volunteer handler, or first responder in the performance of ~~the~~ 13  
~~officer's~~ official duties or emergency services at the time the 14  
physical harm is caused or attempted. 15

(2) The search and rescue dog or horse or police dog or 16  
horse is not assisting a law enforcement officer, certified 17  
volunteer handler, or first responder in the performance of ~~the~~ 18

~~officer's~~ official duties or emergency services at the time the 19  
physical harm is caused or attempted, but the offender has 20  
actual knowledge that the dog or horse is a search and rescue 21  
dog or horse or police dog or horse. 22

(B) No person shall recklessly do any of the following: 23

(1) Taunt, torment, or strike a search and rescue dog or 24  
horse or police dog or horse; 25

(2) Throw an object or substance at a search and rescue 26  
dog or horse or police dog or horse; 27

(3) Interfere with or obstruct a search and rescue dog or 28  
horse or police dog or horse, or interfere with or obstruct a 29  
law enforcement officer, certified volunteer handler, or first 30  
responder who is being assisted by a search and rescue dog or 31  
horse or police dog or horse, in a manner that does any of the 32  
following: 33

(a) Inhibits or restricts the law enforcement officer's,  34  
certified volunteer handler's, or first responder's control of 35  
the search and rescue dog or horse or police dog or horse; 36

(b) Deprives the law enforcement officer, certified 37  
volunteer handler, or first responder of control of the search 38  
and rescue dog or horse or police dog or horse; 39

(c) Releases the search and rescue dog or horse or police 40  
dog or horse from its area of control; 41

(d) Enters the area of control of the search and rescue 42  
dog or horse or police dog or horse without the consent of the 43  
law enforcement officer, certified volunteer handler, or first 44  
responder, including placing food or any other object or 45  
substance into that area; 46

(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, certified volunteer handler, or first responder. 47  
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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, certified 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

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|---|---|
| (2) Throw an object or substance at an assistance dog;  | 76  |
| (3) Interfere with or obstruct an assistance dog, or<br>interfere with or obstruct a blind, deaf or hearing impaired, or<br>mobility impaired person who is being assisted or served by an<br>assistance dog, in a manner that does any of the following:   | 77<br>78<br>79<br>80                          |
| (a) Inhibits or restricts the assisted or served person's<br>control of the dog;  | 81<br>82                                      |
| (b) Deprives the assisted or served person of control of<br>the dog;  | 83<br>84                                      |
| (c) Releases the dog from its area of control;  | 85  |
| (d) Enters the area of control of the dog without the<br>consent of the assisted or served person, including placing food<br>or any other object or substance into that area;   | 86<br>87<br>88                                |
| (e) Inhibits or restricts the ability of the dog to assist<br>the assisted or served person.  | 89<br>90                                      |
| (4) Engage in any conduct that is likely to cause serious<br>physical injury or death to an assistance dog;   | 91<br>92                                      |
| (5) If the person is the owner, keeper, or harbinger of a<br>dog, fail to reasonably restrain the dog from taunting,<br>tormenting, chasing, approaching in a menacing fashion or<br>apparent attitude of attack, or attempting to bite or otherwise<br>endanger an assistance dog that at the time of the conduct is<br>assisting or serving a blind, deaf or hearing impaired, or<br>mobility impaired person or that the person knows is an<br>assistance dog. | 93<br>94<br>95<br>96<br>97<br>98<br>99<br>100 |
| (E) (1) Whoever violates division (A) of this section is<br>guilty of assaulting a <u>search and rescue dog or horse or police</u><br>dog or horse, and shall be punished as provided in divisions (E)  | 101<br>102<br>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 of the second degree. If the violation 107  
results in the death of the search and rescue dog or horse or 108  
police dog or horse, assaulting a search and rescue dog or horse 109  
or police dog or horse is a felony of the third degree and the 110  
court shall impose as a mandatory prison term one of the prison 111  
terms prescribed for a felony of the third degree. If the 112  
violation results in serious physical harm to the search and 113  
rescue dog or horse or police dog or horse other than its death, 114  
assaulting a search and rescue dog or horse or police dog or 115  
horse is a felony of the fourth degree. If the violation results 116  
in physical harm to the police dog or horse other than death or 117  
serious physical harm, assaulting a police dog or horse is a 118  
misdemeanor of the first degree. 119

