A BILL

To amend sections 109.73, 935.19, 935.20, 955.16, 959.131, 959.132, 959.99, 1717.01, 1717.02, 1717.05, 1717.06, 1717.07, 1717.08, 1717.09, 1717.10, 2151.421, 2921.02, 2931.18, 5101.63, and 5147.22, to enact sections 1717.061, 1717.062, 1717.16, 1717.17, and 1717.18, and to repeal sections 1717.03, 1717.04, 1717.14, and 3113.10 of the Revised Code to make changes to humane society law, to make humane society agents subject to bribery law, and to establish procedures for the seizure and impoundment of certain animals and livestock.

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

Section 1. That sections 109.73, 935.19, 935.20, 955.16, 959.131, 959.132, 959.99, 1717.01, 1717.02, 1717.05, 1717.06, 1717.07, 1717.08, 1717.09, 1717.10, 2151.421, 2921.02, 2931.18, 5101.63, and 5147.22 be amended and sections 1717.061, 1717.062,
Sec. 109.73. (A) The Ohio peace officer training commission shall recommend rules to the attorney general with respect to all of the following:

1. The approval, or revocation of approval, of peace officer training schools administered by the state, counties, municipal corporations, public school districts, technical college districts, and the department of natural resources;

2. Minimum courses of study, attendance requirements, and equipment and facilities to be required at approved state, county, municipal, and department of natural resources peace officer training schools;

3. Minimum qualifications for instructors at approved state, county, municipal, and department of natural resources peace officer training schools;

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

5. The requirements of minimum basic training that peace
officers not appointed for probationary terms but appointed on
other than a permanent basis shall complete in order to be
eligible for continued employment or permanent appointment,
which requirements shall include training in the handling of the
offense of domestic violence, other types of domestic violence-
related offenses and incidents, and protection orders and
consent agreements issued or approved under section 2919.26 or
3113.31 of the Revised Code, crisis intervention training, and
training in the handling of missing children and child abuse and
neglect cases, and training in handling violations of section
2905.32 of the Revised Code, and the time within which such
basic training shall be completed following appointment on other
than a permanent basis;

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

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

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

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

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

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

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

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

(13) Permitting tactical medical professionals to attend
approved peace officer training schools, including the Ohio
peace officer training academy, to receive training of the type
described in division (A)(14) of this section and to receive
certificates of satisfactory completion of training programs
described in that division;

(14) The requirements for training programs that tactical
medical professionals shall complete to qualify them to carry
firearms while on duty under section 109.771 of the Revised
Code, which requirements shall include at least the firearms
training specified in division (A) of section 109.748 of the
Revised Code.

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

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

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

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

(3) Make recommendations, from time to time, to the
executive director, the attorney general, and the general
assembly regarding the carrying out of the purposes of sections
109.71 to 109.77 of the Revised Code;

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

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

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

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

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

(2) If the director or the director's designee is denied access to any such premises, and if the director reasonably suspects that the person who possesses the dangerous wild animal or restricted snake is not in compliance with this chapter or rules, the director may apply to a court of competent jurisdiction in the county in which the premises is located for a search warrant authorizing access to the premises for the purposes of this section.

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

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

(1) Employees of the department of agriculture;

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

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

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

(5) Agents of a humane society appointed under section 1717.06 of the Revised Code with the consent of the humane society.

(C) If a person designated under division (B) of this section determines, while conducting an inspection, that a violation of this chapter or rules has occurred, is occurring, or may occur, the person shall immediately notify the director of agriculture. The director may proceed as provided in section 935.24 of the Revised Code.

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

(1) A dangerous wild animal is possessed by a person who has not been issued a wildlife shelter permit, wildlife propagation permit, or rescue facility permit under this chapter.
(2) A restricted snake is possessed by a person that has not been issued a restricted snake possession permit or restricted snake propagation permit under this chapter.

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

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

(B) The director shall attempt to notify the person owning or possessing an animal or snake that has been ordered to be quarantined or transferred under division (A) of this section. The notice shall be delivered in person or by certified mail. The director also may post a copy of a quarantine order at two conspicuous locations on the premises where the animal or snake is quarantined. The director shall maintain a copy of an order issued under this section and evidence that the director attempted to notify the person owning or possessing the animal or snake.

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

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

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

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

(4) The reason for the quarantine or transfer;

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

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

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

(E) The owner of or person possessing a dangerous wild animal or restricted snake that was quarantined or transferred under division (A) of this section shall be responsible for all reasonable costs associated with the quarantine or transfer, including the costs of transportation, housing, food, and veterinary care for the animal or snake. If such an owner or person is unable to pay for the reasonable costs, the director shall certify the costs to the county auditor to be assessed against any property of the owner or person and thereby made a lien upon it and collected as other taxes. All money from the collection of liens under this division shall be credited in accordance with division (J) of this section.

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

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

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

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

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

(H) If, after reviewing the results of an investigation concerning a dangerous wild animal or restricted snake conducted under division (A) of this section and after resolution of any proceeding conducted under division (D) of this section, the director determines that a circumstance described in division (A)(1), (2), or (3) of this section is or was occurring, the director shall initiate, in a court of competent jurisdiction, a proceeding for the permanent seizure of the animal or snake, as applicable. If the court affirms the director’s determination that a circumstance described in division (A)(1), (2), or (3) of this section is or was occurring, the court shall order the...
animal or snake seized and shall order the method of disposition of the animal or snake. The court may order the person owning or possessing the animal or snake to pay all reasonable costs associated with the seizure and, if applicable, the costs associated with the quarantine or transfer of the animal or snake, including the costs of transportation, housing, food, and veterinary care of the animal or snake. If the court does not affirm the director's determination, the court shall order the quarantine or transfer order to be terminated and the animal or snake to be returned to the person owning or possessing it, if applicable.

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

(1) Employees of the department of agriculture;

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

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

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

(5) Agents of a humane society appointed under section 1717.06 of the Revised Code with the consent of the humane society;

(6) Law enforcement officers with the consent of the sheriff of the county or the chief law enforcement officer of the township or municipal corporation, as applicable, by whom the law enforcement officers are employed;
(7) Law enforcement officers who are state highway patrol troopers with the consent of the superintendent of the state highway patrol.

