



Ohio Legislative Service Commission

Bill Analysis

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Sub. H.B. 14

129th General Assembly
(As Reported by H. Criminal Justice)

Reps. Sears, Winburn, Garland

BILL SUMMARY

- Defines a "nuisance dog" as a dog that without provocation and while off the premises of its owner, keeper, or harbinger has chased or approached a person in either a menacing fashion or an apparent attitude of attack or has attempted to bite or otherwise endanger any person.
- Defines a "dangerous dog" as a dog that, without provocation, has caused injury, other than killing or serious injury, to any person; has killed another dog; or has been the subject of a third violation of a certain prohibition.
- Defines a "vicious dog" as a dog that, without provocation, has killed or caused serious injury to any person.
- Specifies that an owner, keeper, or harbinger of a dog who was required to comply with the requirements pertaining to a "vicious dog" prior to the effective date of the bill will be required to comply with the requirements pertaining to a "dangerous dog" on or after the effective date of the bill.
- Repeals the statement that the ownership, keeping, or harboring of a pit bull dog is *prima facie* evidence of the ownership, keeping, or harboring of a vicious dog.
- Eliminates the option for a dangerous dog to be tied with a leash or tether so that the dog is adequately restrained while that dog is on the premises of the owner, keeper, or harbinger under the requirements for confinement of a dangerous dog, and eliminates all special confinements for a vicious dog.
- Requires a person who has been convicted of or pleaded guilty to three violations of a certain prohibition involving the same dog and the owner, keeper, or harbinger of a "dangerous dog" to obtain liability insurance with an insurer authorized to write

liability insurance in this state providing coverage in each occurrence because of damage or bodily injury to or death of a person caused by the dangerous dog if so ordered by a court.

- Requires a person required to have the liability insurance described in the preceding dot point to provide proof of the liability insurance upon request to any law enforcement officer, county dog warden, or public health official, and specifies that failure to do so is a minor misdemeanor.
- Eliminates all requirements for an owner, keeper, or harbinger of a vicious dog to obtain liability insurance.
- Requires a person who has been convicted of or pleaded guilty to three violations of a certain prohibition involving the same dog and the owner, keeper, or harbinger of a "dangerous dog" to do the following:
 - Notify the local dog warden immediately if the dog is loose or unconfined, the dog bites a person (unless the dog is on the dog owner's property, and the person who is bitten is unlawfully trespassing or committing a criminal act within the boundaries of that property), or the dog attacks another animal while the dog is off the dog owner's property.
 - Notify the county auditor of the sale, transfer, or death of the dog.
- Requires a person who has been convicted of or pleaded guilty to three violations of a certain prohibition involving the same dog and the owner, keeper, or harbinger of a "dangerous dog" to obtain a dangerous dog registration certificate from the county auditor, affix a tag that identifies the dog as a dangerous dog to the dog's collar, and ensure that the dog wears the collar and tag at all times, and specifies that failure to do so is a fourth degree misdemeanor.
- Requires the county auditor to issue a dangerous dog registration certificate to a person who is the owner of a dog, who is 18 years of age or older, and who provides a fee of \$50 and certain specified information.
- Requires the owner of a dangerous dog to renew the dog's registration certificate annually for the same fee and in the same manner as the initial certificate was obtained, and sets up notification procedures for owners who move to new addresses.
- Requires the owner of a dangerous dog to present the dangerous dog registration certificate upon being requested to do so by any law enforcement officer, dog

warden, or public health official, and specifies that failure to do so is a minor misdemeanor.

