

As Introduced

132nd General Assembly

Regular Session

2017-2018

H. B. No. 352

Representatives Rezabek, Huffman

A BILL

To amend sections 109.73, 955.11, 955.12, 955.22, 1
955.222, 955.44, 955.54, and 955.99 and to enact 2
sections 955.13, 955.223, 955.224, 955.225, and 3
955.60 of the Revised Code to revise provisions 4
of the Dogs Law governing nuisance, dangerous, 5
and vicious dogs, to revise enforcement of that 6
Law, and to establish a notification process 7
regarding complaints of certain violations of 8
that Law. 9

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

Section 1. That sections 109.73, 955.11, 955.12, 955.22, 10
955.222, 955.44, 955.54, and 955.99 be amended and sections 11
955.13, 955.223, 955.224, 955.225, and 955.60 of the Revised 12
Code be enacted to read as follows: 13

Sec. 109.73. (A) The Ohio peace officer training 14
commission shall recommend rules to the attorney general with 15
respect to all of the following: 16

(1) The approval, or revocation of approval, of peace 17
officer training schools administered by the state, counties, 18
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	49

neglect cases, and training in handling violations of section 50
2905.32 of the Revised Code, and the time within which such 51
basic training shall be completed following appointment on other 52
than a permanent basis; 53

(6) Categories or classifications of advanced in-service 54
training programs for peace officers, including programs in the 55
handling of the offense of domestic violence, other types of 56
domestic violence-related offenses and incidents, and protection 57
orders and consent agreements issued or approved under section 58
2919.26 or 3113.31 of the Revised Code, in crisis intervention, 59
and in the handling of missing children and child abuse and 60
neglect cases, and in handling violations of section 2905.32 of 61
the Revised Code, and minimum courses of study and attendance 62
requirements with respect to such categories or classifications; 63

(7) Permitting persons, who are employed as members of a 64
campus police department appointed under section 1713.50 of the 65
Revised Code; who are employed as police officers by a qualified 66
nonprofit corporation police department pursuant to section 67
1702.80 of the Revised Code; who are appointed and commissioned 68
as bank, savings and loan association, savings bank, credit 69
union, or association of banks, savings and loan associations, 70
savings banks, or credit unions police officers, as railroad 71
police officers, or as hospital police officers pursuant to 72
sections 4973.17 to 4973.22 of the Revised Code; or who are 73
appointed and commissioned as amusement park police officers 74
pursuant to section 4973.17 of the Revised Code, to attend 75
approved peace officer training schools, including the Ohio 76
peace officer training academy, and to receive certificates of 77
satisfactory completion of basic training programs, if the 78
private college or university that established the campus police 79
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 agents 110
of a county humane society under section 1717.06 of the Revised 111
Code, including, without limitation, a requirement that the 112
agents receive instruction on traditional animal husbandry 113
methods and training techniques, including customary owner- 114
performed practices; 115

(13) Establishing requirements for the training of dog 116
wardens and deputies for the purposes of division (E) of section 117
955.12 of the Revised Code that include forty-two hours of 118
initial training and ten hours of continuing education within a 119
time period established by the commission. 120

(B) The commission shall appoint an executive director, 121
with the approval of the attorney general, who shall hold office 122
during the pleasure of the commission. The executive director 123
shall perform such duties assigned by the commission. The 124
executive director shall receive a salary fixed pursuant to 125
Chapter 124. of the Revised Code and reimbursement for expenses 126
within the amounts available by appropriation. The executive 127
director may appoint officers, employees, agents, and 128
consultants as the executive director considers necessary, 129
prescribe their duties, and provide for reimbursement of their 130
expenses within the amounts available for reimbursement by 131
appropriation and with the approval of the commission. 132

(C) The commission may do all of the following: 133

(1) Recommend studies, surveys, and reports to be made by 134
the executive director regarding the carrying out of the 135
objectives and purposes of sections 109.71 to 109.77 of the 136
Revised Code; 137

(2) Visit and inspect any peace officer training school 138

that has been approved by the executive director or for which	139
application for approval has been made;	140
(3) Make recommendations, from time to time, to the	141
executive director, the attorney general, and the general	142
assembly regarding the carrying out of the purposes of sections	143
109.71 to 109.77 of the Revised Code;	144
(4) Report to the attorney general from time to time, and	145
to the governor and the general assembly at least annually,	146
concerning the activities of the commission;	147
(5) Establish fees for the services the commission offers	148
under sections 109.71 to 109.79 of the Revised Code, including,	149
but not limited to, fees for training, certification, and	150
testing;	151
(6) Perform such other acts as are necessary or	152
appropriate to carry out the powers and duties of the commission	153
as set forth in sections 109.71 to 109.77 of the Revised Code.	154
(D) In establishing the requirements, under division (A)	155
(12) of this section, the commission may consider any portions	156
of the curriculum for instruction on the topic of animal	157
husbandry practices, if any, of the Ohio state university	158
college of veterinary medicine. No person or entity that fails	159
to provide instruction on traditional animal husbandry methods	160
and training techniques, including customary owner-performed	161
practices, shall qualify to train a humane agent for appointment	162
under section 1717.06 of the Revised Code.	163
Sec. 955.11. (A)As used in this section <u>chapter</u>:	164
<u>(A) (1) (a) "Vicious dog" means a dog that has done any of</u>	165
<u>the following:</u>	166

<u>(a) Caused serious injury or death to any person;</u>	167
<u>(b) Caused injury to any person after being designated a dangerous dog in accordance with section 955.222 of the Revised Code;</u>	168 169 170
<u>(c) Caused serious injury or death to another dog after being designated a dangerous dog in accordance with section 955.222 of the Revised Code, including death by euthanasia when recommended by a veterinarian, registered veterinary technician, or county dog warden after evaluation of the dog's injuries.</u>	171 172 173 174 175
<u>(2) "Vicious dog" does not include any of the following:</u>	176
<u>(a) A police dog that has caused injury, serious injury, or death to any person or dog while the police dog is being used to assist one or more law enforcement officers in the performance of their official duties;</u>	177 178 179 180
<u>(b) A dog that has injured, seriously injured, or killed any person or dog while a person was committing or attempting to commit a trespass or other criminal offense on the property of the owner, keeper, or harborer of the dog;</u>	181 182 183 184
<u>(c) A dog that is kept or harbored on a farm that has injured, seriously injured, or killed another dog that has either come onto the property of the farm or disrupted the duties of the farm dog.</u>	185 186 187 188
<u>(B) (1) "Dangerous dog" means a dog that, without provocation, and subject to division (A) (1) (b) of this section, has done any of the following:</u>	189 190 191
<u>(i) (a) Caused injury, other than killing or serious injury, to any person;</u>	192 193
<u>(ii) Killed another dog;</u>	194