(J) Money collected for reimbursement of costs associated with the quarantine or transfer of dangerous wild animals and restricted snakes under this section shall be credited to one of the following funds, as applicable:

(1) If the animal or snake was quarantined or transferred by an employee of the department of agriculture or the department of health, a natural resources law enforcement officer, or a law enforcement officer who is a state highway patrol trooper, the dangerous and restricted animal fund created in section 935.25 of the Revised Code;

(2) If the animal or snake was quarantined or transferred by an employee of a board of health, a special fund, which is hereby created in each health district, that shall be used exclusively for the administration and enforcement of this chapter and rules;

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

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

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

Sec. 955.16. (A) Dogs that have been seized by the county dog warden and impounded shall be kept, housed, and fed for three days for the purpose of redemption, as provided by section 955.18 of the Revised Code, unless any of the following applies:

(1) Immediate humane destruction of the dog is necessary because of obvious disease or injury. If the diseased or injured dog is registered, as determined from the current year's registration list maintained by the warden and the county auditor of the county where the dog is registered, the necessity of destroying the dog shall be certified by a licensed veterinarian or a registered veterinary technician. If the dog is not registered, the decision to destroy it shall be made by the warden.

(2) The dog is currently registered on the registration list maintained by the warden and the auditor of the county where the dog is registered and the attempts to notify the owner, keeper, or harborer under section 955.12 of the Revised Code have failed, in which case the dog shall be kept, housed, and fed for fourteen days for the purpose of redemption.

(3) The warden has contacted the owner, keeper, or harborer under section 955.12 of the Revised Code, and the owner, keeper, or harborer has requested that the dog remain in the pound or animal shelter until the owner, harborer, or keeper redeems the dog. The time for such redemption shall be not more than forty-eight hours following the end of the appropriate redemption period.
At any time after such periods of redemption, any dog not
redeemed shall be donated to any nonprofit special agency that
is engaged in the training of any type of assistance dogs and
that requests that the dog be donated to it. Any dog not
redeemed that is not requested by such an agency may be sold,
except that no dog sold to a person other than a nonprofit
teaching or research institution or organization of the type
described in division (B) of this section shall be discharged
from the pound or animal shelter until the animal has been
registered and furnished with a valid registration tag.

(B) Any dog that is not redeemed within the applicable
period as specified in this section or section 955.12 of the
Revised Code from the time notice is mailed to its owner,
keeper, or harborer or is posted at the pound or animal shelter,
as required by section 955.12 of the Revised Code, and that is
not required to be donated to a nonprofit special agency engaged
in the training of any type of assistance dogs may, upon payment
to the dog warden or poundkeeper of the sum of three dollars, be
sold to any nonprofit Ohio institution or organization that is
certified by the director of health as being engaged in teaching
or research concerning the prevention and treatment of diseases
of human beings or animals. Any dog that is donated to a
nonprofit special agency engaged in the training of any type of
assistance dogs in accordance with division (A) of this section
and any dog that is sold to any nonprofit teaching or research
institution or organization shall be discharged from the pound
or animal shelter without registration and may be kept by the
agency or by the institution or organization without
registration so long as the dog is being trained, or is being
used for teaching and research purposes.

Any institution or organization certified by the director
that obtains dogs for teaching and research purposes pursuant to this section shall, at all reasonable times, make the dogs available for inspection by agents of the Ohio humane society, appointed pursuant to section 1717.04 of the Revised Code, and agents of county humane societies, appointed pursuant to section 1717.06 of the Revised Code, in order that the agents may prevent the perpetration of any act of cruelty, as defined in section 1717.01 of the Revised Code, to the dogs.

(C) Any dog that the dog warden or poundkeeper is unable to dispose of, in the manner provided by this section and section 955.18 of the Revised Code, may be humanely destroyed, except that no dog shall be destroyed until twenty-four hours after it has been offered to a nonprofit teaching or research institution or organization, as provided in this section, that has made a request for dogs to the dog warden or poundkeeper.

(D) An owner of a dog that is wearing a valid registration tag who presents the dog to the dog warden or poundkeeper may specify in writing that the dog shall not be offered to a nonprofit teaching or research institution or organization, as provided in this section.

(E) A record of all dogs impounded, the disposition of the same, the owner's name and address, if known, and a statement of costs assessed against the dogs shall be kept by the poundkeeper, and the poundkeeper shall furnish a transcript thereof to the county treasurer quarterly.

A record of all dogs received and the source that supplied them shall be kept, for a period of three years from the date of acquiring the dogs, by all institutions or organizations engaged in teaching or research concerning the prevention and treatment of diseases of human beings or animals.
(F) No person shall destroy any dog by the use of a high altitude decompression chamber or by any method other than a method that immediately and painlessly renders the dog initially unconscious and subsequently dead.

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

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

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

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

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

(5) "Wild animal" has the same meaning as in section 1531.01 of the Revised Code.


(7) "Dog kennel" means an animal rescue for dogs that is
registered under section 956.06 of the Revised Code, a boarding
kennel, or a training kennel.

(8) "Boarding kennel" has the same meaning as in section
956.01 of the Revised Code.

(9) "Training kennel" means an establishment operating for
profit that keeps, houses, and maintains dogs for the purpose of
training the dogs in return for a fee or other consideration.

(10) "Livestock" means horses, mules, and other equidae;
cattle, sheep, goats, and other bovidae; swine and other suidae;
poultry; alpacas; llamas; captive white-tailed deer; and any
other animal that is raised or maintained domestically for food
or fiber.

(11) "Captive white-tailed deer" has the same meaning as
in section 1531.01 of the Revised Code.

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

(a) Physical harm that carries an unnecessary or
unjustifiable substantial risk of death;

(b) Physical harm that involves either partial or total
permanent incapacity;

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

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

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

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

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

1. Torture, torment, or commit an act of cruelty against the companion animal;

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

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

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

1. Torture, torment, needlessly mutilate or maim, cruelly beat, poison, needlessly kill, or commit an act of cruelty against the companion animal;

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

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

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

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

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

(3) Impound or confine the companion animal without
affording it, during the impoundment or confinement, with access
to shelter from heat, cold, wind, rain, snow, or excessive
direct sunlight if it can reasonably be expected that the
companion animal would become sick or suffer in any other way as
a result of or due to the lack of adequate shelter.
(G) Divisions (B), (C), (D), (E), and (F) of this section do not apply to any of the following:

1. A companion animal used in scientific research conducted by an institution in accordance with the federal animal welfare act and related regulations;

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

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

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

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

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

**Sec. 959.132.** (A) As used in this section:

(1) "Companion animal" has the same meaning as in section 959.131 of the Revised Code.

(2) "Impounding agency" means a county humane society organized under section 1717.05 of the Revised Code, an animal shelter, or a law enforcement agency that has impounded a companion animal in accordance with this section.

