

As Introduced

**132nd General Assembly
Regular Session
2017-2018**

H. B. No. 349

Representative LaTourette

A BILL

To amend sections 2921.321 and 2929.18 of the 1
Revised Code to increase the penalty for 2
assaulting a police dog or horse and to include 3
search and rescue dogs and horses in the 4
prohibition against assaulting or harassing a 5
police animal. 6

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

Section 1. That sections 2921.321 and 2929.18 of the 7
Revised Code be amended to read as follows: 8

Sec. 2921.321. (A) No person shall knowingly cause, or 9
attempt to cause, physical harm to a search and rescue dog or 10
horse or police dog or horse in either of the following 11
circumstances: 12

(1) The search and rescue dog or horse or police dog or 13
horse is assisting a law enforcement officer, volunteer handler, 14
or first responder in the performance of ~~the officer's~~ official 15
duties or emergency services at the time the physical harm is 16
caused or attempted. 17

(2) The search and rescue dog or horse or police dog or 18
horse is not assisting a law enforcement officer, volunteer 19

handler, or first responder in the performance of ~~the officer's~~ official duties or emergency services at the time the physical harm is caused or attempted, but the offender has actual knowledge that the dog or horse is a search and rescue dog or horse or police dog or horse.

(B) No person shall recklessly do any of the following:

(1) Taunt, torment, or strike a search and rescue dog or horse or police dog or horse;

(2) Throw an object or substance at a search and rescue dog or horse or police dog or horse;

(3) Interfere with or obstruct a search and rescue dog or horse or police dog or horse, or interfere with or obstruct a law enforcement officer, volunteer handler, or first responder who is being assisted by a search and rescue dog or horse or police dog or horse, in a manner that does any of the following:

(a) Inhibits or restricts the law enforcement officer's, volunteer handler's, or first responder's control of the search and rescue dog or horse or police dog or horse;

(b) Deprives the law enforcement officer, volunteer handler, or first responder of control of the search and rescue dog or horse or police dog or horse;

(c) Releases the search and rescue dog or horse or police dog or horse from its area of control;

(d) Enters the area of control of the search and rescue dog or horse or police dog or horse without the consent of the law enforcement officer, volunteer handler, or first responder, including placing food or any other object or substance into that area;

(e) Inhibits or restricts the ability of the search and rescue dog or horse or police dog or horse to assist a law enforcement officer, volunteer handler, or first responder. 48
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(4) Engage in any conduct that is likely to cause serious physical injury or death to a search and rescue dog or horse or police dog or horse; 51
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(5) If the person is the owner, keeper, or harbinger of a dog, fail to reasonably restrain the dog from taunting, tormenting, chasing, approaching in a menacing fashion or apparent attitude of attack, or attempting to bite or otherwise endanger a search and rescue dog or horse or police dog or horse that at the time of the conduct is assisting a law enforcement officer, volunteer handler, or first responder in the performance of ~~the officer's~~ official duties or emergency services or that the person knows is a search and rescue dog or horse or police dog or horse. 54
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(C) No person shall knowingly cause, or attempt to cause, physical harm to an assistance dog in either of the following circumstances: 64
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(1) The dog is assisting or serving a blind, deaf or hearing impaired, or mobility impaired person at the time the physical harm is caused or attempted. 67
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(2) The dog is not assisting or serving a blind, deaf or hearing impaired, or mobility impaired person at the time the physical harm is caused or attempted, but the offender has actual knowledge that the dog is an assistance dog. 70
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(D) No person shall recklessly do any of the following: 74