~~(iii)-(b)~~ Caused injury, serious injury, or death to another dog, including death by euthanasia when recommended by a veterinarian, registered veterinary technician, or county dog warden after evaluation of the dog's injuries; 195
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(c) Been the subject of a third or subsequent violation of division ~~(C)-(B)~~ of section 955.22 of the Revised Code. 199
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~~(b)-(2)~~ "Dangerous dog" does not include a any of the following: 201
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(a) A police dog that has caused injury, other than killing or serious injury, or death to any person or has killed another dog while the police dog is being used to assist one or more law enforcement officers in the performance of their official duties; 203
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(b) A dog that has caused injury to any person while a person was committing or attempting to commit a trespass or other criminal offense on the property of the owner, keeper, or harbinger of the dog; 208
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(c) A dog that is kept or harbored on a farm that has injured, seriously injured, or killed another dog that has either come onto the property of the farm or disrupted the duties of the farm dog. 212
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~~(2)~~ "Menacing fashion" means that a dog would cause any person being chased or approached to reasonably believe that the dog will cause physical injury to that person. 216
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~~(3)~~ (a) Subject to division (A) (3) (b) of this section, "nuisance (C) (1) "Nuisance dog" means a dog that without provocation and while off the premises of its owner, keeper, or harbinger has chased or approached a person in either a menacing fashion or an apparent attitude of attack or has attempted to 219
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bite or otherwise endanger any person.	224
(b) <u>(2)</u> "Nuisance dog" does not include a police dog that	225
while being used to assist one or more law enforcement officers	226
in the performance of <u>their</u> official duties has chased or	227
approached a person in either a menacing fashion or an apparent	228
attitude of attack or has attempted to bite or otherwise	229
endanger any person.	230
(4) <u>(D)</u> "Menacing fashion" means that a dog would cause	231
<u>any person being chased or approached to reasonably believe that</u>	232
<u>the dog will cause physical injury to that person.</u>	233
<u>(E)</u> "Police dog" means a dog that has been trained, and	234
may be used, to assist one or more law enforcement officers in	235
the performance of their official duties.	236
(5) <u>(F)</u> "Serious injury" means any of the following:	237
(a) <u>(1)</u> Any physical harm that carries a substantial risk	238
of death;	239
(b) <u>(2)</u> Any physical harm that involves a permanent	240
incapacity, whether partial or total, or a temporary,	241
substantial incapacity;	242
(c) <u>(3)</u> Any physical harm that involves a permanent	243
disfigurement or a temporary, serious disfigurement;	244
(d) <u>(4)</u> Any physical harm that involves acute pain of a	245
duration that results in substantial suffering or any degree of	246
prolonged or intractable pain.	247
(6) (a) "Vicious dog" means a dog that, without provocation	248
and subject to division (A) (6) (b) of this section, has killed or	249
caused serious injury to any person.	250

~~(b) "Vicious dog" does not include either of the following:~~ 251
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~~(i) A police dog that has killed or caused serious injury to any person while the police dog is being used to assist one or more law enforcement officers in the performance of their official duties;~~ 253
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~~(ii) A dog that has killed or caused serious injury to any person while a person was committing or attempting to commit a trespass or other criminal offense on the property of the owner, keeper, or harbinger of the dog.~~ 257
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~~(7) "Without provocation" means that a dog was not teased, tormented, or abused by a person, or that the dog was not coming to the aid or the defense of a person who was not engaged in illegal or criminal activity and who was not using the dog as a means of carrying out such activity.~~ 261
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~~(B) Upon the transfer of ownership of any dog, the seller of the dog shall give the buyer a transfer of ownership certificate that shall be signed by the seller. The certificate shall contain the registration number of the dog, the name of the seller, and a brief description of the dog. Blank forms of the certificate may be obtained from the county auditor. A transfer of ownership shall be recorded by the auditor upon presentation of a transfer of ownership certificate that is signed by the former owner of a dog and that is accompanied by a fee of five dollars.~~ 266
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~~(C) Prior to the transfer of ownership or possession of any dog, upon the buyer's or other transferee's request, the seller or other transferor of the dog shall give to the person a written notice relative to the behavior and propensities of the~~ 276
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dog.	280
(D) Within ten days after the transfer of ownership or	281
possession of any dog, if the seller or other transferor of the	282
dog has knowledge that the dog is a dangerous dog, the seller or	283
other transferor shall give to the buyer or other transferee,	284
the board of health for the district in which the buyer or other	285
transferee resides, and the dog warden of the county in which	286
the buyer or other transferee resides, a completed copy of a	287
written form on which the seller shall furnish the following	288
information:	289
(1) The name and address of the buyer or other transferee	290
of the dog;	291
(2) The age, sex, color, breed, and current registration	292
number of the dog.	293
In addition, the seller shall answer the following	294
questions, which shall be specifically stated on the form as	295
follows:	296
"Has the dog ever chased or attempted to attack or bite a	297
person? If yes, describe the incident(s) in which the behavior	298
occurred."	299
"Has the dog ever bitten a person? If yes, describe the	300
incident(s) in which the behavior occurred."	301
"Has the dog ever seriously injured or killed a person? If	302
yes, describe the incident(s) in which the behavior occurred."	303
The dog warden of the county in which the seller resides	304
shall furnish the form to the seller at no cost.	305
(E) No seller or other transferor of a dog shall fail to	306
comply with the applicable requirements of divisions (B) to (D)	307

~~of this section.~~ 308

Sec. 955.12. (A) Except as provided in section 955.121 of Revised Code, a board of county commissioners shall appoint or employ a county dog warden and deputies in such number, for such periods of time, and at such compensation as the board considers necessary to enforce sections 955.01 to 955.27~~and~~, 955.50 to ~~955.53~~955.54, and 955.60 of the Revised Code. 309
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The warden and deputies shall give bond in a sum not less than five hundred dollars and not more than two thousand dollars, as set by the board, conditioned for the faithful performance of their duties. The bond or bonds may, in the discretion of the board, be individual or blanket bonds. The bonds shall be filed with the county auditor of their respective counties. 315
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(B) The warden and deputies shall make a record of all dogs owned, kept, and harbored in their respective counties. They shall patrol their respective counties and seize and impound on sight all dogs found running at large and all dogs more than three months of age found not wearing a valid registration tag, except any dog that wears a valid registration tag and is: on the premises of its owner, keeper, or harborer, under the reasonable control of its owner or some other person, hunting with its owner or its handler at a field trial, kept constantly confined in a dog kennel registered under this chapter or one licensed under Chapter 956. of the Revised Code, or acquired by, and confined on the premises of, an institution or organization of the type described in section 955.16 of the Revised Code. A dog that wears a valid registration tag may be seized on the premises of its owner, keeper, or harborer and impounded only in the event of a natural disaster. 322
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(C) If a dog warden has reason to believe that a dog is 338
being treated inhumanely on the premises of its owner, keeper, 339
or harborer, the warden shall apply to the court of common pleas 340
for the county in which the premises are located for an order to 341
enter the premises, and if necessary, seize the dog. If the 342
court finds probable cause to believe that the dog is being 343
treated inhumanely, it shall issue such an order. 344

(D) The warden and deputies shall also make weekly 345
reports, in writing, to the board in their respective counties 346
of all dogs seized, impounded, redeemed, and destroyed. 347

(E) The wardens and deputies shall have the same police 348
powers, including the authority to make arrests, as are 349
conferred upon sheriffs and police officers in the performance 350
of their duties as prescribed by sections 955.01 to 955.27 ~~and~~ 351
955.50 to ~~955.53~~ 955.54, and 955.60 of the Revised Code. They 352
shall also have power to summon the assistance of bystanders in 353
performing their duties and may serve writs and other legal 354
processes issued by any court in their respective counties with 355
reference to enforcing those sections. County auditors may 356
deputize the wardens or deputies to issue dog licenses as 357
provided in sections 955.01 and 955.14 of the Revised Code. 358