- Prohibits a person who has been convicted of or pleaded guilty to a felony offense of violence or a felony violation of any provision of Chapter 959. (offenses relating to domestic animals), 2923. (conspiracy, attempt, and complicity; weapons control; corrupt activity), or 2925. (drug offenses) to knowingly own, possess, have custody of, or reside in a residence with an unspayed or unneutered dog older than 12 weeks of age, or any dog that has been determined to be a "dangerous dog" for a period of ten years commencing upon the date of release of the person from any period of incarceration imposed for the conviction, and specifies that a violation of this prohibition is a first degree misdemeanor.
- Requires a person described in the preceding dot point to microchip for permanent identification any dog owned, possessed by, or in the custody of the person, and specifies that failure to do so is a first degree misdemeanor.
- Amends the penalties for failure to properly confine a "nuisance dog," "dangerous dog," or "vicious dog," and for possession of dogs that have been surgically silenced or debarked under certain circumstances.
- Requires that a dog that is subject to any of the violations listed in the preceding dot point, at the discretion of the dog warden, be confined or restrained in accordance with the provisions describing confinement of "dangerous dogs" or at the county dog pound at the owner's expense until the court makes a final determination and during the pendency of any appeal of any of those violations.
- Requires the owner of a dog that has been confined at the county dog pound as a result of being the subject of a court determination on whether the dog has committed a violation of R.C. 955.22(C) involving a "dangerous dog" or a "vicious dog," or certain violations involving a dog that has been debarked or surgically silenced provide a security of \$100 to the county dog warden to secure payment of all reasonable expenses incurred in keeping the dog during the pendency of the proceedings or appeal, and specifies that failure to provide this security will result in forfeiture of the dog.
- Specifies that, at the end of the confinement period of a dog described in the preceding dot point and upon the release of the dog to the owner, if applicable, the dog warden must provide the owner with the actual cost of the confinement of the dog; if the actual cost is more than \$100, the owner must provide the difference to the dog warden, and if the actual cost is less than \$100, the dog warden must provide the difference to the owner.

- Requires a person who is authorized to enforce Ohio's dog laws and who has reasonable cause to believe that a dog in the person's jurisdiction is a nuisance dog, dangerous dog, or vicious dog to notify the owner, keeper, or harborer of that dog, by certified mail or in person, that the person has designated the dog a nuisance dog, dangerous dog, or vicious dog, as applicable, and that the owner, keeper, or harborer of the dog may request a hearing regarding the designation.
- Specifies that the municipal court or county court that has territorial jurisdiction over the residence of the owner, keeper, or harborer of a dog must conduct any hearing concerning the designation of the dog as a nuisance dog, dangerous dog, or vicious dog.
- Permits a court, upon motion of an owner, keeper, or harborer or an attorney representing the owner, keeper, or harborer, to order that the dog designated as a nuisance dog, dangerous dog, or vicious dog be held in the possession of the owner, keeper, or harborer until the court makes a final determination or during the pendency of an appeal, as applicable.
- Increases the fee for replacement of a lost metal tag from 25¢ to \$5 and eliminates the option of paying an alternate fee for a duplicate tag set by the board of county commissioners.
- Increases the fee for recording a transfer of ownership certificate with the county auditor from 25¢ to \$5.
- Requires fees collected by the county auditor for dangerous dog registration certificates to be deposited in the dog and kennel fund of the county.

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CONTENT AND OPERATION

Definitions of "nuisance dog," "dangerous dog," "vicious dog," and "serious injury"

The bill creates definitions for a "nuisance dog" and "serious injury" and alters the definitions for "dangerous dog" and "vicious dog." Under the bill, these terms are defined as the following:

(1) "Nuisance dog" means a dog that without provocation and while off the premises of its owner, keeper, or harbinger has chased or approached a person in either a menacing fashion or an apparent attitude of attack or has attempted to bite or otherwise endanger any person. It does not include a police dog that while being used to assist one or more law enforcement officers in the performance of official duties has chased or approached a person in either a menacing fashion or an apparent attitude of attack or has attempted to bite or otherwise endanger any person.¹

(2) "Dangerous dog" means a dog that, without provocation, has caused injury, other than killing or serious injury, to any person; has killed another dog; or has been the subject of a third violation of R.C. 955.22(C) (see "**General confinement of dogs**," below). However, it does not include a police dog that has caused injury, other than killing or serious injury, to any person or has killed another dog while the police dog is being used to assist one or more law enforcement officers in the performance of official duties.²

(3) "Vicious dog" means a dog that, without provocation, has killed or caused serious injury to any person. It does not include (1) a police dog that has killed or caused serious injury to any person while the police dog is being used to assist one or

¹ R.C. 955.11(A)(3).