(b) In addition to any other sanction imposed for 120  
assaulting a search and rescue dog or horse or police dog or 121  
horse, if the violation of division (A) of this section results 122  
in the death of the search and rescue dog or horse or police dog 123  
or horse, the sentencing court shall impose as a financial 124  
sanction a mandatory fine under division (B)(10) of section 125  
2929.18 of the Revised Code. The fine shall be paid to the law 126  
enforcement agency, the volunteer unit, or the first responder 127  
that was served by the search and rescue dog or horse or police 128  
dog or horse that was killed, and shall be used by that law 129  
enforcement agency, volunteer unit, or first responder only for 130  
one or more of the following purposes: 131

(i) If the dog or horse was not owned by the law 132  
enforcement agency, volunteer unit, or first responder, the 133

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

(ii) After payment of the costs described in division (E) 139  
(1)(b)(i) of this section, if applicable, payment of the cost of 140  
replacing the dog or horse that was killed; 141

(iii) After payment of the costs described in division (E) 142  
(1)(b)(i) of this section, if applicable, payment of the cost of 143  
training the replacement dog or horse to qualify it as a search 144  
and rescue dog or horse or police dog or horse; 145

(iv) After payment of the costs described in division (E) 146  
(1)(b)(i) of this section, if applicable, payment of the cost of 147  
further training of the replacement dog or horse that is needed 148  
to train it to the level of training that had been achieved by 149  
the dog or horse that was killed. 150

(2) Whoever violates division (B) of this section is 151  
guilty of harassing a search and rescue dog or horse or police 152  
dog or horse. Except as otherwise provided in this division, 153  
harassing a search and rescue dog or horse or police dog or 154  
horse is a misdemeanor of the second degree. If the violation 155  
results in the death of the search and rescue dog or horse or 156  
police dog or horse, harassing a search and rescue dog or horse 157  
or police dog or horse is a felony of the third degree. If the 158  
violation results in serious physical harm to the search and 159  
rescue dog or horse or police dog or horse, but does not result 160  
in its death, harassing a search and rescue dog or horse or 161  
police dog or horse, is a felony of the fourth degree. If the 162  
violation results in physical harm to the search and rescue dog 163

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

(3) Whoever violates division (C) of this section is 168  
guilty of assaulting an assistance dog. Except as otherwise 169  
provided in this division, assaulting an assistance dog is a 170  
misdemeanor of the second degree. If the violation results in 171  
the death of the assistance dog, assaulting an assistance dog is 172  
a felony of the third degree. If the violation results in 173  
serious physical harm to the assistance dog other than its 174  
death, assaulting an assistance dog is a felony of the fourth 175  
degree. If the violation results in physical harm to the 176  
assistance dog other than death or serious physical harm, 177  
assaulting an assistance dog is a misdemeanor of the first 178  
degree. 179

(4) Whoever violates division (D) of this section is 180  
guilty of harassing an assistance dog. Except as otherwise 181  
provided in this division, harassing an assistance dog is a 182  
misdemeanor of the second degree. If the violation results in 183  
the death of the assistance dog, harassing an assistance dog is 184  
a felony of the third degree. If the violation results in 185  
serious physical harm to the assistance dog, but does not result 186  
in its death, harassing an assistance dog is a felony of the 187  
fourth degree. If the violation results in physical harm to the 188  
assistance dog, but does not result in its death or in serious 189  
physical harm to it, harassing an assistance dog is a 190  
misdemeanor of the first degree. 191

(5) In addition to any other sanction or penalty imposed 192  
for the offense under this section, Chapter 2929., or any other 193

provision of the Revised Code, whoever violates division (A), 194  
(B), (C), or (D) of this section is responsible for the payment 195  
of all of the following: 196

(a) Any veterinary bill or bill for medication incurred as 197  
a result of the violation by the police department, the 198  
volunteer unit, or the first responder regarding a violation of 199  
division (A) or (B) of this section or by the blind, deaf or 200  
hearing impaired, or mobility impaired person assisted or served 201  
by the assistance dog regarding a violation of division (C) or 202  
(D) of this section; 203