(F) Whenever any person files an affidavit in a court of 359
competent jurisdiction that there is a dog running at large that 360
is not kept constantly confined either in a dog kennel 361
registered under this chapter or one licensed under Chapter 956. 362
of the Revised Code or on the premises of an institution or 363
organization of the type described in section 955.16 of the 364
Revised Code or that a dog is kept or harbored in the warden's 365
jurisdiction without being registered as required by law, the 366
court shall immediately order the warden to seize and impound 367

the dog. Thereupon the warden shall immediately seize and 368
impound the dog complained of. The warden shall give immediate 369
notice by certified mail to the owner, keeper, or harbinger of 370
the dog seized and impounded by the warden, if the owner, 371
keeper, or harbinger can be determined from the current year's 372
registration list maintained by the warden and the county 373
auditor of the county where the dog is registered, that the dog 374
has been impounded and that, unless the dog is redeemed within 375
fourteen days of the date of the notice, it may thereafter be 376
sold or destroyed according to law. If the owner, keeper, or 377
harbinger cannot be determined from the current year's 378
registration list maintained by the warden and the county 379
auditor of the county where the dog is registered, the officer 380
shall post a notice in the pound or animal shelter both 381
describing the dog and place where seized and advising the 382
unknown owner that, unless the dog is redeemed within three 383
days, it may thereafter be sold or destroyed according to law. 384

Sec. 955.13. (A) Upon the transfer of ownership of any 385
dog, the seller of the dog shall give the buyer a transfer of 386
ownership certificate signed by the seller. The seller shall 387
include on the certificate the registration number of the dog, 388
the name of the seller, and a brief description of the dog. The 389
county auditor shall provide blank forms of the certificate upon 390
request. The county auditor shall record a transfer of ownership 391
upon presentation of a transfer of ownership certificate that is 392
signed by the former owner of a dog and that is accompanied by a 393
fee of five dollars. 394

(B) Prior to the transfer of ownership or possession of a 395
dog, upon the buyer's or other transferee's request, the seller 396
or other transferor of the dog shall give to the person a 397
written notice relative to the behavior and propensities of the 398

dog. 399

(C) Not later than ten days after the transfer of 400
ownership or possession of any dog, if the seller or other 401
transferor of the dog has knowledge that the dog is a dangerous 402
dog, the seller or other transferor shall give to the buyer or 403
other transferee, the board of health of the health district in 404
which the buyer or other transferee resides, and the dog warden 405
of the county in which the buyer or other transferee resides a 406
completed copy of a written form on which the seller shall 407
furnish the following information: 408

(1) The name and address of the buyer or other transferee 409
of the dog; 410

(2) The age, sex, color, breed, and current registration 411
number of the dog. 412

In addition, the seller shall answer the following 413
questions that shall be specifically stated on the form as 414
follows: 415

"Has the dog ever chased or attempted to attack or bite a 416
person? If yes, describe the incident(s) in which the behavior 417
occurred." 418

"Has the dog ever bitten a person? If yes, describe the 419
incident(s) in which the behavior occurred." 420

"Has the dog ever seriously injured or killed a person? If 421
yes, describe the incident(s) in which the behavior occurred." 422

The dog warden of the county in which the seller resides 423
shall furnish the form to the seller at no cost. 424

(D) No seller or other transferor of a dog shall fail to 425
comply with the applicable requirements of this section. 426

Sec. 955.22. (A) ~~As used in this section, "dangerous dog" has the same meaning as in section 955.11 of the Revised Code.~~ 427
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~~(B)~~ No owner, keeper, or harborer of any female dog shall 429
permit ~~it~~ the dog to go beyond the premises of the owner, 430
keeper, or harborer at any time the dog is in heat unless the 431
dog is properly in leash. 432

~~(C)~~ (B) Except when a dog is lawfully engaged in hunting 433
and accompanied by the owner, keeper, harborer, or handler of 434
the dog, no owner, keeper, or harborer of any dog shall fail at 435
any time to do either of the following: 436

(1) Keep the dog physically confined or restrained upon 437
the premises of the owner, keeper, or harborer by a leash, 438
tether, adequate fence, supervision, or secure enclosure to 439
prevent escape; 440

(2) Keep the dog under the reasonable control of some 441
person. 442

~~(D)~~ ~~Except when a dangerous dog is lawfully engaged in~~ 443
~~hunting or training for the purpose of hunting and is~~ 444
~~accompanied by the owner, keeper, harborer, or handler of the~~ 445
~~dog, no owner, keeper, or harborer of a dangerous dog shall fail~~ 446
~~to do either of the following:~~ 447

~~(1)~~ ~~While that dog is on the premises of the owner,~~ 448
~~keeper, or harborer, securely confine it at all times in a~~ 449
~~locked pen that has a top, locked fenced yard, or other locked~~ 450
~~enclosure that has a top;~~ 451

~~(2)~~ ~~While that dog is off the premises of the owner,~~ 452
~~keeper, or harborer, keep that dog on a chain link leash or~~ 453
~~tether that is not more than six feet in length and additionally~~ 454
~~do at least one of the following:~~ 455

- ~~(a) Keep that dog in a locked pen that has a top, locked-fenced yard, or other locked enclosure that has a top;~~ 456
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- ~~(b) Have the leash or tether controlled by a person who is of suitable age and discretion or securely attach, tie, or affix the leash or tether to the ground or a stationary object or fixture so that the dog is adequately restrained and station such a person in close enough proximity to that dog so as to prevent it from causing injury to any person;~~ 458
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- ~~(c) Muzzle that dog.~~ 464
- ~~(E) No person who has been convicted of or pleaded guilty to three or more violations of division (C) of this section involving the same dog and no owner, keeper, or harbinger of a dangerous dog shall fail to do the following:~~ 465
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- ~~(1) Obtain liability insurance with an insurer authorized to write liability insurance in this state providing coverage in each occurrence because of damage or bodily injury to or death of a person caused by the dangerous dog if so ordered by a court and provide proof of that liability insurance upon request to any law enforcement officer, county dog warden, or public health official charged with enforcing this section;~~ 469
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- ~~(2) Obtain a dangerous dog registration certificate from the county auditor pursuant to division (I) of this section, affix a tag that identifies the dog as a dangerous dog to the dog's collar, and ensure that the dog wears the collar and tag at all times;~~ 476
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- ~~(3) Notify the local dog warden immediately if any of the following occurs:~~ 481
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- ~~(a) The dog is loose or unconfined.~~ 483

~~(b) The dog bites a person, unless the dog is on the property of the owner of the dog, and the person who is bitten is unlawfully trespassing or committing a criminal act within the boundaries of that property.~~ 484
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~~(c) The dog attacks another animal while the dog is off the property of the owner of the dog.~~ 488
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~~(4) If the dog is sold, given to another person, or dies, notify the county auditor within ten days of the sale, transfer, or death.~~ 490
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~~(F) No person shall do any of the following:~~ 493