² R.C. 955.11(A)(1).

more law enforcement officers in the performance of official duties or (2) a dog that has killed or caused serious injury to any person while a person was committing or attempting to commit a trespass or other criminal offense on the property of the owner, keeper, or harbinger of the dog.³

(4) "Serious injury" means any physical harm that carries a substantial risk of death; any physical harm that involves a permanent incapacity, whether partial or total, or a temporary, substantial incapacity; any physical harm that involves a permanent disfigurement or a temporary, serious disfigurement; or any physical harm that involves acute pain of a duration that results in substantial suffering or any degree of prolonged or intractable pain.⁴

The new definition for "nuisance dog" is essentially the same as the previous definition for "dangerous dog." The new definition for "dangerous dog" is the same as one part of the previous definition for "vicious dog." It does not include the part of that definition that relates to having killed or caused serious injury to any person, which is now the definition for a "vicious dog." It also does not include the part of that definition that defined a "vicious dog" as a dog belonging to a breed commonly known as a pit bull dog. In many locations where the term "vicious dog" previously appeared, it has been either removed or replaced with "dangerous dog."⁵

***Prima facie* evidence rule**

Existing law provides that the ownership, keeping, or harboring of a pit bull dog is *prima facie* evidence of the ownership, keeping, or harboring of a vicious dog. Under that provision, a person who owns, keeps, or harbors a pit bull dog is considered to own, keep, or harbor a vicious dog without the need for additional evidence and solely because of the breed of the dog that the person owns, keeps, or harbors. The bill repeals this *prima facie* evidence rule. Therefore, under the bill a person cannot be found to own, keep, or harbor a vicious dog unless evidence is presented to prove that the dog has killed or caused serious injury to any person.⁶

General confinement of dogs

Existing law, unchanged by the bill, requires the owner, keeper, or harbinger of any dog subject to one exception to keep the dog physically confined or restrained upon

³ R.C. 955.11(A)(6).

⁴ R.C. 955.11(A)(5).

⁵ R.C. 955.11(D), 955.22(A), (D), (E), (F), (G), and (H), and 955.99(L).

⁶ R.C. 955.11(A)(6).

the premises of the owner, keeper, or harborer by a leash, tether, adequate fence, supervision, or secure enclosure to prevent escape or to keep the dog under the reasonable control of some person. An exception to this requirement is a dog that is lawfully engaged in hunting and accompanied by the owner, keeper, harborer, or handler of the dog.⁷

Confinement of dangerous dogs

The bill alters the requirements for the confinement of a dangerous dog by eliminating the option for a dangerous dog to be tied with a leash or tether so that the dog is adequately restrained while that dog is on the premises of the owner, keeper, or harborer. Therefore, except when a dangerous dog is lawfully engaged in hunting or training for the purpose of hunting and is accompanied by the owner, keeper, harborer, or handler of the dog, the owner, keeper, or harborer of a dangerous dog must do either of the following:⁸

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

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

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

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

(c) Muzzle that dog.

The bill eliminates all of the special confinement requirements for a vicious dog.⁹

⁷ R.C. 955.22(C).

⁸ R.C. 955.22(D).

⁹ *Id.*

Insurance, notice, and registration requirements

Liability insurance

The bill requires a person who has been convicted of or pleaded guilty to three violations of R.C. 955.22(C) (see "**General confinement of dogs**," above) involving the same dog and the owner, keeper, or harbinger of a "dangerous dog" to obtain liability insurance with an insurer authorized to write liability insurance in this state providing coverage in each occurrence because of damage or bodily injury to or death of a person caused by the dangerous dog if so ordered by a court. Additionally, the bill requires the person to provide proof of that liability insurance upon request to any law enforcement officer, county dog warden, or public health official. Failure to present proof of liability insurance upon proper request is a minor misdemeanor.¹⁰

The bill eliminates all requirements for an owner, keeper, or harbinger of a vicious dog to obtain liability insurance, a violation of which is a first degree misdemeanor under existing law.¹¹

Notice to local dog warden and county auditor

The bill requires a person who has been convicted of or pleaded guilty to three violations of R.C. 955.22(C) involving the same dog and the owner, keeper, or harbinger of a "dangerous dog" (1) to notify the local dog warden immediately if the dog is loose or unconfined, the dog bites a person (unless the dog is on the dog owner's property, and the person who is bitten is unlawfully trespassing or committing a criminal act within the boundaries of that property), or the dog attacks another animal while the dog is off the dog owner's property and (2) to notify the county auditor of the sale, transfer, or death of the dog. Whoever violates this requirement is guilty of a minor misdemeanor.¹²

This requirement does not apply to vicious dogs.¹³

Dangerous dog registration certificates

The bill requires a person who has been convicted of or pleaded guilty to three violations of R.C. 955.22(C) involving the same dog and the owner, keeper, or harbinger of a "dangerous dog" to obtain a dangerous dog registration certificate from the county

¹⁰ R.C. 955.22(E)(1) and 955.99(M).

