

As Reported by the Senate Judiciary Committee

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Sub. H. B. No. 14

Representative Sears

Cosponsors: Representatives Winburn, Garland, Bulp, Duffey, Gardner,

Lundy, Szollosi, Wachtmann Speaker Batchelder

Senators Wagoner, LaRose

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A B I L L

To amend sections 955.08, 955.11, 955.22, 955.99, 1
1901.18, and 1907.031 and to enact sections 2
955.222 and 955.54 of the Revised Code to remove 3
pit bulls from the definition of "vicious dog" in 4
state law, to establish a process by which owners, 5
keepers, or harborers of dogs that have been 6
designated as nuisance, dangerous, or vicious may 7
appeal that designation, to define a "nuisance 8
dog," to change the definitions of a "dangerous 9
dog" and a "vicious dog," to require the owner of 10
a dangerous dog to obtain a dangerous dog 11
registration certificate, to prohibit certain 12
felons from owning dogs under certain conditions, 13
and to change the penalties involving ownership of 14
nuisance, dangerous, and vicious dogs. 15

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

Section 1. That sections 955.08, 955.11, 955.22, 955.99, 16
1901.18, and 1907.031 be amended and sections 955.222 and 955.54 17
of the Revised Code be enacted to read as follows: 18

Sec. 955.08. In addition to the certificate of registration 19
provided for by section 955.07 of the Revised Code, the county 20
auditor shall issue to every person making application for the 21
registration of a dog and paying the required fee therefor a metal 22
tag for each dog so registered. The form, character, and lettering 23
of the tag shall be prescribed by the county auditor. Each year 24
the tag shall be a color distinctive from that of the previous 25
year. If a tag is lost, a duplicate shall be furnished by the 26
auditor upon proper proof of loss and the payment of ~~twenty-five~~ 27
five dollars for each duplicate tag issued ~~or payment of an~~ 28
~~alternate fee for a duplicate tag, which the board of county~~ 29
~~commissioners may establish in an amount not to exceed one dollar~~ 30
~~and fifty cents.~~ 31

Sec. 955.11. (A) As used in this section: 32

(1)(a) "Dangerous dog" means a dog that, without provocation, 33
and subject to division (A)(1)(b) of this section, has ~~chased or~~ 34
~~approached in either a menacing fashion or an apparent attitude of~~ 35
~~attack, or has attempted to bite or otherwise endanger any person,~~ 36
~~while that dog is off the premises of its owner, keeper, or~~ 37
~~harborer and not under the reasonable control of its owner,~~ 38
~~keeper, harborer, or some other responsible person, or not~~ 39
~~physically restrained or confined in a locked pen which has a top,~~ 40
~~locked fenced yard, or other locked enclosure which has a top done~~ 41
any of the following: 42

(i) Caused injury, other than killing or serious injury, to 43
any person; 44

(ii) Killed another dog; 45

(iii) Been the subject of a third or subsequent violation of 46
division (C) of section 955.22 of the Revised Code. 47

(b) "Dangerous dog" does not include a police dog that has 48

~~chased or approached in either a menacing fashion or an apparent~~ 49
~~attitude of attack, or has attempted to bite or otherwise endanger~~ 50
~~any person caused injury, other than killing or serious injury, to~~ 51
~~any person or has killed another dog~~ while the police dog is being 52
used to assist one or more law enforcement officers in the 53
performance of their official duties. 54

(2) "Menacing fashion" means that a dog would cause any 55
person being chased or approached to reasonably believe that the 56
dog will cause physical injury to that person. 57

~~(3)(a) Subject to division (A)(3)(b) of this section,~~ 58
~~"nuisance dog" means a dog that without provocation and while off~~ 59
~~the premises of its owner, keeper, or harbinger has chased or~~ 60
~~approached a person in either a menacing fashion or an apparent~~ 61
~~attitude of attack or has attempted to bite or otherwise endanger~~ 62
~~any person.~~ 63

~~(b) "Nuisance dog" does not include a police dog that while~~ 64
~~being used to assist one or more law enforcement officers in the~~ 65
~~performance of official duties has chased or approached a person~~ 66
~~in either a menacing fashion or an apparent attitude of attack or~~ 67
~~has attempted to bite or otherwise endanger any person.~~ 68

~~(4) "Police dog" means a dog that has been trained, and may~~ 69
be used, to assist one or more law enforcement officers in the 70
performance of their official duties. 71

~~(4)(5) "Serious injury" means any of the following:~~ 72

~~(a) Any physical harm that carries a substantial risk of~~ 73
~~death;~~ 74

~~(b) Any physical harm that involves a permanent incapacity,~~ 75
~~whether partial or total, or a temporary, substantial incapacity;~~ 76

~~(c) Any physical harm that involves a permanent disfigurement~~ 77
~~or a temporary, serious disfigurement;~~ 78

(d) Any physical harm that involves acute pain of a duration 79
that results in substantial suffering or any degree of prolonged 80
or intractable pain. 81