~~(1) Debark or surgically silence a dog that the person knows or has reason to believe is a dangerous dog;~~ 494
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~~(2) Possess a dangerous dog if the person knows or has reason to believe that the dog has been debarked or surgically silenced;~~ 496
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~~(3) Falsely attest on a waiver form provided by the veterinarian under division (G) of this section that the person's dog is not a dangerous dog or otherwise provide false information on that written waiver form.~~ 499
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~~(G) Before a veterinarian debarks or surgically silences a dog, the veterinarian may give the owner of the dog a written waiver form that attests that the dog is not a dangerous dog. The written waiver form shall include all of the following:~~ 503
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~~(1) The veterinarian's license number and current business address;~~ 507
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~~(2) The number of the license of the dog if the dog is licensed;~~ 509
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- ~~(3) A reasonable description of the age, coloring, and gender of the dog as well as any notable markings on the dog;~~ 511
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- ~~(4) The signature of the owner of the dog attesting that the owner's dog is not a dangerous dog;~~ 513
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- ~~(5) A statement that division (F) of section 955.22 of the Revised Code prohibits any person from doing any of the following:~~ 515
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- ~~(a) Debarking or surgically silencing a dog that the person knows or has reason to believe is a dangerous dog;~~ 518
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- ~~(b) Possessing a dangerous dog if the person knows or has reason to believe that the dog has been debarked or surgically silenced;~~ 520
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- ~~(c) Falsely attesting on a waiver form provided by the veterinarian under division (G) of section 955.22 of the Revised Code that the person's dog is not a dangerous dog or otherwise provide false information on that written waiver form.~~ 523
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- ~~(H) It is an affirmative defense to a charge of a violation of division (F) of this section that the veterinarian who is charged with the violation obtained, prior to debarking or surgically silencing the dog, a written waiver form that complies with division (G) of this section and that attests that the dog is not a dangerous dog.~~ 527
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- ~~(I) (1) The county auditor shall issue a dangerous dog registration certificate to a person who is the owner of a dog, who is eighteen years of age or older, and who provides the following to the county auditor:~~ 533
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- ~~(a) A fee of fifty dollars;~~ 537
- ~~(b) The person's address, phone number, and other~~ 538

~~appropriate means for the local dog warden or county auditor to~~ 539
~~contact the person;~~ 540

~~(c) With respect to the person and the dog for which the~~ 541
~~registration is sought, all of the following:~~ 542

~~(i) Either satisfactory evidence of the dog's current~~ 543
~~rabies vaccination or a statement from a licensed veterinarian~~ 544
~~that a rabies vaccination is medically contraindicated for the~~ 545
~~dog;~~ 546

~~(ii) Either satisfactory evidence of the fact that the dog~~ 547
~~has been neutered or spayed or a statement from a licensed~~ 548
~~veterinarian that neutering or spaying of the dog is medically~~ 549
~~contraindicated;~~ 550

~~(iii) Satisfactory evidence of the fact that the person~~ 551
~~has posted and will continue to post clearly visible signs at~~ 552
~~the person's residence warning both minors and adults of the~~ 553
~~presence of a dangerous dog on the property;~~ 554

~~(iv) Satisfactory evidence of the fact that the dog has~~ 555
~~been permanently identified by means of a microchip and the~~ 556
~~dog's microchip number.~~ 557

~~(2) Upon the issuance of a dangerous dog registration~~ 558
~~certificate to the owner of a dog, the county auditor shall~~ 559
~~provide the owner with a uniformly designed tag that identifies~~ 560
~~the animal as a dangerous dog. The owner shall renew the~~ 561
~~certificate annually for the same fee and in the same manner as~~ 562
~~the initial certificate was obtained. If a certificate holder~~ 563
~~relocates to a new county, the certificate holder shall follow~~ 564
~~the procedure in division (I) (3) (b) of this section and, upon~~ 565
~~the expiration of the certificate issued in the original county,~~ 566
~~shall renew the certificate in the new county.~~ 567

~~(3) (a) If the owner of a dangerous dog for whom a registration certificate has previously been obtained relocates to a new address within the same county, the owner shall provide notice of the new address to the county auditor within ten days of relocating to the new address.~~ 568
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~~(b) If the owner of a dangerous dog for whom a registration certificate has previously been obtained relocates to a new address within another county, the owner shall do both of the following within ten days of relocating to the new address:~~ 573
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~~(i) Provide written notice of the new address and a copy of the original dangerous dog registration certificate to the county auditor of the new county;~~ 578
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~~(ii) Provide written notice of the new address to the county auditor of the county where the owner previously resided.~~ 581
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~~(4) The owner of a dangerous dog shall present the dangerous dog registration certificate upon being requested to do so by any law enforcement officer, dog warden, or public health official charged with enforcing this section.~~ 583
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~~(5) The fees collected pursuant to this division shall be deposited in the dog and kennel fund of the county.~~ 587
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(C) In a prosecution for a violation of division (B) of this section in connection with a dog that has caused injury or serious injury to or the death of a person or dog, any of the following may be asserted as an affirmative defense, as applicable: 589
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(1) The dog or the dog's offspring was willfully teased, tormented, or abused by a person. 594
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(2) The dog was coming to the aid or defense of a person 596
who was not engaged in illegal or criminal activity and who was 597
not using the dog as a means of carrying out such activity. 598

(3) The dog was responding to its own pain or injury. 599

(4) The person toward whom the dog's behavior was directed 600
was intervening between two or more animals engaged in 601
aggressive behavior or fighting. 602

(5) The dog caused injury or serious injury to a person or 603
killed a person while the person was committing or attempting to 604
commit a trespass or other criminal offense on the property of 605
the owner, keeper, or harborer of the dog. 606

Sec. 955.222. (A) The municipal court or county court that 607
has territorial jurisdiction over the ~~residence of the owner,~~ 608
~~keeper, or harborer of a dog~~ location where the alleged incident 609
occurred that gave rise to a designation under division (B) of 610
this section that a dog is a nuisance dog, dangerous dog, or 611
vicious dog shall conduct any hearing concerning the designation 612
of the dog as a nuisance dog, dangerous dog, or vicious dog. 613

(B) If a person who is authorized to enforce this chapter 614
has reasonable cause to believe that a dog in the person's 615
jurisdiction is a nuisance dog, dangerous dog, or vicious dog, 616
the person shall notify the owner, keeper, or harborer of that 617
dog, by certified mail or in person, of both of the following: 618

(1) That the person has designated the dog a nuisance dog, 619
dangerous dog, or vicious dog, as applicable; 620

(2) That the owner, keeper, or harborer of the dog may 621
request a hearing regarding the designation in accordance with 622
this section. The notice shall include instructions for filing a 623
request for a hearing ~~in the county in which the dog's owner,~~ 624

keeper, or harborer resides with the court with jurisdiction 625
over the location where the alleged incident occurred that gave 626
rise to the designation that the dog is a nuisance dog, 627
dangerous dog, or vicious dog. 628

Reasonable cause may be supported by one or more notarized 629
affidavits of a witness describing the incident or incidents in 630
which the witness saw the dog engage in behavior that warrants 631
designation of the dog as a nuisance dog, dangerous dog, or 632
vicious dog. 633

(C) If the owner, keeper, or harborer of the dog disagrees 634
with the designation of the dog as a nuisance dog, dangerous 635
dog, or vicious dog, ~~as applicable,~~ the owner, keeper, or 636
harborer, not later than ten days after receiving notification 637
of the designation, may request a hearing regarding the 638
determination. The request for a hearing shall be in writing and 639
shall be filed with the municipal court or county court that has 640
territorial jurisdiction over the ~~residence of the dog's owner,~~ 641
~~keeper, or harborer~~ alleged incident that gave rise to the 642
determination that the dog is a nuisance dog, dangerous dog, or 643
vicious dog. At the hearing, the person who designated the dog 644
as a nuisance dog, dangerous dog, or vicious dog has the burden 645
of proving, by clear and convincing evidence, that the dog is a 646
nuisance dog, dangerous dog, or vicious dog. 647