¹¹ R.C. 955.22(E)(1) and 955.99(H).

¹² R.C. 955.22(E)(3) and (4) and 955.99(M).

¹³ *Id.*

auditor, affix a tag that identifies the dog as a dangerous dog to the dog's collar, and ensure that the dog wears the collar and tag at all times. Whoever violates this requirement is guilty of a misdemeanor of the fourth degree.¹⁴

The county auditor must issue a dangerous dog registration certificate to a person who is the owner of a dog, who is 18 years of age or older, and who provides the following to the auditor¹⁵:

(1) A fee of \$50;

(2) The person's address, phone number, and any other appropriate means for the local dog warden or county auditor to contact the person;

(3) With respect to the person and the dog for which the registration is sought, satisfactory evidence of the dog's current rabies vaccination, if applicable; of the fact that the dog has been neutered or spayed; of the fact that the person has posted and will continue to post clearly visible signs at the person's residence warning both minors and adults of the presence of a dangerous dog on the property; and of the fact that the dog has been permanently identified by means of a microchip, which must include the dog's microchip number.

Dangerous dog tags

The bill requires the county auditor, upon the issuance of a dangerous dog registration certificate to the owner of a dangerous dog, to provide the owner with a uniformly designed tag that identifies the animal as a dangerous dog. The owner must affix the tag to the dog's collar and ensure that the dog wears the collar and tag at all times.¹⁶

Renewal of dangerous dog registration certificates

The owner of a dangerous dog must renew the dog's registration certificate annually for the same fee and in the same manner as the initial certificate was obtained. If the owner of a dangerous dog for whom a certificate has been obtained relocates to a new address within the same county, the owner must provide notice of the new address to the county auditor within ten days of relocating to the new address. If a certificate holder relocates to a new address within another county, the certificate holder must provide written notice of the new address and a copy of the original dangerous dog

¹⁴ R.C. 955.22(E)(2) and 955.99(J).

¹⁵ R.C. 955.22(I)(1).

¹⁶ R.C. 955.22(E)(2) and (I)(2).

registration certificate to the county auditor of the new county and provide written notice of the new address to the county auditor of the county where the owner previously resided within ten days of relocating to the new address. Upon the expiration of the certificate issued in the original county, the person must renew the certificate in the new county.¹⁷

Failure to present dangerous dog registration certificate upon proper request

The owner of a dangerous dog must present the dangerous dog registration certificate upon being requested to do so by any law enforcement officer, dog warden, or public health official. Failure to present this certificate upon proper request is a minor misdemeanor.¹⁸

Possession of dogs by felons

The bill prohibits a person who has been convicted of or pleaded guilty to a felony offense of violence or a felony violation of any provision of Chapter 959. (offenses relating to domestic animals), 2923. (conspiracy, attempt, and complicity; weapons control; corrupt activity), or 2925. (drug offenses) to knowingly own, possess, have custody of, or reside in a residence with an unspayed or unneutered dog older than 12 weeks of age, or any dog that has been determined to be a "dangerous dog" for a period of ten years commencing upon the date of release of the person from any period of incarceration imposed for the conviction.¹⁹ A violation of this prohibition is a first degree misdemeanor.²⁰

A person described above must microchip for permanent identification any dog owned, possessed by, or in the custody of the person.²¹ Failure to microchip the dog is a first degree misdemeanor.²²

Penalties

The bill specifies that a violation of R.C. 955.22(C) (see "**General confinement of dogs,**" above) involving a "nuisance dog" is a minor misdemeanor on the first offense and a fourth degree misdemeanor on each subsequent offense involving the same dog.

¹⁷ R.C. 955.22(I)(2) and (3).

¹⁸ R.C. 955.22(I)(4) and 955.99(N).

¹⁹ R.C. 955.54(A).

²⁰ R.C. 955.99(O).

²¹ R.C. 955.54(B).

²² R.C. 955.99(O).

