

As Introduced

131st General Assembly

Regular Session

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H. B. No. 215

Representatives Sears, Bishoff

**Cosponsors: Representatives Grossman, Hill, Kraus, LaTourette, Leland,
McColley, Phillips, Sheehy, Stinziano**

A BILL

To amend sections 959.15 and 959.99 of the Revised Code to prohibit and establish an increased penalty for knowingly engaging in activities associated with cockfighting, bearbaiting, or pitting an animal against another. 1
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BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 959.15 and 959.99 of the Revised Code be amended to read as follows: 6
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Sec. 959.15. (A) No person shall knowingly ~~engage~~do either of the following: 8
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(1) Engage in ~~or be employed at~~ cockfighting, bearbaiting, or pitting an animal against another; ~~no person shall receive money for the admission of another to a place kept for such purpose; no person shall use~~ 10
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(2) Use, train, or possess any animal for seizing, detaining, or maltreating a domestic animal. ~~Any person who knowingly purchases a ticket of admission to such place, or is present thereat, or witnesses such spectacle, is an aider and~~ 14
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~~abettor.~~ 18

(B) When committing a violation of division (A) of this section, no person shall knowingly do either of the following: 19
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(1) Be employed at cockfighting, bearbaiting, or pitting an animal against another; 21
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(2) Do any of the following regarding an event involving cockfighting, bearbaiting, or pitting an animal against another: 23
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(a) Wager money or anything else of value on the results of the event; 25
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(b) Pay money or give anything else of value in exchange for admission to or being present at the event; 27
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(c) Receive money or anything else of value in exchange for the admission of another person to the event or for another person to be present at the event; 29
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(d) Permit or cause a minor to be present at the event if any person present at or involved with the event is conducting any of the activities described in division (B) of this section; 32
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(e) Use, possess, or permit or cause to be present any device or substance intended to enhance an animal's ability to fight or to inflict injury on another animal. 35
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(C) A person who knowingly witnesses cockfighting, bearbaiting, or an event in which one animal is pitted against another in violation of division (B) of this section is an aider and abettor and has committed a violation of this division. 38
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Sec. 959.99. (A) Whoever violates section 959.18 or 959.19 of the Revised Code is guilty of a minor misdemeanor. 42
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(B) Except as otherwise provided in this division, whoever 44

violates section 959.02 of the Revised Code is guilty of a 45
misdemeanor of the second degree. If the value of the animal 46
killed or the injury done amounts to three hundred dollars or 47
more, whoever violates section 959.02 of the Revised Code is 48
guilty of a misdemeanor of the first degree. 49

(C) Whoever violates section 959.03, 959.06, 959.12, 50
~~959.15,~~ or 959.17 or division (A) of section 959.15 of the 51
Revised Code is guilty of a misdemeanor of the fourth degree. 52

(D) Whoever violates division (A) of section 959.13 of the 53
Revised Code is guilty of a misdemeanor of the second degree. In 54
addition, the court may order the offender to forfeit the animal 55
or livestock and may provide for its disposition, including, but 56
not limited to, the sale of the animal or livestock. If an 57
animal or livestock is forfeited and sold pursuant to this 58
division, the proceeds from the sale first shall be applied to 59
pay the expenses incurred with regard to the care of the animal 60
from the time it was taken from the custody of the former owner. 61
The balance of the proceeds from the sale, if any, shall be paid 62
to the former owner of the animal. 63

(E) (1) Whoever violates division (B) of section 959.131 of 64
the Revised Code is guilty of a misdemeanor of the first degree 65
on a first offense and a felony of the fifth degree on each 66
subsequent offense. 67

(2) Whoever violates section 959.01 of the Revised Code or 68
division (C) of section 959.131 of the Revised Code is guilty of 69
a misdemeanor of the second degree on a first offense and a 70
misdemeanor of the first degree on each subsequent offense. 71

(3) Whoever violates division (D) of section 959.131 of 72
the Revised Code is guilty of a felony of the fifth degree. 73

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

(5) (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 section 959.131 of the Revised Code to reimburse an impounding agency for the reasonably necessary costs incurred by the agency for the care of a companion animal 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.

(6) If a court has reason to believe that a person who is convicted of or pleads guilty to a violation of section 959.131 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. 104
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(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. 106
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(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. 109
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Section 2. That existing sections 959.15 and 959.99 of the Revised Code are hereby repealed. 112
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