(1) Taunt, torment, or strike an assistance dog; 75

(2) Throw an object or substance at an assistance dog;	76
(3) Interfere with or obstruct an assistance dog, or interfere with or obstruct a blind, deaf or hearing impaired, or mobility impaired person who is being assisted or served by an assistance dog, in a manner that does any of the following:	77 78 79 80
(a) Inhibits or restricts the assisted or served person's control of the dog;	81 82
(b) Deprives the assisted or served person of control of the dog;	83 84
(c) Releases the dog from its area of control;	85
(d) Enters the area of control of the dog without the consent of the assisted or served person, including placing food or any other object or substance into that area;	86 87 88
(e) Inhibits or restricts the ability of the dog to assist the assisted or served person.	89 90
(4) Engage in any conduct that is likely to cause serious physical injury or death to an assistance dog;	91 92
(5) If the person is the owner, keeper, or harbinger of a dog, fail to reasonably restrain the dog from taunting, tormenting, chasing, approaching in a menacing fashion or apparent attitude of attack, or attempting to bite or otherwise endanger an assistance dog that at the time of the conduct is assisting or serving a blind, deaf or hearing impaired, or mobility impaired person or that the person knows is an assistance dog.	93 94 95 96 97 98 99 100
(E) (1) Whoever violates division (A) of this section is guilty of assaulting a <u>search and rescue dog or horse or police</u> dog or horse, and shall be punished as provided in divisions (E)	101 102 103

(1) (a) and (b) of this section. 104

(a) Except as otherwise provided in this division, 105
assaulting a search and rescue dog or horse or police dog or 106
horse is a ~~misdemeanor~~ felony of the ~~second~~ fourth degree. If 107
the violation results in the death of the search and rescue dog 108
or horse or police dog or horse, assaulting a search and rescue 109
dog or horse or police dog or horse is a felony of the ~~third~~ 110
second degree and the court shall impose as a mandatory prison 111
term one of the prison terms prescribed for a felony of the 112
~~third~~ second degree. If the violation results in serious 113
physical harm to the search and rescue dog or horse or police 114
dog or horse other than its death, assaulting a search and 115
rescue dog or horse or police dog or horse is a felony of the 116
~~fourth~~ third degree. ~~If the violation results in physical harm~~ 117
~~to the police dog or horse other than death or serious physical~~ 118
~~harm, assaulting a police dog or horse is a misdemeanor of the~~ 119
~~first degree.~~ 120

(b) In addition to any other sanction imposed for 121
assaulting a search and rescue dog or horse or police dog or 122
horse, if the violation of division (A) of this section results 123
in the death of the search and rescue dog or horse or police dog 124
or horse, the sentencing court shall impose as a financial 125
sanction a mandatory fine under division (B)(10) of section 126
2929.18 of the Revised Code. The fine shall be paid to the law 127
enforcement agency, the volunteer unit, or the first responder 128
that was served by the search and rescue dog or horse or police 129
dog or horse that was killed, and shall be used by that law 130
enforcement agency, volunteer unit, or first responder only for 131
one or more of the following purposes: 132

(i) If the dog or horse was not owned by the law 133

enforcement agency, volunteer unit, or first responder, the 134
payment to the owner of the dog or horse of the cost of the dog 135
or horse and the cost of the training of the dog or horse to 136
qualify it as a search and rescue dog or horse or police dog or 137
horse, if that cost has not previously been paid by the law 138
enforcement agency, volunteer unit, or first responder; 139

(ii) After payment of the costs described in division (E) 140
(1) (b) (i) of this section, if applicable, payment of the cost of 141
replacing the dog or horse that was killed; 142

(iii) After payment of the costs described in division (E) 143
(1) (b) (i) of this section, if applicable, payment of the cost of 144
training the replacement dog or horse to qualify it as a search 145
and rescue dog or horse or police dog or horse; 146

(iv) After payment of the costs described in division (E) 147
(1) (b) (i) of this section, if applicable, payment of the cost of 148
further training of the replacement dog or horse that is needed 149
to train it to the level of training that had been achieved by 150
the dog or horse that was killed. 151