(6)(a) "Vicious dog" means a dog that, without provocation 82
and subject to division (A)~~(4)~~(6)(b) of this section, ~~meets any of~~ 83
~~the following:~~ 84

~~(i) Has~~ has killed or caused serious injury to any person; 85

~~(ii) Has caused injury, other than killing or serious injury,~~ 86
~~to any person, or has killed another dog.~~ 87

~~(iii) Belongs to a breed that is commonly known as a pit bull~~ 88
~~dog. The ownership, keeping, or harboring of such a breed of dog~~ 89
~~shall be prima facie evidence of the ownership, keeping, or~~ 90
~~harboring of a vicious dog.~~ 91

(b) "Vicious dog" does not include either of the following: 92

(i) A police dog that has killed or caused serious injury to 93
any person ~~or that has caused injury, other than killing or~~ 94
~~serious injury, to any person~~ while the police dog is being used 95
to assist one or more law enforcement officers in the performance 96
of their official duties; 97

(ii) A dog that has killed or caused serious injury to any 98
person while a person was committing or attempting to commit a 99
trespass or other criminal offense on the property of the owner, 100
keeper, or harborer of the dog. 101

~~(5)~~(7) "Without provocation" means that a dog was not teased, 102
tormented, or abused by a person, or that the dog was not coming 103
to the aid or the defense of a person who was not engaged in 104
illegal or criminal activity and who was not using the dog as a 105
means of carrying out such activity. 106

(B) Upon the transfer of ownership of any dog, the seller of 107
the dog shall give the buyer a transfer of ownership certificate 108

that shall be signed by the seller. The certificate shall contain 109
the registration number of the dog, the name of the seller, and a 110
brief description of the dog. Blank forms of the certificate may 111
be obtained from the county auditor. A transfer of ownership shall 112
be recorded by the auditor upon presentation of a transfer of 113
ownership certificate that is signed by the former owner of a dog 114
and that is accompanied by a fee of ~~twenty-five cents~~ five 115
dollars. 116

(C) Prior to the transfer of ownership or possession of any 117
dog, upon the buyer's or other transferee's request, the seller or 118
other transferor of the dog shall give to the person a written 119
notice relative to the behavior and propensities of the dog. 120

(D) Within ten days after the transfer of ownership or 121
possession of any dog, if the seller or other transferor of the 122
dog has knowledge that the dog is a dangerous ~~or vicious~~ dog, ~~he~~ 123
the seller or other transferor shall give to the buyer or other 124
transferee, the board of health for the district in which the 125
buyer or other transferee resides, and the dog warden of the 126
county in which the buyer or other transferee resides, a completed 127
copy of a written form on which the seller shall furnish the 128
following information: 129

(1) The name and address of the buyer or other transferee of 130
the dog; 131

(2) The age, sex, color, breed, and current registration 132
number of the dog. 133

In addition, the seller shall answer the following questions, 134
which shall be specifically stated on the form as follows: 135

"Has the dog ever chased or attempted to attack or bite a 136
person? If yes, describe the incident(s) in which the behavior 137
occurred." 138

"Has the dog ever bitten a person? If yes, describe the 139

incident(s) in which the behavior occurred." 140

"Has the dog ever seriously injured or killed a person? If 141
yes, describe the incident(s) in which the behavior occurred." 142

The dog warden of the county in which the seller resides 143
shall furnish the form to the seller at no cost. 144

(E) No seller or other transferor of a dog shall fail to 145
comply with the applicable requirements of divisions (B) to (D) of 146
this section. 147

Sec. 955.22. (A) As used in this section, "dangerous dog" ~~and~~ 148
~~"vicious dog"~~ have has the same ~~meanings~~ meaning as in section 149
955.11 of the Revised Code. 150

(B) No owner, keeper, or harborer of any female dog shall 151
permit it to go beyond the premises of the owner, keeper, or 152
harborer at any time the dog is in heat unless the dog is properly 153
in leash. 154

(C) Except when a dog is lawfully engaged in hunting and 155
accompanied by the owner, keeper, harborer, or handler of the dog, 156
no owner, keeper, or harborer of any dog shall fail at any time to 157
do either of the following: 158

(1) Keep the dog physically confined or restrained upon the 159
premises of the owner, keeper, or harborer by a leash, tether, 160
adequate fence, supervision, or secure enclosure to prevent 161
escape; 162

(2) Keep the dog under the reasonable control of some person. 163

(D) Except when a dangerous ~~or vicious~~ dog is lawfully 164
engaged in hunting or training for the purpose of hunting and is 165
accompanied by the owner, keeper, harborer, or handler of the dog, 166
no owner, keeper, or harborer of a dangerous ~~or vicious~~ dog shall 167
fail to do either of the following: 168