(3) "Offense" means a violation of section 959.131 Chapter 959. of the Revised Code or an attempt, in violation of section 2923.02 of the Revised Code, to violate section 959.131 Chapter 959. of the Revised Code.

(4) "Officer" means any law enforcement officer, agent of a county humane society agent, or other person appointed to act as an animal control officer for a municipal corporation or township in accordance with state law, an ordinance, or a resolution.

(B) An officer may seize and cause to be impounded at an impounding agency a companion animal that the officer has probable cause to believe is the subject of an offense. No officer or impounding agency shall impound a companion animal that is the subject of an offense in a shelter owned, operated, or controlled by a board of county commissioners pursuant to.
Chapter 955. of the Revised Code unless the board, by resolution, authorizes the impoundment of such an animal in a shelter owned, operated, or controlled by that board and has executed, in the case when the officer is other than a dog warden or assistant dog warden, a contract specifying the terms and conditions of the impoundment.

(C) The officer shall give written notice of the seizure and impoundment to the owner, keeper, or harborer of the animal that was seized and impounded. If the officer is unable to give the notice to the owner, keeper, or harborer of the animal, the officer shall post the notice on the door of the residence or in another conspicuous place on the premises at which the animal was seized. The notice shall include a statement that a hearing will be held not later than ten days after the notice is provided or at the next available court date to determine whether the officer had probable cause to seize the animal and, if applicable, to determine the amount of a bond or cash deposit that is needed to provide for the animal's care and keeping for not less than thirty days beginning on the date on which the animal was impounded.

(D) An animal that is seized under this section may be humanely destroyed immediately or at any time during impoundment if a licensed veterinarian determines it to be necessary because the animal is suffering.

(E)(1) Not later than ten days after notice is provided or at the next available court date, the court shall hold a hearing to determine whether the officer impounding an animal had probable cause to seize the animal. If the
court determines that probable cause exists, the court shall determine the amount of a bond or cash deposit that is necessary and reasonable to provide for the companion animal's care and keeping for not less than thirty days beginning on the date on which the companion animal was impounded.

(2) If the court determines that probable cause does not exist, the court immediately shall order the impounding agency to return the companion animal to its owner if possible. If the companion animal cannot be returned because it has died as a result of neglect or other misconduct by the impounding agency or if the companion animal is injured as a result of neglect or other misconduct by the impounding agency, the court shall order the impounding agency to pay the owner an amount determined by the court to be equal to the reasonable market value of the companion animal at the time that it was impounded plus statutory interest as defined in section 1343.03 of the Revised Code from the date of the impoundment or an amount determined by the court to be equal to the reasonable cost of treatment of the injury to the companion animal, as applicable. The requirement established in division (E)(2) of this section regarding the payment of the reasonable market value of the companion animal shall not apply in the case of a dog that, in violation of section 955.01 of the Revised Code, was not registered at the time it was seized and impounded.

(3) If the court determines that probable cause exists and determines the amount of a bond or cash deposit, the case shall continue and the owner shall post a bond or cash deposit to provide for the companion animal's care and keeping for not less than thirty days beginning on the date on which the companion animal was impounded. The owner may renew a bond or cash deposit by posting, not later than ten days following the expiration of
the period for which a previous bond or cash deposit was posted, a new bond or cash deposit in an amount that the court, in consultation with the impounding agency, determines is sufficient to provide for the companion animal's care and keeping for not less than thirty days beginning on the date on which the previous period expired. If no bond or cash deposit is posted or if a bond or cash deposit expires and is not renewed, the impounding agency may determine the disposition of the companion animal unless the court issues an order that specifies otherwise.

(F) If a person is convicted of committing an offense, the court may impose the following additional penalties against the person:

(1) A requirement that the person pay for the costs incurred by the impounding agency in caring for a companion animal involved in the applicable offense, provided that the costs were incurred during the companion animal's impoundment. A bond or cash deposit posted under this section may be applied to the costs.

(2) An order permanently terminating the person's right to possession, title, custody, or care of the companion animal that was involved in the offense. If the court issues such an order, the court shall order the disposition of the companion animal.

(G) If a person is found not guilty of committing an offense, the court immediately shall order the impounding agency to return the companion animal to its owner if possible and to return the entire amount of any bond or cash deposit posted under division (E) of this section. If the companion animal cannot be returned because it has died as a result of neglect or other misconduct by the impounding agency or if the companion
animal is injured as a result of neglect or other misconduct by the impounding agency, the court shall order the impounding agency to pay the owner an amount determined by the court to be equal to the reasonable market value of the companion animal at the time that it was impounded plus statutory interest as defined in section 1343.03 of the Revised Code from the date of the impoundment or an amount determined by the court to be equal to the reasonable cost of treatment of the injury to the companion animal, as applicable. The requirements established in this division regarding the return of a bond or cash deposit and the payment of the reasonable market value of the companion animal shall not apply in the case of a dog that, in violation of section 955.01 of the Revised Code, was not registered at the time it was seized and impounded.

(H) If charges are filed under section 959.131 of the Revised Code against the custodian or caretaker of a companion animal, but the companion animal that is the subject of the charges is not impounded, the court in which the charges are pending may order the owner or person having custody of the companion animal to provide to the companion animal the necessities described in division (D)(2), (D)(3), (E)(2), (E)(3), (F)(2), or (F)(3) of section 959.131 of the Revised Code until the final disposition of the charges. If the court issues an order of that nature, the court also may authorize an officer or another person to visit the place where the companion animal is being kept, at the times and under the conditions that the court may set, to determine whether the companion animal is receiving those necessities and to remove and impound the companion animal if the companion animal is not receiving those necessities.

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

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

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

(D) Whoever violates division (A) of section 959.13 or section 959.21 of the Revised Code is guilty of a misdemeanor of the second degree. In addition, the court may order the offender to forfeit the animal or livestock and may provide for its disposition, including, but not limited to, the sale of the animal or livestock. If an animal or livestock is forfeited and sold pursuant to this division, the proceeds from the sale first shall be applied to pay the expenses incurred with regard to the care of the animal from the time it was taken from the custody of the former owner. The balance of the proceeds from the sale, if any, shall be paid to the former owner of the animal.

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

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

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

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

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

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

(b) A court may order a person who is convicted of or
pleads guilty to a violation of division (A) of section 959.13
or section 959.131 of the Revised Code to reimburse an
impounding agency for the reasonable and necessary
costs incurred by the agency for the care of a companion animal
or livestock that the agency impounded as a result of the
investigation or prosecution of the violation, provided that the
costs were not otherwise paid under section 959.132 of the
Revised Code.