(2) Whoever violates division (B) of this section is 152
guilty of harassing a search and rescue dog or horse or police 153
dog or horse. Except as otherwise provided in this division, 154
harassing a search and rescue dog or horse or police dog or 155
horse is a misdemeanor of the second degree. If the violation 156
results in the death of the search and rescue dog or horse or 157
police dog or horse, harassing a search and rescue dog or horse 158
or police dog or horse is a felony of the third degree. If the 159
violation results in serious physical harm to the search and 160
rescue dog or horse or police dog or horse, but does not result 161
in its death, harassing a search and rescue dog or horse or 162
police dog or horse, is a felony of the fourth degree. If the 163

violation results in physical harm to the search and rescue dog 164
or horse or police dog or horse, but does not result in its 165
death or in serious physical harm to it, harassing a search and 166
rescue dog or horse or police dog or horse is a misdemeanor of 167
the first degree. 168

(3) Whoever violates division (C) of this section is 169
guilty of assaulting an assistance dog. Except as otherwise 170
provided in this division, assaulting an assistance dog is a 171
misdemeanor of the second degree. If the violation results in 172
the death of the assistance dog, assaulting an assistance dog is 173
a felony of the third degree. If the violation results in 174
serious physical harm to the assistance dog other than its 175
death, assaulting an assistance dog is a felony of the fourth 176
degree. If the violation results in physical harm to the 177
assistance dog other than death or serious physical harm, 178
assaulting an assistance dog is a misdemeanor of the first 179
degree. 180

(4) Whoever violates division (D) of this section is 181
guilty of harassing an assistance dog. Except as otherwise 182
provided in this division, harassing an assistance dog is a 183
misdemeanor of the second degree. If the violation results in 184
the death of the assistance dog, harassing an assistance dog is 185
a felony of the third degree. If the violation results in 186
serious physical harm to the assistance dog, but does not result 187
in its death, harassing an assistance dog is a felony of the 188
fourth degree. If the violation results in physical harm to the 189
assistance dog, but does not result in its death or in serious 190
physical harm to it, harassing an assistance dog is a 191
misdemeanor of the first degree. 192

(5) In addition to any other sanction or penalty imposed 193

for the offense under this section, Chapter 2929., or any other 194
provision of the Revised Code, whoever violates division (A), 195
(B), (C), or (D) of this section is responsible for the payment 196
of all of the following: 197

(a) Any veterinary bill or bill for medication incurred as 198
a result of the violation by the police department, the 199
volunteer unit, or the first responder regarding a violation of 200
division (A) or (B) of this section or by the blind, deaf or 201
hearing impaired, or mobility impaired person assisted or served 202
by the assistance dog regarding a violation of division (C) or 203
(D) of this section; 204

(b) The cost of any damaged equipment that results from 205
the violation; 206

(c) If the violation did not result in the death of the 207
search and rescue dog or horse, police dog or horse, or the 208
assistance dog that was the subject of the violation and if, as 209
a result of that dog or horse being the subject of the 210
violation, the dog or horse needs further training or retraining 211
to be able to continue in the capacity of a search and rescue 212
dog or horse, police dog or horse, or an assistance dog, the 213
cost of any further training or retraining of that dog or horse 214
by a law enforcement officer, volunteer handler, or first 215
responder or by the blind, deaf or hearing impaired, or mobility 216
impaired person assisted or served by the assistance dog; 217

(d) If the violation resulted in the death of the 218
assistance dog that was the subject of the violation or resulted 219
in serious physical harm to the search and rescue dog or horse, 220
police dog or horse, or the assistance dog or horse that was the 221
subject of the violation to the extent that the dog or horse 222
needs to be replaced on either a temporary or a permanent basis, 223

the cost of replacing that dog or horse and of any further 224
training of a new search and rescue dog or horse, police dog or 225
horse, or a new assistance dog by a law enforcement officer,__ 226
volunteer handler, or first responder or by the blind, deaf or 227
hearing impaired, or mobility impaired person assisted or served 228
by the assistance dog, which replacement or training is required 229
because of the death of or the serious physical harm to the dog 230
or horse that was the subject of the violation. 231