(1) While that dog is on the premises of the owner, keeper, 169
or harborer, securely confine it at all times in a locked pen that 170
has a top, locked fenced yard, or other locked enclosure that has 171
a top, ~~except that a dangerous dog may, in the alternative, be~~ 172
~~tied with a leash or tether so that the dog is adequately~~ 173
~~restrained;~~ 174

(2) While that dog is off the premises of the owner, keeper, 175
or harborer, keep that dog on a chain-link leash or tether that is 176
not more than six feet in length and additionally do at least one 177
of the following: 178

(a) Keep that dog in a locked pen that has a top, locked 179
fenced yard, or other locked enclosure that has a top; 180

(b) Have the leash or tether controlled by a person who is of 181
suitable age and discretion or securely attach, tie, or affix the 182
leash or tether to the ground or a stationary object or fixture so 183
that the dog is adequately restrained and station such a person in 184
close enough proximity to that dog so as to prevent it from 185
causing injury to any person; 186

(c) Muzzle that dog. 187

(E) No person who has been convicted of or pleaded guilty to 188
three or more violations of division (C) of this section involving 189
the same dog and no owner, keeper, or harborer of a vicious 190
dangerous dog shall fail to obtain do the following: 191

(1) Obtain liability insurance with an insurer authorized to 192
write liability insurance in this state providing coverage in each 193
occurrence, ~~subject to a limit, exclusive of interest and costs,~~ 194
~~of not less than one hundred thousand dollars~~ because of damage or 195
bodily injury to or death of a person caused by the ~~vicious~~ 196
dangerous dog if so ordered by a court and provide proof of that 197
liability insurance upon request to any law enforcement officer, 198
county dog warden, or public health official charged with 199

<u>enforcing this section;</u>	200
<u>(2) Obtain a dangerous dog registration certificate from the</u>	201
<u>county auditor pursuant to division (I) of this section, affix a</u>	202
<u>tag that identifies the dog as a dangerous dog to the dog's</u>	203
<u>collar, and ensure that the dog wears the collar and tag at all</u>	204
<u>times;</u>	205
<u>(3) Notify the local dog warden immediately if any of the</u>	206
<u>following occurs:</u>	207
<u>(a) The dog is loose or unconfined.</u>	208
<u>(b) The dog bites a person, unless the dog is on the property</u>	209
<u>of the owner of the dog, and the person who is bitten is</u>	210
<u>unlawfully trespassing or committing a criminal act within the</u>	211
<u>boundaries of that property.</u>	212
<u>(c) The dog attacks another animal while the dog is off the</u>	213
<u>property of the owner of the dog.</u>	214
<u>(4) If the dog is sold, given to another person, or dies,</u>	215
<u>notify the county auditor within ten days of the sale, transfer,</u>	216
<u>or death.</u>	217
(F) No person shall do any of the following:	218
(1) Debark or surgically silence a dog that the person knows	219
or has reason to believe is a vicious <u>dangerous</u> dog;	220
(2) Possess a vicious <u>dangerous</u> dog if the person knows or	221
has reason to believe that the dog has been debarked or surgically	222
silenced;	223
(3) Falsely attest on a waiver form provided by the	224
veterinarian under division (G) of this section that the person's	225
dog is not a vicious <u>dangerous</u> dog or otherwise provide false	226
information on that written waiver form.	227
(G) Before a veterinarian debarks or surgically silences a	228
dog, the veterinarian may give the owner of the dog a written	229

waiver form that attests that the dog is not a vicious <u>dangerous</u>	230
dog. The written waiver form shall include all of the following:	231
(1) The veterinarian's license number and current business address;	232 233
(2) The number of the license of the dog if the dog is licensed;	234 235
(3) A reasonable description of the age, coloring, and gender of the dog as well as any notable markings on the dog;	236 237
(4) The signature of the owner of the dog attesting that the owner's dog is not a vicious <u>dangerous</u> dog;	238 239
(5) A statement that division (F) of section 955.22 of the Revised Code prohibits any person from doing any of the following:	240 241
(a) Debarking or surgically silencing a dog that the person knows or has reason to believe is a vicious <u>dangerous</u> dog;	242 243
(b) Possessing a vicious <u>dangerous</u> dog if the person knows or has reason to believe that the dog has been debarked or surgically silenced;	244 245 246
(c) Falsely attesting on a waiver form provided by the veterinarian under division (G) of section 955.22 of the Revised Code that the person's dog is not a vicious <u>dangerous</u> dog or otherwise provide false information on that written waiver form.	247 248 249 250
(H) It is an affirmative defense to a charge of a violation of division (F) of this section that the veterinarian who is charged with the violation obtained, prior to debarking or surgically silencing the dog, a written waiver form that complies with division (G) of this section and that attests that the dog is not a vicious <u>dangerous</u> dog.	251 252 253 254 255 256
(I)(1) <u>The county auditor shall issue a dangerous dog registration certificate to a person who is the owner of a dog, who is eighteen years of age or older, and who provides the</u>	257 258 259