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

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

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

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

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

Sec. 1717.01. As used in sections 1717.01 to 1717.14, inclusive, 1717.18 of the Revised Code, and in every law relating to animals:

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

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

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

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

Sec. 1717.05. (A) A county humane society for the 
prevention of acts of cruelty to animals may be organized in any 
county by the association of not less than seven persons.

(B) The members of such a county humane society, at a 
meeting called for the purpose, shall elect not less than three 
of their members as its board of directors, and such directors 
shall continue in office until their successors are duly chosen.

(C) The secretary or clerk of such the meeting shall make 
a true record of the proceedings thereat and certify and forward 
such the record to the secretary of state, who shall record it. 
Such The record shall must contain the name by which the 
association is to be known, and from . On and after its filing 
with the secretary of state, the board of directors and the 
associates, and their successors, shall have the powers, 
privileges, and immunities incident to incorporated companies. A 
copy of such the record, certified by the secretary of state, 
shall must be taken in all courts and places in this state as 
evidence that such the county humane society is a duly organized 
and incorporated body.
Such (D) A county humane society may elect such officers, and make such rules, regulations, and bylaws, as are deemed expedient by its members for its own government and the proper management of its affairs.

(E) A humane society that organized as a branch of the Ohio humane society prior to the effective date of this amendment shall continue to have the same powers and duties that were authorized on March 1, 2019. Such a humane society is considered to be a county humane society organized under this section for purposes of this chapter and any other laws regarding county humane societies.

Sec. 1717.06. (A) A county humane society organized under section 1717.05 of the Revised Code may appoint humane society agents for the purpose of prosecuting any person guilty of an act of cruelty to persons or animals. Such agents may arrest any person found violating this chapter or any other law for protecting persons or animals or preventing acts of cruelty thereto. Upon making an arrest, the humane society agent forthwith shall convey the person arrested before some a court or magistrate having jurisdiction of the offense, and there make complaint against the person on oath or affirmation of the offense.

All appointments of agents (B) A humane society agent that was appointed prior to the effective date of this amendment by a branch of the Ohio humane society is considered to be a humane society agent appointed under this section for purposes of this chapter and any other laws regarding humane society agents.

(C)(1) The appointment of an agent under this section is subject to the requirements of section 1717.061 of the Revised Code, and is not final until the appointment has been approved.
under division (C)(2) of this section.

(2) The appointment of an agent under this section shall do not take effect unless it has been approved by the mayor of the municipal corporation for which they are it is made. If the society exists operates outside a municipal corporation, such appointments shall be the appointment does not take effect until it has been approved by the probate judge of the county for which they are it is made. The mayor or probate judge shall keep a record of such the appointments and shall maintain as a public record a copy of the proof of successful completion of training for each humane society agent acting within the approving authority's jurisdiction.

In order to qualify for appointment as a humane agent under this section, a person first shall successfully complete a minimum of twenty hours of training on issues relating to the investigation and prosecution of cruelty to and neglect of animals. The training shall comply with rules recommended by the peace officer training commission under section 109.73 of the Revised Code and shall include, without limitation, instruction regarding animal husbandry practices as described in division (A)(12) of that section. A person who has been appointed as a humane agent under this section prior to April 9, 2003, may continue to act as a humane agent for a period of time on and after April 9, 2003, without completing the training. However, on or before December 31, 2004, a person who has been appointed as a humane agent under this section prior to April 9, 2003, shall successfully complete the training described in this paragraph and submit proof of its successful completion to the appropriate appointing mayor or probate judge in order to continue to act as a humane agent after December 31, 2004.
(D) The approving authority shall notify the appropriate county sheriff and the board of county commissioners when the appointment of a humane society agent has been approved and, not later than two business days after the appointment has been approved, shall file a copy of the proof of successful completion of training with the sheriff. The county sheriff shall maintain as a public record a copy of the proof for each humane society agent that is operating in the county.

(E) A humane society shall notify the county sheriff and the approving authority when all approved humane society agents have ceased to perform the duties of the appointment and there are no humane society agents operating in the county.

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

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

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

(B) Present proof of successful completion of training, that has been signed by the chief executive officer of the organization or entity that provided the training, or the officer's designee, to the current active approving authority
for approval.

**Sec. 1717.062.** (A) An individual who has reasonable cause to believe that a humane society agent has not successfully completed the training that is required under section 1717.061 of the Revised Code or who has reasonable cause to believe that an agent's proof of successful completion of training contains false or misleading information may file a complaint, in the form of an affidavit sworn to by the individual, with the current acting authority that is responsible for considering approval of agent appointments within the jurisdiction. The authority shall notify the agent's humane society, and shall investigate the complaint.

(B) If the authority finds that the agent has not provided signed proof of successful completion of training as required under section 1717.061 of the Revised Code, the authority shall provide written notification to the agent's humane society to inform the society that the agent has a right to cure period of thirty days from the date of the notification. If the agent has not provided signed proof by the end of the right to cure period, the authority shall rescind the approval of the appointment and order the applicable humane society to revoke the appointment.

(C) If the authority finds that the agent knowingly provided proof of successful completion of training that contains false or misleading information, the authority shall rescind the approval of the appointment and order the applicable humane society to revoke the appointment.

(D) The applicable humane society shall file written notice with the county sheriff of the revocation under this section of a humane society agent's appointment.
Sec. 1717.07. Upon the approval by the mayor of a municipal corporation of the appointment of an agent under section 1717.06 of the Revised Code, the legislative authority of such municipal corporation shall pay monthly to such agent, from the general revenue fund of the municipal corporation, such salary as that the legislative authority deems just and reasonable. Upon the approval by the probate judge of a county of such an appointment, the board of county commissioners of such county shall pay monthly to such agent, from the general revenue fund of the county, such or from the dog and kennel fund of the county, the salary as that the board deems just and reasonable. Such board and such legislative authority may agree upon the amount each is to pay such the agent monthly. The salary to be paid monthly to such the agent by the legislative authority of a village shall be not less than five twenty-five dollars; by the legislative authority of a city, not less than twenty one hundred twenty-five dollars; and by the board of county commissioners of a county, not less than twenty five one hundred fifty dollars. Beginning January 1, 2020, and on the first day of January every five years thereafter, these minimum salary amounts shall increase by five dollars. Not more than one such agent in each county shall receive remuneration from the board under this section.