(F) This section does not apply to a licensed veterinarian 232
whose conduct is in accordance with Chapter 4741. of the Revised 233
Code. 234

(G) This section only applies to an offender who knows or 235
should know at the time of the violation that the search and 236
rescue dog or horse, police dog or horse, or assistance dog that 237
is the subject of a violation under this section is a search and 238
rescue dog or horse, police dog or horse, or an assistance dog. 239

(H) As used in this section: 240

(1) "Physical harm" means any injury, illness, or other 241
physiological impairment, regardless of its gravity or duration. 242

(2) "Police dog or horse" means a dog or horse that has 243
been trained, and may be used, to assist law enforcement 244
officers in the performance of their official duties. 245

(3) "Serious physical harm" means any of the following: 246

(a) Any physical harm that carries a substantial risk of 247
death; 248

(b) Any physical harm that causes permanent maiming or 249
that involves some temporary, substantial maiming; 250

(c) Any physical harm that causes acute pain of a duration 251

that results in substantial suffering.	252
(4) "Assistance dog," "blind," and "mobility impaired person" have the same meanings as in section 955.011 of the Revised Code.	253 254 255
<u>(5) "Search and rescue dog or horse" means a dog or horse that is trained or certified to locate missing persons.</u>	256 257
<u>(6) "First responder" has the same meaning as in section 4765.01 of the Revised Code and also includes any individual who holds a current, valid certificate issued under section 4765.55 of the Revised Code to provide services as a firefighter.</u>	258 259 260 261
<u>(7) "Volunteer handler" means a member of a volunteer search and rescue unit who trains or employs search and rescue dogs or horses to locate missing persons.</u>	262 263 264
Sec. 2929.18. (A) Except as otherwise provided in this division and in addition to imposing court costs pursuant to section 2947.23 of the Revised Code, the court imposing a sentence upon an offender for a felony may sentence the offender to any financial sanction or combination of financial sanctions authorized under this section or, in the circumstances specified in section 2929.32 of the Revised Code, may impose upon the offender a fine in accordance with that section. Financial sanctions that may be imposed pursuant to this section include, but are not limited to, the following:	265 266 267 268 269 270 271 272 273 274
(1) Restitution by the offender to the victim of the offender's crime or any survivor of the victim, in an amount based on the victim's economic loss. If the court imposes restitution, the court shall order that the restitution be made to the victim in open court, to the adult probation department that serves the county on behalf of the victim, to the clerk of	275 276 277 278 279 280

courts, or to another agency designated by the court. If the 281
court imposes restitution, at sentencing, the court shall 282
determine the amount of restitution to be made by the offender. 283
If the court imposes restitution, the court may base the amount 284
of restitution it orders on an amount recommended by the victim, 285
the offender, a presentence investigation report, estimates or 286
receipts indicating the cost of repairing or replacing property, 287
and other information, provided that the amount the court orders 288
as restitution shall not exceed the amount of the economic loss 289
suffered by the victim as a direct and proximate result of the 290
commission of the offense. If the court decides to impose 291
restitution, the court shall hold a hearing on restitution if 292
the offender, victim, or survivor disputes the amount. All 293
restitution payments shall be credited against any recovery of 294
economic loss in a civil action brought by the victim or any 295
survivor of the victim against the offender. 296

If the court imposes restitution, the court may order that 297
the offender pay a surcharge of not more than five per cent of 298
the amount of the restitution otherwise ordered to the entity 299
responsible for collecting and processing restitution payments. 300

The victim or survivor may request that the prosecutor in 301
the case file a motion, or the offender may file a motion, for 302
modification of the payment terms of any restitution ordered. If 303
the court grants the motion, it may modify the payment terms as 304
it determines appropriate. 305