Upon a person being convicted of or pleading guilty to a third violation involving the same dog, the court must require the offender to register the involved dog as a dangerous dog. Additionally, the court may order the offender to personally supervise the nuisance dog that the offender owns, keeps, or harbors, to cause that dog to complete dog obedience training, or to do both.²³

A violation of R.C. 955.22(C) (see "**General confinement of dogs**," above) involving a "dangerous dog" is a fourth degree misdemeanor on the first offense and a third degree misdemeanor on each subsequent offense. If the court orders the dog to be humanely destroyed by a licensed veterinarian, the county dog warden, or the county humane society, it must be done at the owner's expense. Until the court makes a final determination and during the pendency of any appeal of the violation and at the discretion of the dog warden, the dog must be confined or restrained in accordance with the provisions described above under "**Confinement of dangerous dogs**" or at the county dog pound at the owner's expense.²⁴

A violation of R.C. 955.22(C) (see "**General confinement of dogs**," above) involving a "vicious dog" is a fourth degree felony if the dog kills a person. The court must order that the vicious dog be humanely destroyed by a licensed veterinarian, the county dog warden, or the county humane society at the owner's expense. A violation of R.C. 955.22(C) (see "**General confinement of dogs**," above) involving a "vicious dog" is a first degree misdemeanor if the dog causes serious injury to a person. If the court orders the dog to be humanely destroyed by a licensed veterinarian, the county dog warden, or the county humane society, it must be done at the owner's expense.²⁵

If the court does not order a dog involved in a violation described in the preceding paragraph to be euthanized, the court must declare the dog to be a dangerous dog, and the owner must comply with the requirements described above under "**Liability insurance**," "**Notice to local dog warden and county auditor**," and "**Dangerous dog registration certificates**." Additionally, the court must order the offender to obtain the liability insurance described above under "**Liability insurance**," subject to a limit, exclusive of interest and costs, of not less than \$100,000. Until the court makes a final determination and during the pendency of any appeal of the violation and at the discretion of the dog warden, the dog must be confined or

²³ R.C. 955.99(F).

²⁴ R.C. 955.99(G).

²⁵ R.C. 955.99(H)(1)(a) and (b).

restrained in accordance with the provisions described above under "**Confinement of dangerous dogs**" or at the county dog pound at the owner's expense.²⁶

A violation of any of the requirements described above under "**Liability insurance**," "**Notice to local dog warden and county auditor**," and "**Dangerous dog registration certificates**" is a fourth degree misdemeanor.²⁷

Under the bill, if a person debarks or surgically silences a dog that the person knows or has reason to believe is a dangerous dog, possesses a dangerous dog and the person knows or has reason to believe that the dog has been debarked or surgically silenced, or falsely attests on a waiver form provided by a veterinarian that the person's dog is not a dangerous dog or otherwise provides false information on that written waiver form, they are guilty of a fourth degree felony. The court must order that the dangerous dog be humanely destroyed by a licensed veterinarian, the county dog warden, or the county humane society. Additionally, the bill provides that until the court makes a final determination and during the pendency of any appeal of the violation and at the discretion of the dog warden, the dog must be confined or restrained in accordance with the provisions described above under "**Confinement of dangerous dogs**" or at the county dog pound at the owner's expense.²⁸

The bill removes the prohibition on debarking or surgically silencing a vicious dog.²⁹

Notice of confinement and security due

If a dog is confined at the county dog pound while a court determines whether the owner has committed a violation of R.C. 955.22(C) involving a "dangerous dog" or a "vicious dog," or a violation involving a person who has debarked or surgically silenced a dog that the person knew or had reason to believe is a dangerous dog, possessed a dangerous dog and the person knew or had reason to believe that the dog had been debarked or surgically silenced, or falsely attested on a waiver form provided by a veterinarian that the person's dog is not a dangerous dog or otherwise provided false information on that written waiver form, the county dog warden must give written notice of the confinement to the owner of the dog. If the county dog warden is unable to give the notice to the owner of the dog, the county dog warden must post the notice on the door of the residence of the owner of the dog or in another conspicuous place on

²⁶ R.C. 955.99(H)(2).

²⁷ R.C. 955.99(J).

²⁸ R.C. 955.99(L).