Sec. 1717.08. An officer, agent, or member of the Ohio humane society or of a county humane society may interfere to prevent the perpetration of any act of cruelty to animals in his the officer's, agent's, or member's presence, may use such force as is necessary to prevent it, and to that end may summon to his the officer's, agent's, or member's aid any bystanders.

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

Sec. 1717.10. For all services rendered in carrying out sections 1717.01 to 1717.14, inclusive, 1717.18 of the Revised Code, a sheriff, constable, marshal, or police officer shall be paid such fees as he is allowed for like services in other cases. Such fees must be charged as costs, and reimbursed to the humane society by the person convicted.

Sec. 1717.16. (A) Annually, a county humane society shall submit enforcement activity reports to the county sheriff.

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

Sec. 1717.17. (A) A probate judge of a county in which a humane society agent operates may revoke the approval of an appointment for just cause, under the procedure established in division (B) of this section.

(B)(1) A movant may commence the procedure by filing with the probate court a motion to revoke the appointment, in the form of an affidavit sworn to by the movant, describing the conduct that constitutes just cause for the motion. The probate
judge, upon a review of the facts, may dismiss the motion without a hearing, or shall direct the clerk of the probate court to serve the humane society agent and the humane society with a summons and a copy of the motion and any accompanying memorandum in accordance with the Rules of Civil Procedure. The summons must state the time and place at which the probate court will conduct a hearing on the motion.

(2) The humane society agent may waive the right to a hearing. If the humane society agent waives the right to a hearing, the probate judge shall revoke the humane society agent's approval of appointment as prayed for in the motion. If the humane society agent does not waive the right to a hearing, the probate judge shall conduct a hearing on the motion.

(3) The humane society agent is entitled to the assistance of counsel at the hearing. The Rules of Evidence govern conduct of the hearing. At the hearing, the movant has the burden of proving, by a preponderance of the evidence, that just cause exists for the revocation of the humane society agent's appointment.

(4) If, after the hearing, the probate judge finds that the movant has not sustained the burden of proof, the probate judge shall deny the motion. If, after the hearing, the probate judge finds that the movant has sustained the burden of proof, the probate judge shall grant the motion and revoke the humane society agent's approval of appointment.

Sec. 1717.18. (A) A humane society may not enter into a written agreement with a person, wherein the humane society agrees not to prosecute the person for an alleged violation of law, unless the proposed agreement has been reviewed and approved by the judge that has presided over the hearing that is
required to determine if the officer had probable cause to seize the animal, and which is related to the case that is the subject of the agreement. As part of the review, if bond has previously been set, the judge shall reconsider whether or not the amount of the bond determined by the court to be needed for the animal's care is necessary and reasonable. A judge shall not approve a nonprosecution agreement that requires a person to provide financial compensation that is in excess of what is necessary and reasonable for the animal's care for the duration of the impoundment.

(B) A nonprosecution agreement between a humane society and a person, as described in division (A) of this section, is void and unenforceable unless it has been approved under division (A) of this section.

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

(b) Division (A)(1)(a) of this section applies to any
person who is an attorney; health care professional;
practitioner of a limited branch of medicine as specified in
section 4731.15 of the Revised Code; licensed school
psychologist; independent marriage and family therapist or
marriage and family therapist; coroner; administrator or
employee of a child day-care center; administrator or employee
of a residential camp, child day camp, or private, nonprofit
therapeutic wilderness camp; administrator or employee of a
certified child care agency or other public or private children
services agency; school teacher; school employee; school
authority; peace officer; agent of a county humane society
agent; person, other than a cleric, rendering spiritual
treatment through prayer in accordance with the tenets of a
well-recognized religion; employee of a county department of job
and family services who is a professional and who works with
children and families; superintendent or regional administrator
employed by the department of youth services; superintendent,
board member, or employee of a county board of developmental
disabilities; investigative agent contracted with by a county
board of developmental disabilities; employee of the department
of developmental disabilities; employee of a facility or home
that provides respite care in accordance with section 5123.171
of the Revised Code; employee of an entity that provides
homemaker services; a person performing the duties of an
assessor pursuant to Chapter 3107. or 5103. of the Revised Code; third party employed by a public children services agency to assist in providing child or family related services; court appointed special advocate; or guardian ad litem.

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

(2) Except as provided in division (A)(3) of this section, an attorney or a physician is not required to make a report pursuant to division (A)(1) of this section concerning any communication the attorney or physician receives from a client or patient in an attorney-client or physician-patient relationship, if, in accordance with division (A) or (B) of section 2317.02 of the Revised Code, the attorney or physician could not testify with respect to that communication in a civil or criminal proceeding.

(3) The client or patient in an attorney-client or physician-patient relationship described in division (A)(2) of this section is deemed to have waived any testimonial privilege under division (A) or (B) of section 2317.02 of the Revised Code with respect to any communication the attorney or physician receives from the client or patient in that attorney-client or physician-patient relationship, and the attorney or physician shall make a report pursuant to division (A)(1) of this section with respect to that communication, if all of the following apply:
(a) The client or patient, at the time of the communication, is a child under eighteen years of age or is a person under twenty-one years of age with a developmental disability or physical impairment.

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

(c) The abuse or neglect does not arise out of the client's or patient's attempt to have an abortion without the notification of her parents, guardian, or custodian in accordance with section 2151.85 of the Revised Code.

(4)(a) No cleric and no person, other than a volunteer, designated by any church, religious society, or faith acting as a leader, official, or delegate on behalf of the church, religious society, or faith who is acting in an official or professional capacity, who knows, or has reasonable cause to believe based on facts that would cause a reasonable person in a similar position to believe, that a child under eighteen years of age, or a person under twenty-one years of age with a developmental disability or physical impairment, has suffered or faces a threat of suffering any physical or mental wound, injury, disability, or condition of a nature that reasonably indicates abuse or neglect of the child, and who knows, or has reasonable cause to believe based on facts that would cause a reasonable person in a similar position to believe, that another cleric or another person, other than a volunteer, designated by a church, religious society, or faith acting as a leader,
official, or delegate on behalf of the church, religious 1196
society, or faith caused, or poses the threat of causing, the 1197
wound, injury, disability, or condition that reasonably 1198
indicates abuse or neglect shall fail to immediately report that 1199
knowledge or reasonable cause to believe to the entity or 1200
persons specified in this division. Except as provided in 1201
section 5120.173 of the Revised Code, the person making the 1202
report shall make it to the public children services agency or a 1203
peace officer in the county in which the child resides or in 1204
which the abuse or neglect is occurring or has occurred. In the 1205
circumstances described in section 5120.173 of the Revised Code, 1206
the person making the report shall make it to the entity 1207
specified in that section.