(2) Except as provided in division (B)(1), (3), or (4) of 306
this section, a fine payable by the offender to the state, to a 307
political subdivision, or as described in division (B)(2) of 308
this section to one or more law enforcement agencies, with the 309
amount of the fine based on a standard percentage of the 310

offender's daily income over a period of time determined by the 311
court and based upon the seriousness of the offense. A fine 312
ordered under this division shall not exceed the maximum 313
conventional fine amount authorized for the level of the offense 314
under division (A) (3) of this section. 315

(3) Except as provided in division (B) (1), (3), or (4) of 316
this section, a fine payable by the offender to the state, to a 317
political subdivision when appropriate for a felony, or as 318
described in division (B) (2) of this section to one or more law 319
enforcement agencies, in the following amount: 320

(a) For a felony of the first degree, not more than twenty 321
thousand dollars; 322

(b) For a felony of the second degree, not more than 323
fifteen thousand dollars; 324

(c) For a felony of the third degree, not more than ten 325
thousand dollars; 326

(d) For a felony of the fourth degree, not more than five 327
thousand dollars; 328

(e) For a felony of the fifth degree, not more than two 329
thousand five hundred dollars. 330

(4) A state fine or costs as defined in section 2949.111 331
of the Revised Code. 332

(5) (a) Reimbursement by the offender of any or all of the 333
costs of sanctions incurred by the government, including the 334
following: 335

(i) All or part of the costs of implementing any community 336
control sanction, including a supervision fee under section 337
2951.021 of the Revised Code; 338

(ii) All or part of the costs of confinement under a 339
sanction imposed pursuant to section 2929.14, 2929.142, or 340
2929.16 of the Revised Code, provided that the amount of 341
reimbursement ordered under this division shall not exceed the 342
total amount of reimbursement the offender is able to pay as 343
determined at a hearing and shall not exceed the actual cost of 344
the confinement; 345

(iii) All or part of the cost of purchasing and using an 346
immobilizing or disabling device, including a certified ignition 347
interlock device, or a remote alcohol monitoring device that a 348
court orders an offender to use under section 4510.13 of the 349
Revised Code. 350

(b) If the offender is sentenced to a sanction of 351
confinement pursuant to section 2929.14 or 2929.16 of the 352
Revised Code that is to be served in a facility operated by a 353
board of county commissioners, a legislative authority of a 354
municipal corporation, or another local governmental entity, if, 355
pursuant to section 307.93, 341.14, 341.19, 341.23, 753.02, 356
753.04, 753.16, 2301.56, or 2947.19 of the Revised Code and 357
section 2929.37 of the Revised Code, the board, legislative 358
authority, or other local governmental entity requires prisoners 359
to reimburse the county, municipal corporation, or other entity 360
for its expenses incurred by reason of the prisoner's 361
confinement, and if the court does not impose a financial 362
sanction under division (A) (5) (a) (ii) of this section, 363
confinement costs may be assessed pursuant to section 2929.37 of 364
the Revised Code. In addition, the offender may be required to 365
pay the fees specified in section 2929.38 of the Revised Code in 366
accordance with that section. 367

(c) Reimbursement by the offender for costs pursuant to 368

section 2929.71 of the Revised Code. 369

(B)(1) For a first, second, or third degree felony 370
violation of any provision of Chapter 2925., 3719., or 4729. of 371
the Revised Code, the sentencing court shall impose upon the 372
offender a mandatory fine of at least one-half of, but not more 373
than, the maximum statutory fine amount authorized for the level 374
of the offense pursuant to division (A)(3) of this section. If 375
an offender alleges in an affidavit filed with the court prior 376
to sentencing that the offender is indigent and unable to pay 377
the mandatory fine and if the court determines the offender is 378
an indigent person and is unable to pay the mandatory fine 379
described in this division, the court shall not impose the 380
mandatory fine upon the offender. 381

(2) Any mandatory fine imposed upon an offender under 382
division (B)(1) of this section and any fine imposed upon an 383
offender under division (A)(2) or (3) of this section for any 384
fourth or fifth degree felony violation of any provision of 385
Chapter 2925., 3719., or 4729. of the Revised Code shall be paid 386
to law enforcement agencies pursuant to division (F) of section 387
2925.03 of the Revised Code. 388