(b) The cost of any damaged equipment that results from 204  
the violation; 205

(c) If the violation did not result in the death of the 206  
search and rescue dog or horse, police dog or horse, or the 207  
assistance dog that was the subject of the violation and if, as 208  
a result of that dog or horse being the subject of the 209  
violation, the dog or horse needs further training or retraining 210  
to be able to continue in the capacity of a search and rescue 211  
dog or horse, police dog or horse, or an assistance dog, the 212  
cost of any further training or retraining of that dog or horse 213  
by a law enforcement officer, certified volunteer handler, or 214  
first responder or by the blind, deaf or hearing impaired, or 215  
mobility impaired person assisted or served by the assistance 216  
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  
certified volunteer handler, or first responder or by the blind, 227  
deaf or hearing impaired, or mobility impaired person assisted 228  
or served by the assistance dog, which replacement or training 229  
is required because of the death of or the serious physical harm 230  
to the dog 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  
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(5) "Search and rescue dog or horse" means a dog or horse that is trained or certified to locate missing persons. 256  
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(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. 258  
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(7) "Certified volunteer handler" means a member of a volunteer search and rescue unit who is certified by a nationally recognized search and rescue training organization, program, or course to train or employ search and rescue dogs or horses to locate missing persons. 262  
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(8) "Volunteer unit" means a volunteer search and rescue unit that consists of certified volunteer handlers. 267  
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**Sec. 2929.18.** (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: 269  
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(1) Restitution by the offender to the victim of the offender's crime or any survivor of the victim, in an amount 279  
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based on the victim's economic loss. If the court imposes 281  
restitution, the court shall order that the restitution be made 282  
to the victim in open court, to the adult probation department 283  
that serves the county on behalf of the victim, to the clerk of 284  
courts, or to another agency designated by the court. If the 285  
court imposes restitution, at sentencing, the court shall 286  
determine the amount of restitution to be made by the offender. 287  
If the court imposes restitution, the court may base the amount 288  
of restitution it orders on an amount recommended by the victim, 289  
the offender, a presentence investigation report, estimates or 290  
receipts indicating the cost of repairing or replacing property, 291  
and other information, provided that the amount the court orders 292  
as restitution shall not exceed the amount of the economic loss 293  
suffered by the victim as a direct and proximate result of the 294  
commission of the offense. If the court decides to impose 295  
restitution, the court shall hold a hearing on restitution if 296  
the offender, victim, or survivor disputes the amount. All 297  
restitution payments shall be credited against any recovery of 298  
economic loss in a civil action brought by the victim or any 299  
survivor of the victim against the offender. 300

If the court imposes restitution, the court may order that 301  
the offender pay a surcharge of not more than five per cent of 302  
the amount of the restitution otherwise ordered to the entity 303  
responsible for collecting and processing restitution payments. 304

The victim or survivor may request that the prosecutor in 305  
the case file a motion, or the offender may file a motion, for 306  
modification of the payment terms of any restitution ordered. If 307  
the court grants the motion, it may modify the payment terms as 308  
it determines appropriate. 309

(2) Except as provided in division (B)(1), (3), or (4) of 310

this section, a fine payable by the offender to the state, to a political subdivision, or as described in division (B)(2) of this section to one or more law enforcement agencies, with the amount of the fine based on a standard percentage of the offender's daily income over a period of time determined by the court and based upon the seriousness of the offense. A fine ordered under this division shall not exceed the maximum conventional fine amount authorized for the level of the offense under division (A)(3) of this section.