The owner, keeper, or harborer of the dog or the person 648
who designated the dog as a nuisance dog, dangerous dog, or 649
vicious dog may appeal the court's final determination as in any 650
other case filed in that court. 651

(D) A court, upon motion of an owner, keeper, or harborer 652
or an attorney representing the owner, keeper, or harborer, may 653
order that the dog designated as a nuisance dog, dangerous dog, 654

or vicious dog be held in the possession of the owner, keeper, 655
or harborer until the court makes a final determination under 656
this section or during the pendency of an appeal, as applicable. 657
Until the court makes a final determination and during the 658
pendency of any appeal, the dog shall be confined or restrained 659
in accordance with ~~the provisions of division (D) (A)~~ of section 660
~~955.22-955.223~~ of the Revised Code ~~that apply to dangerous dogs~~ 661
regardless of whether the dog has been designated as a vicious 662
dog or a nuisance dog rather than a dangerous dog. The owner, 663
keeper, or harborer of the dog ~~shall~~ is not ~~be~~ required to 664
comply with any other requirements established in the Revised 665
Code that concern a nuisance dog, dangerous dog, or vicious dog, ~~as applicable,~~ 666
until the court makes a final determination and 667
during the pendency of any appeal. 668

(E) It is an affirmative defense to the designation of a 669
dog as a nuisance dog, dangerous dog, or vicious dog if any of 670
the following apply: 671

(1) The dog or the dog's offspring was willfully teased, 672
tormented, or abused by a person. 673

(2) The dog was coming to the aid or defense of a person 674
who was not engaged in illegal or criminal activity and who was 675
not using the dog as a means of carrying out such activity. 676

(3) The dog was responding to its own pain or injury. 677

(4) The person toward whom the dog's behavior was directed 678
was intervening between two or more animals engaged in 679
aggressive behavior or fighting. 680

(5) The dog caused injury or serious injury to a person or 681
killed a person while the person was committing or attempting to 682
commit a trespass or other criminal offense on the property of 683

the owner, keeper, or harborer of the dog. 684

(F) (1) If a dog is finally determined under this section, 685
or on appeal as described in this section, to be a vicious dog 686
and the dog did not kill a person or another dog during the 687
incident that gave rise to that determination, ~~division (D) of~~ 688
~~section 955.11 and divisions (D) to (I) of section 955.22 of the~~ 689
~~Revised Code apply with respect to the dog and the owner,~~ 690
~~keeper, or harborer of the dog as if the dog were a dangerous-~~ 691
~~dog, and section 955.54 of the Revised Code applies with respect~~ 692
~~to the dog as if it were a dangerous dog, and the court shall~~ 693
~~issue an order that specifies that those provisions apply with~~ 694
~~respect to the dog and the owner, keeper, or harborer in that~~ 695
~~manner. As part of the order, the court shall require the owner,~~ 696
~~keeper, or harborer to obtain the liability insurance required~~ 697
~~under division (E) (1) of section 955.22 of the Revised Code in~~ 698
~~an amount described in division (H) (2) of section 955.99 of the~~ 699
~~Revised Code~~ the court may order the dog to be humanely 700
~~destroyed by a licensed veterinarian, the county dog warden, or~~ 701
~~the county humane society at the owner's expense.~~ 702

~~(F) As used in this section, "nuisance dog," "dangerous-~~ 703
~~dog," and "vicious dog" have the same meanings as in section-~~ 704
~~955.11 of the Revised Code.~~ 705

(2) If a dog is finally determined under this section, or 706
on appeal as described in this section, to be a vicious dog and 707
the dog killed a person or another dog during the incident that 708
gave rise to that determination, the court shall order the dog 709
to be humanely destroyed by a licensed veterinarian, the county 710
dog warden, or the county humane society at the owner's expense. 711

(3) If the court does not order a vicious dog to be 712
destroyed under division (F) (1) of this section, the court shall 713

issue an order that specifies that division (C) of section 714
955.13 and sections 955.223, 955.224, 955.225, and 955.54 of the 715
Revised Code apply with respect to the dog and to the owner, 716
keeper, or harborer of the dog as if the dog were a dangerous 717
dog. 718

Sec. 955.223. (A) Except when a dangerous dog is lawfully 719
engaged in hunting or training for the purpose of hunting and is 720
accompanied by the owner, keeper, harborer, or handler of the 721
dog, no owner, keeper, or harborer of a dangerous dog shall fail 722
to do either of the following: 723

(1) While the dog is on the premises of the owner, keeper, 724
or harborer, securely confine it at all times in a locked pen 725
that has a top, locked fenced yard, or other locked enclosure 726
that has a top; 727

(2) While the dog is off the premises of the owner, 728
keeper, or harborer, keep the dog on a chain-link leash or 729
tether that is not more than six feet in length and additionally 730
do at least one of the following: 731

(a) Keep the dog in a locked pen that has a top, locked 732
fenced yard, or other locked enclosure that has a top; 733

(b) Have the leash or tether controlled by a person who is 734
of suitable age and discretion and station such a person in 735
close enough proximity to the dog so as to prevent it from 736
causing injury to any person; 737

(c) Securely attach, tie, or affix the leash or tether to 738
the ground or a stationary object or fixture so that the dog is 739
adequately restrained; 740

(d) Muzzle the dog. 741

(B) No owner, keeper, or harbinger of a dangerous dog shall 742
fail to do any of the following: 743

(1) Obtain liability insurance with an insurer authorized, 744
approved, or otherwise eligible to write liability insurance in 745
this state providing at least one hundred thousand dollars of 746
coverage in each occurrence because of damage or bodily injury 747
to or death of a person caused by the dangerous dog if so 748
ordered by a court and provide proof of that liability insurance 749
upon request to any law enforcement officer, county dog warden, 750
or public health official authorized to enforce this chapter; 751

(2) Obtain a dangerous dog registration certificate from 752
the county dog warden pursuant to section 955.224 of the Revised 753
Code, affix a tag that identifies the dog as a dangerous dog to 754
the dog's collar, and ensure that the dog wears the collar and 755
tag at all times; 756

(3) Notify the county dog warden immediately if any of the 757
following occurs: 758

(a) The dog is loose or unconfined. 759

(b) The dog bites a person unless the dog is on the 760
property of the owner of the dog and the person who is bitten is 761
unlawfully trespassing or committing a criminal act within the 762
boundaries of that property. 763

(c) The dog attacks another animal while the dog is off 764
the property of the owner of the dog. 765

(4) If the dog is sold, given to another person, or dies, 766
notify the county dog warden within ten days of the sale, 767
transfer, or death. 768

Sec. 955.224. (A) (1) Not later than thirty days after a 769

dog has been designated a dangerous dog under section 955.222 of 770
the Revised Code or a person acquires ownership of a dangerous 771
dog, the owner of the dog shall file an application for a 772
dangerous dog registration certificate in the office of the 773
county dog warden of the county in which the owner resides. The 774
owner shall renew the certificate annually by filing an 775
application on or after the first day of December, but not later 776
than the thirty-first day of January each year. 777

(2) If an application for a dangerous dog registration 778
certificate is not filed and the registration fee established in 779
this section paid by the applicable deadline established in 780
division (A) (1) of this section, the county dog warden shall 781
assess a penalty in an amount equal to the dangerous dog 782
registration fee. 783