(3) For a fourth degree felony OVI offense and for a third 389
degree felony OVI offense, the sentencing court shall impose 390
upon the offender a mandatory fine in the amount specified in 391
division (G)(1)(d) or (e) of section 4511.19 of the Revised 392
Code, whichever is applicable. The mandatory fine so imposed 393
shall be disbursed as provided in the division pursuant to which 394
it is imposed. 395

(4) Notwithstanding any fine otherwise authorized or 396
required to be imposed under division (A)(2) or (3) or (B)(1) of 397
this section or section 2929.31 of the Revised Code for a 398

violation of section 2925.03 of the Revised Code, in addition to 399
any penalty or sanction imposed for that offense under section 400
2925.03 or sections 2929.11 to 2929.18 of the Revised Code and 401
in addition to the forfeiture of property in connection with the 402
offense as prescribed in Chapter 2981. of the Revised Code, the 403
court that sentences an offender for a violation of section 404
2925.03 of the Revised Code may impose upon the offender a fine 405
in addition to any fine imposed under division (A) (2) or (3) of 406
this section and in addition to any mandatory fine imposed under 407
division (B) (1) of this section. The fine imposed under division 408
(B) (4) of this section shall be used as provided in division (H) 409
of section 2925.03 of the Revised Code. A fine imposed under 410
division (B) (4) of this section shall not exceed whichever of 411
the following is applicable: 412

(a) The total value of any personal or real property in 413
which the offender has an interest and that was used in the 414
course of, intended for use in the course of, derived from, or 415
realized through conduct in violation of section 2925.03 of the 416
Revised Code, including any property that constitutes proceeds 417
derived from that offense; 418

(b) If the offender has no interest in any property of the 419
type described in division (B) (4) (a) of this section or if it is 420
not possible to ascertain whether the offender has an interest 421
in any property of that type in which the offender may have an 422
interest, the amount of the mandatory fine for the offense 423
imposed under division (B) (1) of this section or, if no 424
mandatory fine is imposed under division (B) (1) of this section, 425
the amount of the fine authorized for the level of the offense 426
imposed under division (A) (3) of this section. 427

(5) Prior to imposing a fine under division (B) (4) of this 428

section, the court shall determine whether the offender has an 429
interest in any property of the type described in division (B) 430
(4) (a) of this section. Except as provided in division (B) (6) or 431
(7) of this section, a fine that is authorized and imposed under 432
division (B) (4) of this section does not limit or affect the 433
imposition of the penalties and sanctions for a violation of 434
section 2925.03 of the Revised Code prescribed under those 435
sections or sections 2929.11 to 2929.18 of the Revised Code and 436
does not limit or affect a forfeiture of property in connection 437
with the offense as prescribed in Chapter 2981. of the Revised 438
Code. 439

(6) If the sum total of a mandatory fine amount imposed 440
for a first, second, or third degree felony violation of section 441
2925.03 of the Revised Code under division (B) (1) of this 442
section plus the amount of any fine imposed under division (B) 443
(4) of this section does not exceed the maximum statutory fine 444
amount authorized for the level of the offense under division 445
(A) (3) of this section or section 2929.31 of the Revised Code, 446
the court may impose a fine for the offense in addition to the 447
mandatory fine and the fine imposed under division (B) (4) of 448
this section. The sum total of the amounts of the mandatory 449
fine, the fine imposed under division (B) (4) of this section, 450
and the additional fine imposed under division (B) (6) of this 451
section shall not exceed the maximum statutory fine amount 452
authorized for the level of the offense under division (A) (3) of 453
this section or section 2929.31 of the Revised Code. The clerk 454
of the court shall pay any fine that is imposed under division 455
(B) (6) of this section to the county, township, municipal 456
corporation, park district as created pursuant to section 511.18 457
or 1545.04 of the Revised Code, or state law enforcement 458
agencies in this state that primarily were responsible for or 459

involved in making the arrest of, and in prosecuting, the 460
offender pursuant to division (F) of section 2925.03 of the 461
Revised Code. 462