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

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

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

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

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

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

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

(5)(a) Reimbursement by the offender of any or all of the costs of sanctions incurred by the government, including the

following: 339

(i) All or part of the costs of implementing any community control sanction, including a supervision fee under section 2951.021 of the Revised Code; 340  
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(ii) All or part of the costs of confinement under a sanction imposed pursuant to section 2929.14, 2929.142, or 2929.16 of the Revised Code, provided that the amount of reimbursement ordered under this division shall not exceed the total amount of reimbursement the offender is able to pay as determined at a hearing and shall not exceed the actual cost of the confinement; 343  
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(iii) All or part of the cost of purchasing and using an immobilizing or disabling device, including a certified ignition interlock device, or a remote alcohol monitoring device that a court orders an offender to use under section 4510.13 of the Revised Code. 350  
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(b) If the offender is sentenced to a sanction of confinement pursuant to section 2929.14 or 2929.16 of the Revised Code that is to be served in a facility operated by a board of county commissioners, a legislative authority of a municipal corporation, or another local governmental entity, if, pursuant to section 307.93, 341.14, 341.19, 341.23, 753.02, 753.04, 753.16, 2301.56, or 2947.19 of the Revised Code and section 2929.37 of the Revised Code, the board, legislative authority, or other local governmental entity requires prisoners to reimburse the county, municipal corporation, or other entity for its expenses incurred by reason of the prisoner's confinement, and if the court does not impose a financial sanction under division (A) (5) (a) (ii) of this section, confinement costs may be assessed pursuant to section 2929.37 of 355  
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the Revised Code. In addition, the offender may be required to 369  
pay the fees specified in section 2929.38 of the Revised Code in 370  
accordance with that section. 371

(c) Reimbursement by the offender for costs pursuant to 372  
section 2929.71 of the Revised Code. 373

(B) (1) For a first, second, or third degree felony 374  
violation of any provision of Chapter 2925., 3719., or 4729. of 375  
the Revised Code, the sentencing court shall impose upon the 376  
offender a mandatory fine of at least one-half of, but not more 377  
than, the maximum statutory fine amount authorized for the level 378  
of the offense pursuant to division (A) (3) of this section. If 379  
an offender alleges in an affidavit filed with the court prior 380  
to sentencing that the offender is indigent and unable to pay 381  
the mandatory fine and if the court determines the offender is 382  
an indigent person and is unable to pay the mandatory fine 383  
described in this division, the court shall not impose the 384  
mandatory fine upon the offender. 385

(2) Any mandatory fine imposed upon an offender under 386  
division (B) (1) of this section and any fine imposed upon an 387  
offender under division (A) (2) or (3) of this section for any 388  
fourth or fifth degree felony violation of any provision of 389  
Chapter 2925., 3719., or 4729. of the Revised Code shall be paid 390  
to law enforcement agencies pursuant to division (F) of section 391  
2925.03 of the Revised Code. 392

(3) For a fourth degree felony OVI offense and for a third 393  
degree felony OVI offense, the sentencing court shall impose 394  
upon the offender a mandatory fine in the amount specified in 395  
division (G) (1) (d) or (e) of section 4511.19 of the Revised 396  
Code, whichever is applicable. The mandatory fine so imposed 397  
shall be disbursed as provided in the division pursuant to which 398

it is imposed. 399

(4) Notwithstanding any fine otherwise authorized or 400  
required to be imposed under division (A) (2) or (3) or (B) (1) of 401  
this section or section 2929.31 of the Revised Code for a 402  
violation of section 2925.03 of the Revised Code, in addition to 403  
any penalty or sanction imposed for that offense under section 404  
2925.03 or sections 2929.11 to 2929.18 of the Revised Code and 405  
in addition to the forfeiture of property in connection with the 406  
offense as prescribed in Chapter 2981. of the Revised Code, the 407  
court that sentences an offender for a violation of section 408  
2925.03 of the Revised Code may impose upon the offender a fine 409  
in addition to any fine imposed under division (A) (2) or (3) of 410  
this section and in addition to any mandatory fine imposed under 411  
division (B) (1) of this section. The fine imposed under division 412  
(B) (4) of this section shall be used as provided in division (H) 413  
of section 2925.03 of the Revised Code. A fine imposed under 414  
division (B) (4) of this section shall not exceed whichever of 415  
the following is applicable: 416

(a) The total value of any personal or real property in 417  
which the offender has an interest and that was used in the 418  
course of, intended for use in the course of, derived from, or 419  
realized through conduct in violation of section 2925.03 of the 420  
Revised Code, including any property that constitutes proceeds 421  
derived from that offense; 422