<u>following to the county auditor:</u>	260
<u>(a) A fee of fifty dollars;</u>	261
<u>(b) The person's address, phone number, and other appropriate</u> <u>means for the local dog warden or county auditor to contact the</u> <u>person;</u>	262 263 264
<u>(c) With respect to the person and the dog for which the</u> <u>registration is sought, all of the following:</u>	265 266
<u>(i) Either satisfactory evidence of the dog's current rabies</u> <u>vaccination or a statement from a licensed veterinarian that a</u> <u>rabies vaccination is medically contraindicated for the dog;</u>	267 268 269
<u>(ii) Either satisfactory evidence of the fact that the dog</u> <u>has been neutered or spayed or a statement from a licensed</u> <u>veterinarian that neutering or spaying of the dog is medically</u> <u>contraindicated;</u>	270 271 272 273
<u>(iii) Satisfactory evidence of the fact that the person has</u> <u>posted and will continue to post clearly visible signs at the</u> <u>person's residence warning both minors and adults of the presence</u> <u>of a dangerous dog on the property;</u>	274 275 276 277
<u>(iv) Satisfactory evidence of the fact that the dog has been</u> <u>permanently identified by means of a microchip and the dog's</u> <u>microchip number.</u>	278 279 280
<u>(2) Upon the issuance of a dangerous dog registration</u> <u>certificate to the owner of a dog, the county auditor shall</u> <u>provide the owner with a uniformly designed tag that identifies</u> <u>the animal as a dangerous dog. The owner shall renew the</u> <u>certificate annually for the same fee and in the same manner as</u> <u>the initial certificate was obtained. If a certificate holder</u> <u>relocates to a new county, the certificate holder shall follow the</u> <u>procedure in division (I)(3)(b) of this section and, upon the</u> <u>expiration of the certificate issued in the original county, shall</u>	281 282 283 284 285 286 287 288 289

renew the certificate in the new county. 290

(3)(a) If the owner of a dangerous dog for whom a registration certificate has previously been obtained relocates to a new address within the same county, the owner shall provide notice of the new address to the county auditor within ten days of relocating to the new address. 291
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(b) If the owner of a dangerous dog for whom a registration certificate has previously been obtained relocates to a new address within another county, the owner shall do both of the following within ten days of relocating to the new address: 296
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(i) Provide written notice of the new address and a copy of the original dangerous dog registration certificate to the county auditor of the new county; 300
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(ii) Provide written notice of the new address to the county auditor of the county where the owner previously resided. 303
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(4) The owner of a dangerous dog shall present the dangerous dog registration certificate upon being requested to do so by any law enforcement officer, dog warden, or public health official charged with enforcing this section. 305
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(5) The fees collected pursuant to this division shall be deposited in the dog and kennel fund of the county. 309
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Sec. 955.222. (A) The municipal court or county court that has territorial jurisdiction over the residence of the owner, keeper, or harbinger of a dog shall conduct any hearing concerning the designation of the dog as a nuisance dog, dangerous dog, or vicious dog. 311
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(B) If a person who is authorized to enforce this chapter has reasonable cause to believe that a dog in the person's jurisdiction is a nuisance dog, dangerous dog, or vicious dog, the person shall notify the owner, keeper, or harbinger of that dog, by 316
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certified mail or in person, of both of the following: 320

(1) That the person has designated the dog a nuisance dog, 321
dangerous dog, or vicious dog, as applicable; 322

(2) That the owner, keeper, or harbinger of the dog may 323
request a hearing regarding the designation in accordance with 324
this section. The notice shall include instructions for filing a 325
request for a hearing in the county in which the dog's owner, 326
keeper, or harbinger resides. 327

(C) If the owner, keeper, or harbinger of the dog disagrees 328
with the designation of the dog as a nuisance dog, dangerous dog, 329
or vicious dog, as applicable, the owner, keeper, or harbinger, not 330
later than ten days after receiving notification of the 331
designation, may request a hearing regarding the determination. 332
The request for a hearing shall be in writing and shall be filed 333
with the municipal court or county court that has territorial 334
jurisdiction over the residence of the dog's owner, keeper, or 335
harbinger. At the hearing, the person who designated the dog as a 336
nuisance dog, dangerous dog, or vicious dog has the burden of 337
proving, by clear and convincing evidence, that the dog is a 338
nuisance dog, dangerous dog, or vicious dog. 339

The owner, keeper, or harbinger of the dog or the person who 340
designated the dog as a nuisance dog, dangerous dog, or vicious 341
dog may appeal the court's final determination as in any other 342
case filed in that court. 343