(b) Except as provided in division (A)(4)(c) of this 1208
section, a cleric is not required to make a report pursuant to 1209
division (A)(4)(a) of this section concerning any communication 1210
the cleric receives from a penitent in a cleric-penitent 1211
relationship, if, in accordance with division (C) of section 1212
2317.02 of the Revised Code, the cleric could not testify with 1213
respect to that communication in a civil or criminal proceeding.

(c) The penitent in a cleric-penitent relationship 1214
described in division (A)(4)(b) of this section is deemed to 1215
have waived any testimonial privilege under division (C) of 1216
section 2317.02 of the Revised Code with respect to any 1217
communication the cleric receives from the penitent in that 1218
cleric-penitent relationship, and the cleric shall make a report 1219
pursuant to division (A)(4)(a) of this section with respect to 1220
that communication, if all of the following apply:

(i) The penitent, at the time of the communication, is a 1221
child under eighteen years of age or is a person under twenty-
one years of age with a developmental disability or physical impairment.

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

(iii) The abuse or neglect does not arise out of the penitent's attempt to have an abortion performed upon a child under eighteen years of age or upon a person under twenty-one years of age with a developmental disability or physical impairment without the notification of her parents, guardian, or custodian in accordance with section 2151.85 of the Revised Code.

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

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

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

(C) Any report made pursuant to division (A) or (B) of this section shall be made forthwith either by telephone or in person and shall be followed by a written report, if requested by the receiving agency or officer. The written report shall contain:

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

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

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

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

(2) The results and any available reports of examinations, tests, or procedures made under division (D)(1) of this section shall be included in a report made pursuant to division (A) of this section. Any additional reports of examinations, tests, or procedures that become available shall be provided to the public children services agency, upon request.

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

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

(5) Medical examinations, tests, or procedures conducted under divisions (D)(1) and (4) of this section and decisions regarding the release or discharge of a child under division (D)(3) of this section do not constitute a law enforcement investigation or activity.

(E)(1) When a peace officer receives a report made pursuant to division (A) or (B) of this section, upon receipt of the report, the peace officer who receives the report shall refer the report to the appropriate public children services agency, unless an arrest is made at the time of the report that results in the appropriate public children services agency being contacted concerning the possible abuse or neglect of a child or the possible threat of abuse or neglect of a child.

(2) When a public children services agency receives a report pursuant to this division or division (A) or (B) of this section, upon receipt of the report, the public children services agency shall do both of the following:
(a) Comply with section 2151.422 of the Revised Code;

(b) If the county served by the agency is also served by a children's advocacy center and the report alleges sexual abuse of a child or another type of abuse of a child that is specified in the memorandum of understanding that creates the center as being within the center's jurisdiction, comply regarding the report with the protocol and procedures for referrals and investigations, with the coordinating activities, and with the authority or responsibility for performing or providing functions, activities, and services stipulated in the interagency agreement entered into under section 2151.428 of the Revised Code relative to that center.

(F) No peace officer shall remove a child about whom a report is made pursuant to this section from the child's parents, stepparents, or guardian or any other persons having custody of the child without consultation with the public children services agency, unless, in the judgment of the officer, and, if the report was made by physician, the physician, immediate removal is considered essential to protect the child from further abuse or neglect. The agency that must be consulted shall be the agency conducting the investigation of the report as determined pursuant to section 2151.422 of the Revised Code.

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

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

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

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

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

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

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

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

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

(c) Notwithstanding section 4731.22 of the Revised Code, the physician-patient privilege shall not be a ground for excluding evidence regarding a child's injuries, abuse, or neglect, or the cause of the injuries, abuse, or neglect in any judicial proceeding resulting from a report submitted pursuant to this section.
(2) In any civil or criminal action or proceeding in which it is alleged and proved that participation in the making of a report under this section was not in good faith or participation in a judicial proceeding resulting from a report made under this section was not in good faith, the court shall award the prevailing party reasonable attorney's fees and costs and, if a civil action or proceeding is voluntarily dismissed, may award reasonable attorney's fees and costs to the party against whom the civil action or proceeding is brought.

(I)(1) Except as provided in divisions (I)(4) and (O) of this section, a report made under this section is confidential. The information provided in a report made pursuant to this section and the name of the person who made the report shall not be released for use, and shall not be used, as evidence in any civil action or proceeding brought against the person who made the report. Nothing in this division shall preclude the use of reports of other incidents of known or suspected abuse or neglect in a civil action or proceeding brought pursuant to division (N) of this section against a person who is alleged to have violated division (A)(1) of this section, provided that any information in a report that would identify the child who is the subject of the report or the maker of the report, if the maker of the report is not the defendant or an agent or employee of the defendant, has been redacted. In a criminal proceeding, the report is admissible in evidence in accordance with the Rules of Evidence and is subject to discovery in accordance with the Rules of Criminal Procedure.

(2)(a) Except as provided in division (I)(2)(b) of this section, no person shall permit or encourage the unauthorized dissemination of the contents of any report made under this section.
(b) A health care professional that obtains the same
information contained in a report made under this section from a
source other than the report may disseminate the information, if
its dissemination is otherwise permitted by law.

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

(4) If a report is made pursuant to division (A) or (B) of
this section and the child who is the subject of the report dies
for any reason at any time after the report is made, but before
the child attains eighteen years of age, the public children
services agency or peace officer to which the report was made or
referred, on the request of the child fatality review board or
the director of health pursuant to guidelines established under
section 3701.70 of the Revised Code, shall submit a summary
sheet of information providing a summary of the report to the
review board of the county in which the deceased child resided
at the time of death or to the director. On the request of the
review board or director, the agency or peace officer may, at
its discretion, make the report available to the review board or
director. If the county served by the public children services
agency is also served by a children's advocacy center and the
report of alleged sexual abuse of a child or another type of
abuse of a child is specified in the memorandum of understanding
that creates the center as being within the center's
jurisdiction, the agency or center shall perform the duties and
functions specified in this division in accordance with the
interagency agreement entered into under section 2151.428 of the
Revised Code relative to that advocacy center.
(5) A public children services agency shall advise a person alleged to have inflicted abuse or neglect on a child who is the subject of a report made pursuant to this section, including a report alleging sexual abuse of a child or another type of abuse of a child referred to a children’s advocacy center pursuant to an interagency agreement entered into under section 2151.428 of the Revised Code, in writing of the disposition of the investigation. The agency shall not provide to the person any information that identifies the person who made the report, statements of witnesses, or police or other investigative reports.