(b) If the offender has no interest in any property of the 423  
type described in division (B) (4) (a) of this section or if it is 424  
not possible to ascertain whether the offender has an interest 425  
in any property of that type in which the offender may have an 426  
interest, the amount of the mandatory fine for the offense 427  
imposed under division (B) (1) of this section or, if no 428

mandatory fine is imposed under division (B) (1) of this section, 429  
the amount of the fine authorized for the level of the offense 430  
imposed under division (A) (3) of this section. 431

(5) Prior to imposing a fine under division (B) (4) of this 432  
section, the court shall determine whether the offender has an 433  
interest in any property of the type described in division (B) 434  
(4) (a) of this section. Except as provided in division (B) (6) or 435  
(7) of this section, a fine that is authorized and imposed under 436  
division (B) (4) of this section does not limit or affect the 437  
imposition of the penalties and sanctions for a violation of 438  
section 2925.03 of the Revised Code prescribed under those 439  
sections or sections 2929.11 to 2929.18 of the Revised Code and 440  
does not limit or affect a forfeiture of property in connection 441  
with the offense as prescribed in Chapter 2981. of the Revised 442  
Code. 443

(6) If the sum total of a mandatory fine amount imposed 444  
for a first, second, or third degree felony violation of section 445  
2925.03 of the Revised Code under division (B) (1) of this 446  
section plus the amount of any fine imposed under division (B) 447  
(4) of this section does not exceed the maximum statutory fine 448  
amount authorized for the level of the offense under division 449  
(A) (3) of this section or section 2929.31 of the Revised Code, 450  
the court may impose a fine for the offense in addition to the 451  
mandatory fine and the fine imposed under division (B) (4) of 452  
this section. The sum total of the amounts of the mandatory 453  
fine, the fine imposed under division (B) (4) of this section, 454  
and the additional fine imposed under division (B) (6) of this 455  
section shall not exceed the maximum statutory fine amount 456  
authorized for the level of the offense under division (A) (3) of 457  
this section or section 2929.31 of the Revised Code. The clerk 458  
of the court shall pay any fine that is imposed under division 459

(B) (6) of this section to the county, township, municipal corporation, park district as created pursuant to section 511.18 or 1545.04 of the Revised Code, or state law enforcement agencies in this state that primarily were responsible for or involved in making the arrest of, and in prosecuting, the offender pursuant to division (F) of section 2925.03 of the Revised Code.

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

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

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

(ii) The value of the victim's labor as guaranteed under 490  
the minimum wage and overtime provisions of the "Federal Fair 491  
Labor Standards Act of 1938," 52 Stat. 1060, 20 U.S.C. 207, and 492  
state labor laws. 493

(b) If a court imposing sentence upon an offender for a 494  
felony is required to impose upon the offender a financial 495  
sanction of restitution under division (B) (8) (a) of this 496  
section, in addition to that financial sanction of restitution, 497  
the court may sentence the offender to any other financial 498  
sanction or combination of financial sanctions authorized under 499  
this section, including a restitution sanction under division 500  
(A) (1) of this section. 501

(9) In addition to any other fine that is or may be 502  
imposed under this section, the court imposing sentence upon an 503  
offender for a felony that is a sexually oriented offense or a 504  
child-victim oriented offense, as those terms are defined in 505  
section 2950.01 of the Revised Code, may impose a fine of not 506  
less than fifty nor more than five hundred dollars. 507

(10) For a felony violation of division (A) of section 508  
2921.321 of the Revised Code that results in the death of the 509  
search and rescue dog or horse or police dog or horse that is 510  
the subject of the violation, the sentencing court shall impose 511  
upon the offender a mandatory fine from the range of fines 512  
provided under division (A) (3) of this section for a felony of 513  
the third degree. A mandatory fine imposed upon an offender 514  
under division (B) (10) of this section shall be paid to the law 515  
enforcement agency, volunteer unit, or first responder that was 516  
served by the police dog or horse that was killed in the felony 517  
violation of division (A) of section 2921.321 of the Revised 518  
Code to be used as provided in division (E) (1) (b) of that 519