(D) A court, upon motion of an owner, keeper, or harbinger or 344
an attorney representing the owner, keeper, or harbinger, may order 345
that the dog designated as a nuisance dog, dangerous dog, or 346
vicious dog be held in the possession of the owner, keeper, or 347
harbinger until the court makes a final determination under this 348
section or during the pendency of an appeal, as applicable. Until 349
the court makes a final determination and during the pendency of 350

any appeal, the dog shall be confined or restrained in accordance 351
with the provisions of division (D) of section 955.22 of the 352
Revised Code that apply to dangerous dogs regardless of whether 353
the dog has been designated as a vicious dog or a nuisance dog 354
rather than a dangerous dog. The owner, keeper, or harborer of the 355
dog shall not be required to comply with any other requirements 356
established in the Revised Code that concern a nuisance dog, 357
dangerous dog, or vicious dog, as applicable, until the court 358
makes a final determination and during the pendency of any appeal. 359

(E) If a dog is finally determined under this section, or on 360
appeal as described in this section, to be a vicious dog, division 361
(D) of section 955.11 and divisions (D) to (I) of section 955.22 362
of the Revised Code apply with respect to the dog and the owner, 363
keeper, or harborer of the dog as if the dog were a dangerous dog, 364
and section 955.54 of the Revised Code applies with respect to the 365
dog as if it were a dangerous dog, and the court shall issue an 366
order that specifies that those provisions apply with respect to 367
the dog and the owner, keeper, or harborer in that manner. As part 368
of the order, the court shall require the owner, keeper, or 369
harborer to obtain the liability insurance required under division 370
(E)(1) of section 955.22 of the Revised Code in an amount 371
described in division (H)(2) of section 955.99 of the Revised 372
Code. 373

(F) As used in this section, "nuisance dog," "dangerous dog," 374
and "vicious dog" have the same meanings as in section 955.11 of 375
the Revised Code. 376

Sec. 955.54. (A) No person who is convicted of or pleads 377
guilty to a felony offense of violence committed on or after the 378
effective date of this section or a felony violation of any 379
provision of Chapter 959., 2923., or 2925. of the Revised Code 380
committed on or after the effective date of this section shall 381

knowingly own, possess, have custody of, or reside in a residence 382
with either of the following for a period of three years 383
commencing either upon the date of release of the person from any 384
period of incarceration imposed for the offense or violation or, 385
if the person is not incarcerated for the offense or violation, 386
upon the date of the person's final release from the other 387
sanctions imposed for the offense or violation: 388

(1) An unspayed or unneutered dog older than twelve weeks of 389
age; 390

(2) Any dog that has been determined to be a dangerous dog 391
under Chapter 955. of the Revised Code. 392

(B) A person described in division (A) of this section shall 393
microchip for permanent identification any dog owned, possessed 394
by, or in the custody of the person. 395

(C)(1) Division (A) of this section does not apply to any 396
person who is confined in a correctional institution of the 397
department of rehabilitation and correction. 398

(2) Division (A) of this section does not apply to any person 399
with respect to any dog that the person owned, possessed, had 400
custody of, or resided in a residence with prior to the effective 401
date of this section. 402

Sec. 955.99. (A)(1) Whoever violates division (E) of section 403
955.11 of the Revised Code because of a failure to comply with 404
division (B) of that section is guilty of a minor misdemeanor. 405

(2) Whoever violates division (E) of section 955.11 of the 406
Revised Code because of a failure to comply with division (C) or 407
(D) of that section is guilty of a minor misdemeanor on a first 408
offense and of a misdemeanor of the fourth degree on each 409
subsequent offense. 410

(B) Whoever violates section 955.10, 955.23, 955.24, or 411

955.25 of the Revised Code is guilty of a minor misdemeanor. 412

(C) Whoever violates section 955.261, 955.39, or 955.50 of 413
the Revised Code is guilty of a minor misdemeanor on a first 414
offense and of a misdemeanor of the fourth degree on each 415
subsequent offense. 416

(D) Whoever violates division (F) of section 955.16 or 417
division (B) of section 955.43 of the Revised Code is guilty of a 418
misdemeanor of the fourth degree. 419

(E)(1) Whoever violates section 955.21 ~~or~~ of the Revised 420
Code, violates division (B) of section 955.22 of the Revised Code, 421
or commits a violation of division (C) of section 955.22 of the 422
Revised Code that involves a dog that is not a nuisance dog, 423
dangerous dog, or vicious dog shall be fined not less than 424
twenty-five dollars or more than one hundred dollars on a first 425
offense, and on each subsequent offense shall be fined not less 426
than seventy-five dollars or more than two hundred fifty dollars 427
and may be imprisoned for not more than thirty days. 428

(2) In addition to the penalties prescribed in division 429
(E)(1) of this section, if the offender is guilty of a violation 430
of division (B) of section 955.22 of the Revised Code or a 431
violation of division (C) of section 955.22 of the Revised Code 432
that involves a dog that is not a nuisance dog, dangerous dog, or 433
vicious dog, the court may order the offender to personally 434
supervise the dog that the offender owns, keeps, or harbors, to 435
cause that dog to complete dog obedience training, or to do both. 436