(J) Any report that is required by this section, other than a report that is made to the state highway patrol as described in section 5120.173 of the Revised Code, shall result in protective services and emergency supportive services being made available by the public children services agency on behalf of the children about whom the report is made, in an effort to prevent further neglect or abuse, to enhance their welfare, and, whenever possible, to preserve the family unit intact. The agency required to provide the services shall be the agency conducting the investigation of the report pursuant to section 2151.422 of the Revised Code.

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

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

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

(c) The county peace officer;

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

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

(f) The prosecuting attorney of the county;

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

(h) The county humane society;

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

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

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

(a) The roles and responsibilities for handling emergency and nonemergency cases of abuse and neglect;

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

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

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

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

(a) Whether the agency or center has initiated an investigation of the report;

(b) Whether the agency or center is continuing to investigate the report;

(c) Whether the agency or center is otherwise involved with the child who is the subject of the report;

(d) The general status of the health and safety of the child who is the subject of the report;

(e) Whether the report has resulted in the filing of a complaint in juvenile court or of criminal charges in another court.

(2) A person may request the information specified in division (L)(1) of this section only if, at the time the report is made, the person's name, address, and telephone number are provided to the person who receives the report.

When a peace officer or employee of a public children services agency receives a report pursuant to division (A) or
(B) of this section the recipient of the report shall inform the
person of the right to request the information described in
division (L)(1) of this section. The recipient of the report
shall include in the initial child abuse or child neglect report
that the person making the report was so informed and, if
provided at the time of the making of the report, shall include
the person's name, address, and telephone number in the report.

Each request is subject to verification of the identity of
the person making the report. If that person's identity is
verified, the agency shall provide the person with the
information described in division (L)(1) of this section a
reasonable number of times, except that the agency shall not
disclose any confidential information regarding the child who is
the subject of the report other than the information described
in those divisions.

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

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

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

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

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

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

(a) "Out-of-home care" includes a nonchartered nonpublic school if the alleged child abuse or child neglect, or alleged threat of child abuse or child neglect, described in a report received by a public children services agency allegedly occurred in or involved the nonchartered nonpublic school and the alleged perpetrator named in the report holds a certificate, permit, or license issued by the state board of education under section 3301.071 or Chapter 3319. of the Revised Code.
(b) "Administrator, director, or other chief administrative officer" means the superintendent of the school district if the out-of-home care entity subject to a report made pursuant to this section is a school operated by the district.

(2) No later than the end of the day following the day on which a public children services agency receives a report of alleged child abuse or child neglect, or a report of an alleged threat of child abuse or child neglect, that allegedly occurred in or involved an out-of-home care entity, the agency shall provide written notice of the allegations contained in and the person named as the alleged perpetrator in the report to the administrator, director, or other chief administrative officer of the out-of-home care entity that is the subject of the report unless the administrator, director, or other chief administrative officer is named as an alleged perpetrator in the report. If the administrator, director, or other chief administrative officer of an out-of-home care entity is named as an alleged perpetrator in a report of alleged child abuse or child neglect, or a report of an alleged threat of child abuse or child neglect, that allegedly occurred in or involved the out-of-home care entity, the agency shall provide the written notice to the owner or governing board of the out-of-home care entity that is the subject of the report. The agency shall not provide witness statements or police or other investigative reports.

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

(P) As used in this section:

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

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

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

(4) "Peace officer" means a sheriff, deputy sheriff,
constable, police officer of a township or joint police
district, marshal, deputy marshal, municipal police officer, or
a state highway patrol trooper.
Sec. 2921.02. (A) No person, with purpose to corrupt a public servant or party official, or improperly to influence a public servant or party official with respect to the discharge of the public servant's or party official's duty, whether before or after the public servant or party official is elected, appointed, qualified, employed, summoned, or sworn, shall promise, offer, or give any valuable thing or valuable benefit.

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

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

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

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

(F) No person, either before or after the person is appointed or employed as a director, officer, or employee of a municipal school district transformation alliance established under section 3311.86 of the Revised Code, shall knowingly solicit or accept for self or another person any valuable thing or valuable benefit to corrupt or improperly influence the person or another director, officer, or employee of a municipal school district transformation alliance with respect to the discharge of the person's or other director's, officer's, or employee's duties.

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

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

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

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

(1) Except the prevention of cruelty to animals, except as provided in division (B) of this section, prevention of cruelty to animals or children;

(2) Abandonment, non-support, or ill treatment of a child by its parent;

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

(4) Neglect or refusal of an adult to support a destitute parent.

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

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

Sec. 5101.63. (A)(1) Any individual listed in division (A) of this section having reasonable cause to believe that an adult is being abused, neglected, or exploited, or is in a condition which is the result of abuse, neglect, or exploitation shall immediately report such belief to the county department of job and family services.

(2) All of the following are subject to division (A)(1) of this section:
(a) An attorney admitted to the practice of law in this state;

(b) An individual authorized under Chapter 4731. of the Revised Code to practice medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery;

(c) An individual licensed under Chapter 4734. of the Revised Code as a chiropractor;

(d) An individual licensed under Chapter 4715. of the Revised Code as a dentist;

(e) An individual licensed under Chapter 4723. of the Revised Code as a registered nurse or licensed practical nurse;

(f) An individual licensed under Chapter 4732. of the Revised Code as a psychologist;

(g) An individual licensed under Chapter 4757. of the Revised Code as a social worker, independent social worker, professional counselor, professional clinical counselor, marriage and family therapist, or independent marriage and family therapist;

(h) An individual licensed under Chapter 4729. of the Revised Code as a pharmacist;

(i) An individual holding a certificate to practice as a dialysis technician issued under Chapter 4723. of the Revised Code;

(j) An employee of a home health agency, as defined in section 3701.881 of the Revised Code;

(k) An employee of an outpatient health facility;

(l) An employee of a hospital, as defined in section
3727.01 of the Revised Code;

(m) An employee of a hospital or public hospital, as defined in section 5122.01 of the Revised Code;

(n) An employee of a nursing home or residential care facility, as defined in section 3721.01 of the Revised Code;

(o) An employee of a residential facility licensed under section 5119.22 of the Revised Code that provides accommodations, supervision, and personal care services for three to sixteen unrelated adults;