(3) Registration of a dangerous dog required by this 784
section is in addition to the registration required by section 785
955.01 of the Revised Code. 786

(B) The county dog warden shall issue a dangerous dog 787
registration certificate to a person who is the owner of a dog, 788
who is eighteen years of age or older, and who provides the 789
following to the warden: 790

(1) A fee of fifty dollars for the initial registration 791
and annual renewal, or, if the initial registration period is 792
less than twelve months, a fee equal to a prorated amount as 793
determined by the county dog warden; 794

(2) The person's address, telephone number, and other 795
appropriate means for the county dog warden to contact the 796
person; 797

(3) With respect to the person and the dog for which the 798

registration is sought, all of the following: 799

(a) Either satisfactory evidence of the dog's current 800
rabies vaccination or a statement from a licensed veterinarian 801
that a rabies vaccination is medically contraindicated for the 802
dog; 803

(b) Either satisfactory evidence of the fact that the dog 804
has been neutered or spayed or a statement from a licensed 805
veterinarian that neutering or spaying of the dog is medically 806
contraindicated; 807

(c) Satisfactory evidence of the fact that the person has 808
posted and will continue to post clearly visible signs at the 809
person's residence warning both minors and adults of the 810
presence of a dangerous dog on the property; 811

(d) Satisfactory evidence of the fact that the dog has 812
been permanently identified by means of a microchip and the 813
dog's microchip number. 814

(C) Upon the issuance of a dangerous dog registration 815
certificate to the owner of a dog, the county dog warden shall 816
provide the owner with a uniformly designed tag that identifies 817
the animal as a dangerous dog. If a certificate holder relocates 818
to a new county, the certificate holder shall follow the 819
procedure established in division (D)(2) of this section and, 820
upon the expiration of the certificate issued in the original 821
county, shall renew the certificate in the new county. 822

(D) (1) If the owner of a dangerous dog for whom a 823
registration certificate has previously been obtained relocates 824
to a new address within the same county with the dangerous dog, 825
the owner shall provide notice of the new address to the county 826
dog warden within ten days of relocating to the new address. 827

(2) If the owner of a dangerous dog for whom a registration certificate has previously been obtained relocates to a new address within another county with the dangerous dog, the owner shall do both of the following within ten days of relocating to the new address: 828
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(a) Provide written notice of the new address and a copy of the original dangerous dog registration certificate to the county dog warden of the new county; 833
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(b) Provide written notice of the new address to the county dog warden of the county where the owner previously resided. 836
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(E) The owner of a dangerous dog shall present the dangerous dog registration certificate upon request by any law enforcement officer, dog warden, or public health official authorized to enforce this chapter. 839
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(F) The fees and penalties collected pursuant to this section shall be deposited in the dog and kennel fund of the applicable county. 843
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Sec. 955.225. (A) No person shall do any of the following: 846

(1) Debark or surgically silence a dog that the person knows or has reason to believe is a dangerous dog; 847
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(2) Possess a dangerous dog if the person knows or has reason to believe that the dog has been debarked or surgically silenced; 849
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(3) Falsely attest on a waiver form provided by a veterinarian under division (B) of this section that the person's dog is not a dangerous dog or otherwise provide false information on that written waiver form. 852
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(B) Before a veterinarian debarks or surgically silences a 856
dog, the veterinarian may give the owner of the dog a written 857
waiver form that attests that the dog is not a dangerous dog. 858
The written waiver form shall include all of the following: 859

(1) The veterinarian's license number and current business 860
address; 861

(2) The number of the dog's registration issued under 862
section 955.01 of the Revised Code if the dog is so registered; 863

(3) A reasonable description of the age, coloring, and 864
gender of the dog as well as any notable markings on the dog; 865

(4) The signature of the owner of the dog attesting that 866
the owner's dog is not a dangerous dog; 867

(5) A statement that division (A) of section 955.225 of 868
the Revised Code prohibits any person from doing any of the 869
following: 870

(a) Debarking or surgically silencing a dog that the 871
person knows or has reason to believe is a dangerous dog; 872

(b) Possessing a dangerous dog if the person knows or has 873
reason to believe that the dog has been debarked or surgically 874
silenced; 875

(c) Falsely attesting on a waiver form provided by a 876
veterinarian under division (B) of section 955.225 of the 877
Revised Code that the person's dog is not a dangerous dog or 878
otherwise providing false information on that written waiver 879
form. 880

(C) It is an affirmative defense to a charge of a 881
violation of division (A) of this section that the veterinarian 882
who is charged with the violation obtained, prior to debarking 883

or surgically silencing the dog, a written waiver form that 884
complies with division (B) of this section and that attests that 885
the dog is not a dangerous dog. 886

Sec. 955.44. All fines collected for violations of 887
sections ~~955.11~~ 955.13, 955.21, 955.22, 955.223, 955.224, 888
955.225, 955.23, 955.25, ~~and 955.261~~, and 955.60 of the Revised 889
Code shall be deposited in the county treasury to the credit of 890
the dog and kennel fund. 891

Sec. 955.54. (A) No person who is convicted of or pleads 892
guilty to a felony offense of violence committed on or after ~~the~~ 893
~~effective date of this section or May 22, 2012~~, a felony 894
violation of any provision of Chapter 959., 2923., or 2925. of 895
the Revised Code committed on or after ~~the effective date of~~ 896
~~this section~~ May 22, 2012, or a violation of division (B) of 897
section 2919.22 of the Revised Code committed on or after the 898
effective date of this amendment shall knowingly own, possess, 899
have custody of, or reside in a residence with either of the 900
following for a period of ~~three~~ five years commencing either 901
upon the date of release of the person from any period of 902
incarceration imposed for the offense or violation or, if the 903
person is not incarcerated for the offense or violation, upon 904
the date of the person's final release from the other sanctions 905
imposed for the offense or violation: 906

(1) An unspayed or unneutered dog older than twelve weeks 907
of age; 908

(2) Any dog that has been determined to be a dangerous dog 909
under ~~Chapter 955. of the Revised Code~~ this chapter. 910

(B) A person described in division (A) of this section 911
shall microchip for permanent identification any dog owned, 912

possessed by, or in the custody of the person. 913

(C) (1) Division (A) of this section does not apply to any 914
person who is confined in a correctional institution of the 915
department of rehabilitation and correction. 916

(2) Division (A) of this section does not apply to any 917
person with respect to any dog that the person owned, possessed, 918
had custody of, or resided in a residence with prior to ~~the~~ 919
effective date of this section May 22, 2012, or, with regard to 920
a violation of division (B) of section 2919.22 of the Revised 921
Code, prior to the effective date of this amendment. 922

Sec. 955.60. (A) Any person authorized to enforce this 923
chapter shall investigate any complaint that indicates a 924
possible violation of any provision of this chapter involving a 925
dog. 926

(B) If, after investigating an alleged violation of this 927
chapter under division (A) of this section, an authorized person 928
does not cite a person for or charge a person with a violation, 929
the authorized person shall notify, in accordance with division 930
(C) of this section, the owner, keeper, or harbinger of the dog 931
that there has been a complaint regarding the dog and that the 932
authorized person investigated a possible violation. The notice 933
shall specify all of the following: 934

(1) A citation to the applicable provision or provisions 935
of law at issue; 936

(2) Contact information for the authorized person; 937

(3) A requirement that the owner, keeper, or harbinger of 938
the dog respond to the authorized person indicating that the 939
owner, keeper, or harbinger has received the notice. 940