(F) ~~If~~ (1) Whoever commits a violation of division (C) of 437
section 955.22 of the Revised Code that involves a nuisance dog is 438
guilty of a minor misdemeanor on the first offense and of a 439
misdemeanor of the fourth degree on each subsequent offense 440
involving the same dog. Upon a person being convicted of or 441
pleading guilty to a third violation of division (C) of section 442

955.22 of the Revised Code involving the same dog, the court shall 443
require the offender to register the involved dog as a dangerous 444
dog. 445

(2) In addition to the penalties prescribed in division 446
(F)(1) of this section, if a violation of division (C) of section 447
955.22 of the Revised Code involves a nuisance dog, the court may 448
order the offender to personally supervise the nuisance dog that 449
the offender owns, keeps, or harbors, to cause that dog to 450
complete dog obedience training, or to do both. 451

(G) Whoever commits a violation of division ~~(D)~~(C) of section 452
955.22 of the Revised Code that involves a dangerous dog, ~~whoever~~ 453
~~violates that division~~ or a violation of division (D) of that 454
section is guilty of a misdemeanor of the fourth degree on a first 455
offense and of a misdemeanor of the third degree on each 456
subsequent offense. Additionally, the court may order the offender 457
to personally supervise the dangerous dog that the offender owns, 458
keeps, or harbors, to cause that dog to complete dog obedience 459
training, or to do both, and the court may order the offender to 460
obtain liability insurance pursuant to division (E) of section 461
955.22 of the Revised Code. The court, in the alternative, may 462
order the dangerous dog to be humanely destroyed by a licensed 463
veterinarian, the county dog warden, or the county humane society 464
at the owner's expense. With respect to a violation of division 465
(C) of section 955.22 of the Revised Code that involves a 466
dangerous dog, until the court makes a final determination and 467
during the pendency of any appeal of a violation of that division 468
and at the discretion of the dog warden, the dog shall be confined 469
or restrained in accordance with division (D) of section 955.22 of 470
the Revised Code or at the county dog pound at the owner's 471
expense. 472

~~(G)~~ If (H)(1) Whoever commits a violation of division ~~(D)~~(C) 473
of section 955.22 of the Revised Code that involves a vicious dog, 474

~~whoever violates that division~~ is guilty of one of the following: 475

~~(1)(a) A felony of the fourth degree on a first or subsequent offense if the dog kills or seriously injures a person.~~ 476
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Additionally, the court shall order that the vicious dog be 478
humanely destroyed by a licensed veterinarian, the county dog 479
warden, or the county humane society at the owner's expense. 480

~~(2)(b) A misdemeanor of the first degree on a first offense and a felony of the fourth degree on each subsequent offense if the dog causes serious injury to a person.~~ 481
Additionally, the court 482
may order the vicious dog to be humanely destroyed by a licensed 483
veterinarian, the county dog warden, or the county humane society- 484
485

~~(3) A misdemeanor of the first degree if the dog causes injury, other than killing or serious injury, to any person.~~ 486
487

~~(H) at the owner's expense.~~ 488

(2) If the court does not order the vicious dog to be 489
destroyed under division (H)(1)(b) of this section, the court 490
shall issue an order that specifies that division (D) of section 491
955.11 and divisions (D) to (I) of section 955.22 of the Revised 492
Code apply with respect to the dog and the owner, keeper, or 493
harborer of the dog as if the dog were a dangerous dog and that 494
section 955.54 of the Revised Code applies with respect to the dog 495
as if it were a dangerous dog. As part of the order, the court 496
shall order the offender to obtain the liability insurance 497
required under division (E)(1) of section 955.22 of the Revised 498
Code in an amount, exclusive of interest and costs, that equals or 499
exceeds one hundred thousand dollars. Until the court makes a 500
final determination and during the pendency of any appeal of a 501
violation of division (C) of section 955.22 of the Revised Code 502
and at the discretion of the dog warden, the dog shall be confined 503
or restrained in accordance with the provisions described in 504
division (D) of section 955.22 of the Revised Code or at the 505

county dog pound at the owner's expense. 506

(I) Whoever violates division (A)(2) of section 955.01 or 507
division (E) of section 955.22 of the Revised Code is guilty of a 508
misdemeanor of the first degree. 509

(J) Whoever violates division (E)(2) of section 955.22 of 510
the Revised Code is guilty of a misdemeanor of the fourth degree. 511

(K) Whoever violates division (C) of section 955.221 of the 512
Revised Code is guilty of a minor misdemeanor. Each day of 513
continued violation constitutes a separate offense. Fines levied 514
and collected for violations of that division shall be distributed 515
by the mayor or clerk of the municipal or county court in 516
accordance with section 733.40, division (F) of section 1901.31, 517
or division (C) of section 1907.20 of the Revised Code to the 518
treasury of the county, township, or municipal corporation whose 519
resolution or ordinance was violated. 520