|  |  |
|--|--|
| section.   | 520  |
| (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 hundred dollars, which shall be transmitted to the treasurer of state to be credited to the address confidentiality program fund created by section 111.48 of the Revised Code:   | 521<br>522<br>523<br>524<br>525<br>526<br>527        |
| (a) Domestic violence;   | 528  |
| (b) Menacing by stalking;  | 529  |
| (c) Rape;  | 530  |
| (d) Sexual battery;  | 531  |
| (e) Trafficking in persons;  | 532  |
| (f) A violation of section 2905.01, 2905.02, 2907.21, 2907.22, or 2923.32, division (A) (1) or (2) of section 2907.323, or division (B) (1), (2), (3), (4), or (5) of section 2919.22 of the Revised Code, if the offender also is convicted of a specification of the type described in section 2941.1422 of the Revised Code that charges that the offender knowingly committed the offense in furtherance of human trafficking.   | 533<br>534<br>535<br>536<br>537<br>538<br>539        |
| (C) (1) Except as provided in section 2951.021 of the Revised Code, the offender shall pay reimbursements imposed upon the offender pursuant to division (A) (5) (a) of this section to pay the costs incurred by a county pursuant to any sanction imposed under this section or section 2929.16 or 2929.17 of the Revised Code or in operating a facility used to confine offenders pursuant to a sanction imposed under section 2929.16 of the Revised Code to the county treasurer. The county | 540<br>541<br>542<br>543<br>544<br>545<br>546<br>547 |

treasurer shall deposit the reimbursements in the sanction cost 548  
reimbursement fund that each board of county commissioners shall 549  
create in its county treasury. The county shall use the amounts 550  
deposited in the fund to pay the costs incurred by the county 551  
pursuant to any sanction imposed under this section or section 552  
2929.16 or 2929.17 of the Revised Code or in operating a 553  
facility used to confine offenders pursuant to a sanction 554  
imposed under section 2929.16 of the Revised Code. 555

(2) Except as provided in section 2951.021 of the Revised 556  
Code, the offender shall pay reimbursements imposed upon the 557  
offender pursuant to division (A) (5) (a) of this section to pay 558  
the costs incurred by a municipal corporation pursuant to any 559  
sanction imposed under this section or section 2929.16 or 560  
2929.17 of the Revised Code or in operating a facility used to 561  
confine offenders pursuant to a sanction imposed under section 562  
2929.16 of the Revised Code to the treasurer of the municipal 563  
corporation. The treasurer shall deposit the reimbursements in a 564  
special fund that shall be established in the treasury of each 565  
municipal corporation. The municipal corporation shall use the 566  
amounts deposited in the fund to pay the costs incurred by the 567  
municipal corporation pursuant to any sanction imposed under 568  
this section or section 2929.16 or 2929.17 of the Revised Code 569  
or in operating a facility used to confine offenders pursuant to 570  
a sanction imposed under section 2929.16 of the Revised Code. 571

(3) Except as provided in section 2951.021 of the Revised 572  
Code, the offender shall pay reimbursements imposed pursuant to 573  
division (A) (5) (a) of this section for the costs incurred by a 574  
private provider pursuant to a sanction imposed under this 575  
section or section 2929.16 or 2929.17 of the Revised Code to the 576  
provider. 577

(D) Except as otherwise provided in this division, a 578  
financial sanction imposed pursuant to division (A) or (B) of 579  
this section is a judgment in favor of the state or a political 580  
subdivision in which the court that imposed the financial 581  
sanction is located, and the offender subject to the financial 582  
sanction is the judgment debtor. A financial sanction of 583  
reimbursement imposed pursuant to division (A)(5)(a)(ii) of this 584  
section upon an offender who is incarcerated in a state facility 585  
or a municipal jail is a judgment in favor of the state or the 586  
municipal corporation, and the offender subject to the financial 587  
sanction is the judgment debtor. A financial sanction of 588  
reimbursement imposed upon an offender pursuant to this section 589  
for costs incurred by a private provider of sanctions is a 590  
judgment in favor of the private provider, and the offender 591  
subject to the financial sanction is the judgment debtor. A 592  
financial sanction of a mandatory fine imposed under division 593  
(B)(10) of this section that is required under that division to 594  
be paid to a law enforcement agency, volunteer unit, or first 595  
responder is a judgment in favor of the specified law 596  
enforcement agency, volunteer unit, or first responder, and the 597  
offender subject to the financial sanction is the judgment 598  
debtor. A financial sanction of restitution imposed pursuant to 599  
division (A)(1) or (B)(8) of this section is an order in favor 600  
of the victim of the offender's criminal act that can be 601  
collected through a certificate of judgment as described in 602  
division (D)(1) of this section, through execution as described 603  
in division (D)(2) of this section, or through an order as 604  
described in division (D)(3) of this section, and the offender 605  
shall be considered for purposes of the collection as the 606  
judgment debtor. Imposition of a financial sanction and 607  
execution on the judgment does not preclude any other power of 608  
the court to impose or enforce sanctions on the offender. Once 609