(C) The authorized person shall post the notice on the 941
door of the dwelling at which the dog resides within twenty-four 942
hours of the authorized person's investigation. The owner, 943
keeper, or harborer of the dog shall respond within forty-eight 944
hours to the authorized person via email, facsimile, telephone, 945
or social media correspondence, indicating that the owner, 946
keeper, or harborer has received the notice. If the owner, 947
keeper, or harborer of the dog responds within a reasonable time 948
after the forty-eight-hour period, the person is not subject to 949
division (D) (1) of this section, provided that the response is 950
accompanied with a reasonable explanation of why the forty- 951
eight-hour response deadline was not met. 952

(D) If the owner, keeper, or harborer of the dog does not 953
respond within: 954

(1) Forty-eight hours or does not respond within a 955
reasonable time after the notice is posted as provided in 956
division (C) of this section, the owner, keeper, or harborer of 957
the dog shall be fined twenty-five dollars. 958

(2) Ninety-six hours after the notice is posted, the 959
owner, keeper, or harborer of the dog shall be fined forty 960
dollars. 961

(3) Seven days after the notice is posted, a court may 962
issue a summons or warrant for the arrest of the owner, keeper, 963
or harborer of the dog. 964

(E) The fines collected under this section shall be 965
deposited in the dog and kennel fund of the applicable county. 966

Sec. 955.99. ~~(A) (1) Whoever violates division (E) (D) of~~ 967
~~section 955.11-955.13 of the Revised Code because of a failure~~ 968
~~to comply with division (B) of that section is guilty of a minor~~ 969

~~misdemeanor.~~ 970

~~(2) Whoever violates division (E) of section 955.11 of the Revised Code because of a failure to comply with division (C) or (D) of that section is guilty of a minor misdemeanor on a first offense and of a misdemeanor of the fourth degree on a first offense and a misdemeanor of the third degree on each subsequent offense.~~ 971
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(B) Whoever violates section 955.10, 955.23, 955.24, or 955.25 of the Revised Code is guilty of a minor misdemeanor. 977
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(C) Whoever violates section 955.261, 955.39, or 955.50 of the Revised Code is guilty of a minor misdemeanor on a first offense and of a misdemeanor of the fourth degree on each subsequent offense. 979
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(D) Whoever violates division (F) of section 955.16 or division (B) of section 955.43 of the Revised Code is guilty of a misdemeanor of the fourth degree. 983
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(E) (1) Whoever violates section 955.21 of the Revised Code, violates division ~~(B)~~ (A) of section 955.22 of the Revised Code, or commits a violation of division ~~(C)~~ (B) of section 955.22 of the Revised Code that involves a dog that is not a nuisance dog, dangerous dog, or vicious dog shall be fined not less than twenty-five dollars or more than one hundred dollars on a first offense, and on each subsequent offense shall be fined not less than seventy-five dollars or more than two hundred fifty dollars and may be imprisoned for not more than thirty days. 986
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(2) In addition to the penalties prescribed in division (E) (1) of this section, if the offender is guilty of a violation of division ~~(B)~~ (A) of section 955.22 of the Revised Code or a 996
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violation of division ~~(C)~~(B) of section 955.22 of the Revised Code that involves a dog that is not a nuisance dog, dangerous dog, or vicious dog, the court may order the offender to personally supervise the dog that the offender owns, keeps, or harbors, to cause that dog to complete dog obedience training, or to do both.

(F) (1) Whoever commits a violation of division ~~(C)~~(B) of section 955.22 of the Revised Code that involves a nuisance dog is guilty of a minor misdemeanor on the first offense and of a misdemeanor of the fourth degree on each subsequent offense involving the same dog. Upon a person being convicted of or pleading guilty to a third violation of division ~~(C)~~(B) of section 955.22 of the Revised Code involving the same dog, the court shall require the offender to register the involved dog as a dangerous dog.

(2) In addition to the penalties prescribed in division (F) (1) of this section, if a violation of division ~~(C)~~(B) of section 955.22 of the Revised Code involves a nuisance dog, the court may order the offender to personally supervise the nuisance dog that the offender owns, keeps, or harbors, to cause that dog to complete dog obedience training, or to do both.

(G) (1) Whoever commits a violation of division ~~(C)~~(B) of section 955.22 of the Revised Code that involves a dangerous dog or a violation of division ~~(D)~~(A) of ~~that~~ section 955.223 of the Revised Code is guilty of a misdemeanor of the fourth degree on a first offense and of a misdemeanor of the third degree on each subsequent offense. Additionally, the court may order the offender to personally supervise the dangerous dog that the offender owns, keeps, or harbors, to cause that dog to complete dog obedience training, or to do both, and the court may order

the offender to obtain liability insurance pursuant to division 1029
~~(E)~~ (B) of section ~~955.22~~ 955.223 of the Revised Code. The 1030
court, in the alternative, may order the dangerous dog to be 1031
humanely destroyed by a licensed veterinarian, the county dog 1032
warden, or the county humane society at the owner's expense. 1033
~~With~~ 1034

(2) With respect to a violation of division ~~(C)~~ (B) of 1035
section 955.22 of the Revised Code that involves a dangerous 1036
dog, until the court makes a final determination and during the 1037
pendency of any appeal of a violation of that division and at 1038
the discretion of the dog warden, the dog shall be confined or 1039
restrained in accordance with division ~~(D)~~ (A) of section ~~955.22~~ 1040
955.223 of the Revised Code or at the county dog pound at the 1041
owner's expense. 1042

(H) (1) ~~Whoever commits a~~ A violation of division ~~(C)~~ (B) 1043
of section 955.22 of the Revised Code ~~that involves a vicious~~ 1044
~~dog is guilty of one of the following:~~ 1045

(a) A felony of the ~~fourth~~ fifth degree if the dog kills 1046
or causes serious injury to a person. Additionally, if the dog 1047
kills a person, the court shall order that the vicious dog be 1048
humanely destroyed by a licensed veterinarian, the county dog 1049
warden, or the county humane society at the owner's expense. If 1050
the dog causes serious injury to a person, the court may order 1051
that the dog be humanely destroyed in such a manner. 1052

(b) A felony of the fourth degree if the dog kills or 1053
causes serious injury to a person and the person in violation 1054
has previously pleaded guilty to or been convicted of division 1055
(H) (1) (a) or (c) of this section. Additionally, if the dog kills 1056
a person, the court shall order that the dog be humanely 1057
destroyed by a licensed veterinarian, the county dog warden, or 1058

the county humane society at the owner's expense. If the dog 1059
causes serious injury to a person, the court may order that the 1060
dog be humanely destroyed in such a manner. 1061

(c) A misdemeanor of the first degree if the dog causes 1062
serious injury, other than serious injury, to a person or causes 1063
injury, serious injury, or death to another dog. Additionally, 1064
if the dog causes injury to a person or injury or serious injury 1065
to another dog, the court may order that the vicious dog to be 1066
humanely destroyed by a licensed veterinarian, the county dog 1067
warden, or the county humane society at the owner's expense. If 1068
the dog kills another dog, the court shall order that the dog be 1069
humanely destroyed in such a manner. 1070