(L) Whoever violates division (F)(1), (2), or (3) of 521
section 955.22 of the Revised Code is guilty of a felony of the 522
fourth degree. Additionally, the court shall order that the 523
vicious dog involved in the violation be humanely destroyed by a 524
licensed veterinarian, the county dog warden, or the county humane 525
society. Until the court makes a final determination and during 526
the pendency of any appeal of a violation of division (F)(1), (2), 527
or (3) of section 955.22 of the Revised Code and at the discretion 528
of the dog warden, the dog shall be confined or restrained in 529
accordance with the provisions of division (D) of section 955.22 530
of the Revised Code or at the county dog pound at the owner's 531
expense. 532

(M) Whoever violates division (E)(1), (3), or (4) of section 533
955.22 of the Revised Code is guilty of a minor misdemeanor. 534

(N) Whoever violates division (I)(4) of section 955.22 of the 535
Revised Code is guilty of a minor misdemeanor. 536

(O) Whoever violates division (A) or (B) of section 955.54 of 537
the Revised Code is guilty of a misdemeanor of the first degree. 538

(P)(1) If a dog is confined at the county dog pound pursuant 539
to division (G), (H), or (L) of this section, the county dog 540
warden shall give written notice of the confinement to the owner 541
of the dog. If the county dog warden is unable to give the notice 542
to the owner of the dog, the county dog warden shall post the 543
notice on the door of the residence of the owner of the dog or in 544
another conspicuous place on the premises at which the dog was 545
seized. The notice shall include a statement that a security in 546
the amount of one hundred dollars is due to the county dog warden 547
within ten days to secure payment of all reasonable expenses, 548
including medical care and boarding of the dog for sixty days, 549
expected to be incurred by the county dog pound in caring for the 550
dog pending the determination. The county dog warden may draw from 551
the security any actual costs incurred in caring for the dog. 552

(2) If the person ordered to post security under division 553
(P)(1) of this section does not do so within ten days of the 554
confinement of the animal, the dog is forfeited, and the county 555
dog warden may determine the disposition of the dog unless the 556
court issues an order that specifies otherwise. 557

(3) Not more than ten days after the court makes a final 558
determination under division (G), (H), or (L) of this section, the 559
county dog warden shall provide the owner of the dog with the 560
actual cost of the confinement of the dog. If the county dog 561
warden finds that the security provided under division (P)(1) of 562
this section is less than the actual cost of confinement of the 563
dog, the owner shall remit the difference between the security 564
provided and the actual cost to the county dog warden within 565
thirty days after the court's determination. If the county dog 566
warden finds that the security provided under division (P)(1) of 567
this section is greater than that actual cost, the county dog 568

warden shall remit the difference between the security provided 569
and the actual cost to the owner within thirty days after the 570
court's determination. 571

(Q) As used in this section, "nuisance dog," "dangerous dog," 572
and "vicious dog" have the same meanings as in section 955.11 of 573
the Revised Code. 574

Sec. 1901.18. (A) Except as otherwise provided in this 575
division or section 1901.181 of the Revised Code, subject to the 576
monetary jurisdiction of municipal courts as set forth in section 577
1901.17 of the Revised Code, a municipal court has original 578
jurisdiction within its territory in all of the following actions 579
or proceedings and to perform all of the following functions: 580

(1) In any civil action, of whatever nature or remedy, of 581
which judges of county courts have jurisdiction; 582

(2) In any action or proceeding at law for the recovery of 583
money or personal property of which the court of common pleas has 584
jurisdiction; 585

(3) In any action at law based on contract, to determine, 586
preserve, and enforce all legal and equitable rights involved in 587
the contract, to decree an accounting, reformation, or 588
cancellation of the contract, and to hear and determine all legal 589
and equitable remedies necessary or proper for a complete 590
determination of the rights of the parties to the contract; 591

(4) In any action or proceeding for the sale of personal 592
property under chattel mortgage, lien, encumbrance, or other 593
charge, for the foreclosure and marshalling of liens on personal 594
property of that nature, and for the rendering of personal 595
judgment in the action or proceeding; 596

(5) In any action or proceeding to enforce the collection of 597
its own judgments or the judgments rendered by any court within 598

the territory to which the municipal court has succeeded, and to 599
subject the interest of a judgment debtor in personal property to 600
satisfy judgments enforceable by the municipal court; 601

(6) In any action or proceeding in the nature of 602
interpleader; 603

(7) In any action of replevin; 604

(8) In any action of forcible entry and detainer; 605

(9) In any action concerning the issuance and enforcement of 606
temporary protection orders pursuant to section 2919.26 of the 607
Revised Code or protection orders pursuant to section 2903.213 of 608
the Revised Code or the enforcement of protection orders issued by 609
courts of another state, as defined in section 2919.27 of the 610
Revised Code; 611

(10) If the municipal court has a housing or environmental 612
division, in any action over which the division is given 613
jurisdiction by section 1901.181 of the Revised Code, provided 614
that, except as specified in division (B) of that section, no 615
judge of the court other than the judge of the division shall hear 616
or determine any action over which the division has jurisdiction; 617