the financial sanction is imposed as a judgment or order under 610  
this division, the victim, private provider, state, or political 611  
subdivision may do any of the following: 612

(1) Obtain from the clerk of the court in which the 613  
judgment was entered a certificate of judgment that shall be in 614  
the same manner and form as a certificate of judgment issued in 615  
a civil action; 616

(2) Obtain execution of the judgment or order through any 617  
available procedure, including: 618

(a) An execution against the property of the judgment 619  
debtor under Chapter 2329. of the Revised Code; 620

(b) An execution against the person of the judgment debtor 621  
under Chapter 2331. of the Revised Code; 622

(c) A proceeding in aid of execution under Chapter 2333. 623  
of the Revised Code, including: 624

(i) A proceeding for the examination of the judgment 625  
debtor under sections 2333.09 to 2333.12 and sections 2333.15 to 626  
2333.27 of the Revised Code; 627

(ii) A proceeding for attachment of the person of the 628  
judgment debtor under section 2333.28 of the Revised Code; 629

(iii) A creditor's suit under section 2333.01 of the 630  
Revised Code. 631

(d) The attachment of the property of the judgment debtor 632  
under Chapter 2715. of the Revised Code; 633

(e) The garnishment of the property of the judgment debtor 634  
under Chapter 2716. of the Revised Code. 635

(3) Obtain an order for the assignment of wages of the 636

judgment debtor under section 1321.33 of the Revised Code. 637

(E) A court that imposes a financial sanction upon an 638  
offender may hold a hearing if necessary to determine whether 639  
the offender is able to pay the sanction or is likely in the 640  
future to be able to pay it. 641

(F) Each court imposing a financial sanction upon an 642  
offender under this section or under section 2929.32 of the 643  
Revised Code may designate the clerk of the court or another 644  
person to collect the financial sanction. The clerk or other 645  
person authorized by law or the court to collect the financial 646  
sanction may enter into contracts with one or more public 647  
agencies or private vendors for the collection of, amounts due 648  
under the financial sanction imposed pursuant to this section or 649  
section 2929.32 of the Revised Code. Before entering into a 650  
contract for the collection of amounts due from an offender 651  
pursuant to any financial sanction imposed pursuant to this 652  
section or section 2929.32 of the Revised Code, a court shall 653  
comply with sections 307.86 to 307.92 of the Revised Code. 654

(G) If a court that imposes a financial sanction under 655  
division (A) or (B) of this section finds that an offender 656  
satisfactorily has completed all other sanctions imposed upon 657  
the offender and that all restitution that has been ordered has 658  
been paid as ordered, the court may suspend any financial 659  
sanctions imposed pursuant to this section or section 2929.32 of 660  
the Revised Code that have not been paid. 661

(H) No financial sanction imposed under this section or 662  
section 2929.32 of the Revised Code shall preclude a victim from 663  
bringing a civil action against the offender. 664

**Section 2.** That existing sections 2921.321 and 2929.18 of 665

the Revised Code are hereby repealed. 666

**Section 3.** Section 2929.18 of the Revised Code is 667  
presented in this act as a composite of the section as amended 668  
by both Sub. H.B. 60 and Sub. H.B. 359 of the 131st General 669  
Assembly. The General Assembly, applying the principle stated in 670  
division (B) of section 1.52 of the Revised Code that amendments 671  
are to be harmonized if reasonably capable of simultaneous 672  
operation, finds that the composite is the resulting version of 673  
the section in effect prior to the effective date of the section 674  
as presented in this act. 675