(d) A felony of the fifth degree if the dog causes injury, 1071
other than serious injury, to a person or causes injury, serious 1072
injury, or death to another dog and the person in violation has 1073
previously pleaded guilty to or been convicted of division (H) 1074
(1) (a) or (c) of this section. Additionally, if the dog causes 1075
injury to a person or injury or serious injury to another dog, 1076
the court may order that the dog be humanely destroyed by a 1077
licensed veterinarian, the county dog warden, or the county 1078
humane society at the owner's expense. If the dog kills another 1079
dog, the court shall order that the dog be humanely destroyed in 1080
such a manner. 1081

(2) If the court does not order the vicious dog to be 1082
destroyed under division (H) (1) (b) of this section, the court 1083
shall issue an order that specifies that division (D) of section 1084
955.11 and divisions (D) to (I) of section 955.22 of the Revised 1085
Code apply with respect to the dog and the owner, keeper, or 1086
harborer of the dog as if the dog were a dangerous dog and that 1087
section 955.54 of the Revised Code applies with respect to the 1088

~~dog as if it were a dangerous dog. As part of the order, the~~ 1089
~~court shall order the offender to obtain the liability insurance~~ 1090
~~required under division (E) (1) of section 955.22 of the Revised~~ 1091
~~Code in an amount, exclusive of interest and costs, that equals~~ 1092
~~or exceeds one hundred thousand dollars, when authorized to do~~ 1093
so, does not order a dog to be humanely destroyed under division 1094
(H) (1) of this section, the court shall issue an order that 1095
specifies that division (C) of section 955.13 and sections 1096
955.223, 955.224, 955.225, and 955.54 of the Revised Code apply 1097
with respect to the dog and the owner, keeper, or harborer of 1098
the dog as if the dog were a dangerous dog. 1099

(3) Until the court makes a final determination and during 1100
the pendency of any appeal of a violation of division ~~(C)~~ (B) of 1101
section 955.22 of the Revised Code and at the discretion of the 1102
dog warden, the dog shall be confined or restrained in 1103
accordance with the provisions described in division ~~(D)~~ (A) of 1104
section ~~955.22~~ 955.223 of the Revised Code or at the county dog 1105
pound at the owner's expense. 1106

(I) Whoever violates division (A) (2) of section 955.01 of 1107
the Revised Code is guilty of a misdemeanor of the first degree. 1108

(J) Whoever violates division ~~(E)~~ (B) (2) of section ~~955.22~~ 1109
955.223 of the Revised Code is guilty of a misdemeanor of the 1110
fourth degree. 1111

(K) Whoever violates division (C) of section 955.221 of 1112
the Revised Code is guilty of a minor misdemeanor. Each day of 1113
continued violation constitutes a separate offense. Fines levied 1114
and collected for violations of that division shall be 1115
distributed by the mayor or clerk of the municipal or county 1116
court in accordance with section 733.40, division (F) of section 1117
1901.31, or division (C) of section 1907.20 of the Revised Code 1118

to the treasury of the county, township, or municipal 1119
corporation whose resolution or ordinance was violated. 1120

(L) Whoever violates division ~~(F)~~(A) (1), (2), or (3) of 1121
section ~~955.22~~955.225 of the Revised Code is guilty of a felony 1122
of the fourth degree. Additionally, the court shall order that 1123
the dog involved in the violation be humanely destroyed by a 1124
licensed veterinarian, the county dog warden, or the county 1125
humane society. Until the court makes a final determination and 1126
during the pendency of any appeal of a violation of division ~~(F)~~ 1127
(A) (1), (2), or (3) of section ~~955.22~~955.225 of the Revised 1128
Code and at the discretion of the dog warden, the dog shall be 1129
confined or restrained in accordance with the provisions of 1130
division ~~(D)~~(A) of section ~~955.22~~955.225 of the Revised Code 1131
or at the county dog pound at the owner's expense. 1132

(M) Whoever violates division ~~(E)~~(B) (1), (3), or (4) of 1133
section ~~955.22~~955.223 of the Revised Code is guilty of a minor 1134
misdemeanor. 1135

(N) Whoever violates division ~~(I)~~~~(4)~~(E) of section ~~955.22~~955.224 1136
of the Revised Code is guilty of a minor misdemeanor. 1137

(O) Whoever violates division (A) or (B) of section 955.54 1138
of the Revised Code is guilty of a misdemeanor of the first 1139
degree. 1140

(P) (1) If a dog is confined at the county dog pound 1141
pursuant to division (G), (H), or (L) of this section, the 1142
county dog warden shall give written notice of the confinement 1143
to the owner of the dog. If the county dog warden is unable to 1144
give the notice to the owner of the dog, the county dog warden 1145
shall post the notice on the door of the residence of the owner 1146
of the dog or in another conspicuous place on the premises at 1147

which the dog was seized. The notice shall include a statement 1148
that a security in the amount of one hundred dollars is due to 1149
the county dog warden within ten days to secure payment of all 1150
reasonable expenses, including medical care and boarding of the 1151
dog for sixty days, expected to be incurred by the county dog 1152
pound in caring for the dog pending the determination. The 1153
county dog warden may draw from the security any actual costs 1154
incurred in caring for the dog. 1155

(2) If the person ordered to post security under division 1156
(P) (1) of this section does not do so within ten days of the 1157
confinement of the animal, the dog is forfeited, and the county 1158
dog warden may determine the disposition of the dog unless the 1159
court issues an order that specifies otherwise. 1160

(3) Not more than ten days after the court makes a final 1161
determination under division (G), (H), or (L) of this section, 1162
the county dog warden shall provide the owner of the dog with 1163
the actual cost of the confinement of the dog. If the county dog 1164
warden finds that the security provided under division (P) (1) of 1165
this section is less than the actual cost of confinement of the 1166
dog, the owner shall remit the difference between the security 1167
provided and the actual cost to the county dog warden within 1168
thirty days after the court's determination. If the county dog 1169
warden finds that the security provided under division (P) (1) of 1170
this section is greater than that actual cost, the county dog 1171
warden shall remit the difference between the security provided 1172
and the actual cost to the owner within thirty days after the 1173
court's determination. 1174

~~(Q) As used in this section, "nuisance dog," "dangerous 1175
dog," and "vicious dog" have the same meanings as in section 1176
955.11 of the Revised Code. 1177~~

Section 2. That existing sections 109.73, 955.11, 955.12, 1178
955.22, 955.222, 955.44, 955.54, and 955.99 of the Revised Code 1179
are hereby repealed. 1180

Section 3. The owner of a dog who holds a valid dangerous 1181
dog registration certificate for the dog that was issued under 1182
division (I) of section 955.22 of the Revised Code as that 1183
section existed prior to its amendment by this act shall renew 1184
the certificate beginning December 1 of the year in which this 1185
act takes effect, but not later than January 31 of the 1186
subsequent year regardless of when the owner would have been 1187
required to renew the certificate under former law. Except as 1188
otherwise provided in this section, the owner shall file the 1189
application in accordance with section 955.224 of the Revised 1190
Code as enacted by this act. 1191

If the renewal required by this section results in a 1192
reduction of the registration period for which the owner paid 1193
fifty dollars under former law, the owner shall pay a 1194
registration fee for the renewal required by this section in an 1195
amount that is prorated as determined by the county auditor of 1196
the county in which the owner resides. Thereafter, the owner 1197
shall renew the dangerous dog registration certificate in 1198
accordance with section 955.224 of the Revised Code as enacted 1199
by this act. 1200

Section 4. This act shall be known as the Klonda Richey 1201
Act. 1202