(11) In any action brought pursuant to division (I) of 618
section 3733.11 of the Revised Code, if the residential premises 619
that are the subject of the action are located within the 620
territorial jurisdiction of the court; 621

(12) In any civil action as described in division (B)(1) of 622
section 3767.41 of the Revised Code that relates to a public 623
nuisance, and, to the extent any provision of this chapter 624
conflicts or is inconsistent with a provision of that section, the 625
provision of that section shall control in the civil action; 626

(13) In a proceeding brought pursuant to section 955.222 of 627
the Revised Code by the owner of a dog that has been designated as 628

a nuisance dog, dangerous dog, or vicious dog. 629

(B) The Cleveland municipal court also shall have 630
jurisdiction within its territory in all of the following actions 631
or proceedings and to perform all of the following functions: 632

(1) In all actions and proceedings for the sale of real 633
property under lien of a judgment of the municipal court or a lien 634
for machinery, material, or fuel furnished or labor performed, 635
irrespective of amount, and, in those actions and proceedings, the 636
court may proceed to foreclose and marshal all liens and all 637
vested or contingent rights, to appoint a receiver, and to render 638
personal judgment irrespective of amount in favor of any party. 639

(2) In all actions for the foreclosure of a mortgage on real 640
property given to secure the payment of money or the enforcement 641
of a specific lien for money or other encumbrance or charge on 642
real property, when the amount claimed by the plaintiff does not 643
exceed fifteen thousand dollars and the real property is situated 644
within the territory, and, in those actions, the court may proceed 645
to foreclose all liens and all vested and contingent rights and 646
may proceed to render judgments and make findings and orders 647
between the parties in the same manner and to the same extent as 648
in similar actions in the court of common pleas. 649

(3) In all actions for the recovery of real property situated 650
within the territory to the same extent as courts of common pleas 651
have jurisdiction; 652

(4) In all actions for injunction to prevent or terminate 653
violations of the ordinances and regulations of the city of 654
Cleveland enacted or promulgated under the police power of the 655
city of Cleveland, pursuant to Section 3 of Article XVIII, Ohio 656
Constitution, over which the court of common pleas has or may have 657
jurisdiction, and, in those actions, the court may proceed to 658
render judgments and make findings and orders in the same manner 659

and to the same extent as in similar actions in the court of 660
common pleas. 661

Sec. 1907.031. (A) Except as otherwise provided in section 662
1907.03 of the Revised Code and in addition to the jurisdiction 663
authorized in other sections of this chapter and in section 664
1909.11 of the Revised Code, a county court has original 665
jurisdiction within its district in all of the following actions 666
or proceedings and to perform all of the following functions: 667

(1) In an action or proceeding at law for the recovery of 668
money or personal property of which the court of common pleas has 669
jurisdiction; 670

(2) In an action at law based on contract, to determine, 671
preserve, and enforce all legal and equitable rights involved in 672
the contract, to decree an accounting, reformation, or 673
cancellation of the contract, and to hear and determine all legal 674
and equitable remedies necessary or proper for a complete 675
determination of the rights of the parties to the contract; 676

(3) In an action or proceeding for the sale of personal 677
property under chattel mortgage, lien, encumbrance, or other 678
charge, for the foreclosure and marshalling of liens on the 679
personal property, and for the rendering of personal judgment in 680
the action or proceeding; 681

(4) In an action or proceeding to enforce the collection of 682
its own judgments and to subject the interest of a judgment debtor 683
in personal property to satisfy judgments enforceable by the 684
county court; 685

(5) In an action or proceeding in the nature of interpleader; 686

(6) In an action of forcible entry and detainer; 687

(7) In a proceeding brought pursuant to section 955.222 of 688
the Revised Code by the owner of a dog that has been designated as 689

a nuisance dog, dangerous dog, or vicious dog. 690

(B) A county court has original jurisdiction in civil actions 691
as described in division (B)(1) of section 3767.41 of the Revised 692
Code that relate to a public nuisance. To the extent any provision 693
of this chapter conflicts or is inconsistent with a provision of 694
that section, the provision of that section shall control in such 695
a civil action. 696

Section 2. That existing sections 955.08, 955.11, 955.22, 697
955.99, 1901.18, and 1907.031 of the Revised Code are hereby 698
repealed. 699

Section 3. (A) Except as provided in division (B) of this 700
section, an owner, keeper, or harborer of a dog who was required 701
to comply with the requirements pertaining to a vicious dog prior 702
to the effective date of this act shall be required to comply with 703
the requirements pertaining to a dangerous dog on or after the 704
effective date of this act. 705

(B) Division (A) of this section does not apply to an owner, 706
harborer, or keeper of a dog who was required, with respect to 707
that dog, to comply with the requirements pertaining to a vicious 708
dog prior to the effective date of this act solely because the dog 709
belongs to a breed that is commonly known as a pit bull dog. 710