(p) An employee of a health department operated by the board of health of a city or general health district or the authority having the duties of a board of health under section 3709.05 of the Revised Code;

(q) An employee of a community mental health agency, as defined in section 5122.01 of the Revised Code;

(r) An agent of a county humane society organized under agent appointed under section 1717.05-1717.06 of the Revised Code;

(s) An individual who is a firefighter for a lawfully constituted fire department;

(t) An individual who is an ambulance driver for an emergency medical service organization, as defined in section 4765.01 of the Revised Code;

(u) A first responder, emergency medical technician-basic, emergency medical technician-intermediate, or paramedic, as those terms are defined in section 4765.01 of the Revised Code;

(v) An official employed by a local building department to
conduct inspections of houses and other residential buildings;

(w) A peace officer;

(x) A coroner;

(y) A member of the clergy;

(z) An individual who holds a certificate issued under Chapter 4701. of the Revised Code as a certified public accountant or is registered under that chapter as a public accountant;

(aa) An individual licensed under Chapter 4735. of the Revised Code as a real estate broker or real estate salesperson;

(bb) An individual appointed and commissioned under section 147.01 of the Revised Code as a notary public;

(cc) An employee of a bank, savings bank, savings and loan association, or credit union organized under the laws of this state, another state, or the United States;

(dd) A dealer, investment adviser, sales person, or investment advisor representative licensed under Chapter 1707. of the Revised Code;

(ee) A financial planner accredited by a national accreditation agency;

(ff) Any other individual who is a senior service provider, other than a representative of the office of the state long-term care ombudsman program as defined in section 173.14 of the Revised Code.

(B) Any person having reasonable cause to believe that an adult has suffered abuse, neglect, or exploitation may report, or cause a report to be made of such belief to the county
department of job and family services.

This division applies to a representative of the office of the state long-term care ombudsman program only to the extent permitted by federal law.

(C) The reports made under this section shall be made orally or in writing except that oral reports shall be followed by a written report if a written report is requested by the department. Written reports shall include:

(1) The name, address, and approximate age of the adult who is the subject of the report;

(2) The name and address of the individual responsible for the adult's care, if any individual is, and if the individual is known;

(3) The nature and extent of the alleged abuse, neglect, or exploitation of the adult;

(4) The basis of the reporter's belief that the adult has been abused, neglected, or exploited.

(D) Any person with reasonable cause to believe that an adult is suffering abuse, neglect, or exploitation who makes a report pursuant to this section or who testifies in any administrative or judicial proceeding arising from such a report, or any employee of the state or any of its subdivisions who is discharging responsibilities under section 5101.65 of the Revised Code shall be immune from civil or criminal liability on account of such investigation, report, or testimony, except liability for perjury, unless the person has acted in bad faith or with malicious purpose.

(E) No employer or any other person with the authority to
do so shall do any of the following as a result of an employee's having filed a report under this section:

(1) Discharge, demote, transfer, or prepare a negative work performance evaluation;

(2) Reduce benefits, pay, or work privileges;

(3) Take any other action detrimental to an employee or in any way retaliate against the employee.

(F) The written or oral report provided for in this section and the investigatory report provided for in section 5101.65 of the Revised Code are confidential and are not public records, as defined in section 149.43 of the Revised Code. In accordance with rules adopted by the department of job and family services, information contained in the report shall upon request be made available to the adult who is the subject of the report and to legal counsel for the adult. If it determines that there is a risk of harm to a person who makes a report under this section or to the adult who is the subject of the report, the county department of job and family services may redact the name and identifying information related to the person who made the report.

(G) The county department of job and family services shall be available to receive the written or oral report provided for in this section twenty-four hours a day and seven days a week.

Sec. 5147.22. Except for prisoners participating in a county jail industry program established under section 5147.30 of the Revised Code, the board of county commissioners, or officer in charge of any workhouse or jail, shall place to the credit of each prisoner the amount of the prisoner's earnings that the board or officer considers equitable and just, taking
into consideration the character of the prisoner, the nature of
the crime for which he is imprisoned, and the
prisoner's general deportment. The board or officer may cancel
any portion of that credit for violation of the rules, want of
propriety, or other misconduct. When such earnings are credited
to any such prisoner and the prisoner has a child under the age
of sixteen or a spouse, the board or officer in control of the
workhouse or jail shall pay the earnings weekly to the person
having custody of the child, to any incorporated humane society
that will serve as trustees for the child without compensation,
or to the spouse of the prisoner, as the board or officer
determines. When the prisoner has no such child or spouse, the
earnings shall be paid to the prisoner upon discharge.

Section 2. That existing sections 109.73, 935.19, 935.20,
955.16, 959.131, 959.132, 959.99, 1717.01, 1717.02, 1717.05,
1717.06, 1717.07, 1717.08, 1717.09, 1717.10, 2151.421, 2921.02,
2931.18, 5101.63, and 5147.22 of the Revised Code are hereby
repealed.

Section 3. That sections 1717.03, 1717.04, 1717.14,
and 3113.10 of the Revised Code are hereby repealed.

Section 4. (A) Not later than six months after the
effective date of this act, an individual who is serving as a
humane society agent on that date shall obtain and present proof
of successful completion of training, as required under section
1717.061 of the Revised Code, to the current active approving
authority for approval.

(B) The approving authority, not later than two business
days after having received the proof of successful completion of
training, shall notify the appropriate county sheriff and board
of county commissioners, and shall file with the sheriff a copy
of the proof of successful completion of training. For a humane society agent that was appointed by a branch of the Ohio Humane Society prior to the effective date of this act, the approving authority is the mayor of the municipal corporation in which the society operates. If that society operates outside a municipal corporation, the approving authority is the probate judge of the county in which the society operates.

(C) An individual who has not presented the required proof of successful completion of training to the approving authority, as required by this section, is suspended as a humane society agent by operation of law until the signed proof of successful completion of training is filed with the county sheriff.

Section 5. Not later than ninety days after the effective date of this act, the probate judge of a county in which a humane society agent operates shall send written notice to the humane society informing the humane society of the requirements of section 1717.16 of the Revised Code and Section 4 as enacted in this act.

Section 6. Section 959.99 of the Revised Code is presented in this act as a composite of the section as amended by both Sub. H.B. 60 and Sub. S.B. 331 of the 131st General Assembly. The General Assembly, applying the principle stated in division (B) of section 1.52 of the Revised Code that amendments are to be harmonized if reasonably capable of simultaneous operation, finds that the composite is the resulting version of the section in effect prior to the effective date of the section as presented in this act.