²⁹ R.C. 955.22(F) and 955.99(L).

the premises at which the dog was seized. The notice must include a statement that a security in the amount of \$100 is due to the county dog warden within ten days to secure payment of all reasonable expenses, including medical care and boarding of the dog for 60 days, expected to be incurred by the county dog pound in caring for the dog pending the determination. The county dog warden may draw from the security any actual costs incurred in caring for the dog.³⁰

Failure of owner to pay security

If the person ordered to post security under the preceding paragraph does not do so within ten days of the confinement of the animal, the dog is forfeited, and the county dog warden may determine the disposition of the dog unless the court issues an order that specifies otherwise.³¹

Actual cost of confinement

Not more than ten days after the court makes a final determination of whether an owner has committed a violation described in the second preceding paragraph, the county dog warden must provide the owner of the dog with the actual cost of the confinement of the dog. If the county dog warden finds that the security provided by the owner is less than the actual cost of confinement of the dog, the owner must remit the difference between the security provided and the actual cost to the county dog warden within 30 days after the court's determination. If the county dog warden finds that the security provided by the owner is greater than that actual cost, the county dog warden must remit the difference between the security provided and the actual cost to the owner within 30 days after the court's determination.³²

Dogs considered "vicious dogs" prior to effective date of the bill

The bill specifies that an owner, keeper, or harbinger of a dog who was required to comply with the requirements pertaining to a "vicious dog" prior to the effective date of the bill will be required to comply with the requirements pertaining to a "dangerous dog" on or after the effective date of the bill.³³

³⁰ R.C. 955.99(P)(1).

³¹ R.C. 955.99(P)(2).

³² R.C. 955.99(P)(3).

³³ Section 3.

Due process for designation of "nuisance dogs," "dangerous dogs," and "vicious dogs"

Notice to dog owner

If a person who is authorized to enforce Chapter 955. (dogs) has reasonable cause to believe that a dog in the person's jurisdiction is a nuisance dog, dangerous dog, or vicious dog, the person must notify the owner, keeper, or harbinger of that dog, by certified mail or in person, that the person has designated the dog a nuisance dog, dangerous dog, or vicious dog, as applicable, and that the owner, keeper, or harbinger of the dog may request a hearing regarding the designation. The notice must include instructions for filing a request for a hearing in the county in which the dog's owner, keeper, or harbinger resides.³⁴

Hearings

The bill specifies that the municipal court or county court that has territorial jurisdiction over the residence of the owner, keeper, or harbinger of a dog must conduct any hearing concerning the designation of the dog as a nuisance dog, dangerous dog, or vicious dog.³⁵

If the owner, keeper, or harbinger of the dog refutes its designation as a nuisance dog, dangerous dog, or vicious dog, as applicable, the owner, keeper, or harbinger, not later than ten days after receiving notification of the designation, may request a hearing regarding the determination. The request for a hearing must be in writing and must be filed with the municipal court or county court that has territorial jurisdiction over the residence of the dog's owner, keeper, or harbinger. The owner, keeper, or harbinger of the dog or the person who designated the dog as nuisance, dangerous, or vicious may appeal the court's final determination as in any other case filed in that court.³⁶

Confinement of nuisance dog, dangerous dog, or vicious dog prior to hearing and during pendency of appeal

A court, upon motion of an owner, keeper, or harbinger or an attorney representing the owner, keeper, or harbinger, may order that the dog designated as a nuisance dog, dangerous dog, or vicious dog be held in the possession of the owner, keeper, or harbinger until the court makes a final determination or during the pendency of an appeal, as applicable. Until the court makes a final determination and during the

³⁴ R.C. 955.222(B).

³⁵ R.C. 955.222(A)(2), 1901.18(A)(13), and 1907.031(A)(7).

³⁶ R.C. 955.222(C).

pendency of any appeal, the dog must be confined or restrained in accordance with the provisions described above under "**Confinement of dangerous dogs**," regardless of whether the dog has been designated as a vicious dog or a nuisance dog rather than a dangerous dog. The owner, keeper, or harbinger of the dog will not be required to comply with any other requirements that concern a nuisance dog, dangerous dog, or vicious dog, as applicable, until the court makes a final determination and during the pendency of any appeal.³⁷

Fees

Replacement of metal tags issued to dogs registered with the county auditor

The bill increases the fee for replacement of a lost metal tag from 25¢ to \$5 and eliminates the option of paying an alternate fee for a duplicate tag set by the board of county commissioners.³⁸

Transfer of ownership certificate

The bill increases the fee for recording a transfer of ownership certificate with the county auditor from 25¢ to \$5.³⁹

Dangerous dog registration certificate fees

Fees collected by the county auditor for dangerous dog registration certificates must be deposited in the dog and kennel fund of the county.⁴⁰

HISTORY

ACTION	DATE
Introduced	01-11-11
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³⁷ R.C. 955.222(D).

³⁸ R.C. 955.08.

³⁹ R.C. 955.11(B).

⁴⁰ R.C. 955.22(I)(5).

