



Ohio Legislative Service Commission

Synopsis of Senate Committee Amendments*

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Sub. H.B. 14

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(S. Judiciary)

The Senate Committee made the following changes to the bill:

1. It specified that the definition of "dangerous dog" includes a dog that "has been the subject of a third *or subsequent* violation" of R.C. 955.22(C) (R.C. 955.11(A)(1)(a)(iii)).

2. It specified that the bill's provision that imposes duties upon a person convicted of multiple violations of R.C. 955.22(C) applies to a person who "has been convicted of or pleaded guilty to three *or more* violations" of the provision (R.C. 955.22(E)).

3. It modified two of the criteria for the issuance of a dangerous dog registration certificate to require: (a) either satisfactory evidence of the subject dog's current rabies vaccination or a statement from a licensed veterinarian that a rabies vaccination is medically contraindicated for the dog and (b) either satisfactory evidence that the subject dog has been neutered or spayed or a statement from a licensed veterinarian that neutering or spaying of the dog is medically contraindicated.

4. In the bill's mechanism for the designation of a dog as a nuisance dog, dangerous dog, or vicious dog that grants the owner of the dog the right to a hearing to contest the designation, it (R.C. 955.222): (a) specified that the person who so designated the dog has the burden by clear and convincing evidence to prove that the dog is such a dog, (b) replaced "refutes" with "disagrees with," and (c) specified that for any dog finally determined to be a vicious dog under the mechanism the provisions in R.C. 955.11(D), 955.22(D) to (I), and 955.54 of the bill that apply to dangerous dogs also apply to the vicious dog and its owner, keeper, or harborer as if the vicious dog were a dangerous dog.

5. In the bill's provision that prohibits specified categories of felons for a specified period of time from owning, possessing, having custody of, or residing in a residence with an unspayed or unneutered dog older than 12 weeks of age or a dog determined to be a dangerous dog, it (R.C. 955.54): (a) changed the period of time for which the prohibition applies to three years, (b) changed the event that triggers the

* This synopsis does not address amendments that may have been adopted on the Senate Floor.

commencement of the prohibition to either the date of the felon's release from any period of incarceration imposed for the offense or, if the felon is not incarcerated for the offense, the date of the felon's final release from the other sanctions imposed for it, (c) specified that the prohibition applies only to felons who commit their offense on or after the bill's effective date, (d) specified that the prohibition does not apply to a felon confined in a Department of Rehabilitation and Correction correctional facility, and (e) specified that the prohibition does not apply to any dog that the felon owned, possessed, had custody of, or resided in a residence with prior to the bill's effective date.

6. It clarified that the general penalties the bill retains from current law for R.C. 955.22(C) violations apply only to dogs that are not classified as a nuisance, dangerous, or vicious dog (R.C. 955.99(E)).

7. It reinstated the existing penalty for an R.C. 955.22(D) violation, which the House-passed version of the bill would eliminate (R.C. 955.99(G)).

8. In the bill's provision that sets forth the penalties for an R.C. 955.22(C) violation that involves a vicious dog that the court does not order "euthanized," it (R.C. 955.99(H)): (a) replaced "euthanized" with "destroyed," (b) eliminated the requirement that the court reclassify the dog as a dangerous dog and instead specified that the court must order that the provisions of R.C. 955.11(D), 955.22(D) to (I), and 955.54 that the bill makes apply to dangerous dogs also will apply to the vicious dog and the offender as if the vicious dog were a dangerous dog, and (c) required the offender to obtain liability insurance "in an amount, exclusive of interest and costs, that equals or exceeds \$100,000."

9. It conformed the penalty provisions for an R.C. 955.22(F)(1), (2), or (3) violation that relate to the destruction of a "dangerous dog" involved in the violation to the provisions described above in (3) and (7), to refer to "the dog" involved in the violation (R.C. 955.99(L)).

10. It specified that the bill's definitions of "nuisance dog," "dangerous dog," and "vicious dog" apply to R.C. 955.99 (R.C. 955.99(Q)).

11. It specified that the bill's uncodified law provision that states 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 bill's effective date will be required to comply with the requirements pertaining to a dangerous dog on or after the bill's effective date does not apply to any dog currently classified a vicious dog solely because it is a pit bull (Section 3).