(7) If the sum total of the amount of a mandatory fine 463
imposed for a first, second, or third degree felony violation of 464
section 2925.03 of the Revised Code plus the amount of any fine 465
imposed under division (B) (4) of this section exceeds the 466
maximum statutory fine amount authorized for the level of the 467
offense under division (A) (3) of this section or section 2929.31 468
of the Revised Code, the court shall not impose a fine under 469
division (B) (6) of this section. 470

(8) (a) If an offender who is convicted of or pleads guilty 471
to a violation of section 2905.01, 2905.02, 2907.21, 2907.22, or 472
2923.32, division (A) (1) or (2) of section 2907.323, or division 473
(B) (1), (2), (3), (4), or (5) of section 2919.22 of the Revised 474
Code also is convicted of or pleads guilty to a specification of 475
the type described in section 2941.1422 of the Revised Code that 476
charges that the offender knowingly committed the offense in 477
furtherance of human trafficking, the sentencing court shall 478
sentence the offender to a financial sanction of restitution by 479
the offender to the victim or any survivor of the victim, with 480
the restitution including the costs of housing, counseling, and 481
medical and legal assistance incurred by the victim as a direct 482
result of the offense and the greater of the following: 483

(i) The gross income or value to the offender of the 484
victim's labor or services; 485

(ii) The value of the victim's labor as guaranteed under 486
the minimum wage and overtime provisions of the "Federal Fair 487
Labor Standards Act of 1938," 52 Stat. 1060, 20 U.S.C. 207, and 488
state labor laws. 489

(b) If a court imposing sentence upon an offender for a felony is required to impose upon the offender a financial sanction of restitution under division (B) (8) (a) of this section, in addition to that financial sanction of restitution, the court may sentence the offender to any other financial sanction or combination of financial sanctions authorized under this section, including a restitution sanction under division (A) (1) of this section.

(9) In addition to any other fine that is or may be imposed under this section, the court imposing sentence upon an offender for a felony that is a sexually oriented offense or a child-victim oriented offense, as those terms are defined in section 2950.01 of the Revised Code, may impose a fine of not less than fifty nor more than five hundred dollars.

(10) For a felony violation of division (A) of section 2921.321 of the Revised Code that results in the death of the search and rescue dog or horse or police dog or horse that is the subject of the violation, the sentencing court shall impose upon the offender a mandatory fine from the range of fines provided under division (A) (3) of this section for a felony of the ~~third~~ second degree. A mandatory fine imposed upon an offender under division (B) (10) of this section shall be paid to the law enforcement agency, volunteer unit, or first responder that was served by the police dog or horse that was killed in the felony violation of division (A) of section 2921.321 of the Revised Code to be used as provided in division (E) (1) (b) of that section.

(11) In addition to any other fine that is or may be imposed under this section, the court imposing sentence upon an offender for any of the following offenses that is a felony may

impose a fine of not less than seventy nor more than five 520
hundred dollars, which shall be transmitted to the treasurer of 521
state to be credited to the address confidentiality program fund 522
created by section 111.48 of the Revised Code: 523

(a) Domestic violence; 524

(b) Menacing by stalking; 525

(c) Rape; 526

(d) Sexual battery; 527

(e) Trafficking in persons; 528

(f) A violation of section 2905.01, 2905.02, 2907.21, 529
2907.22, or 2923.32, division (A) (1) or (2) of section 2907.323, 530
or division (B) (1), (2), (3), (4), or (5) of section 2919.22 of 531
the Revised Code, if the offender also is convicted of a 532
specification of the type described in section 2941.1422 of the 533
Revised Code that charges that the offender knowingly committed 534
the offense in furtherance of human trafficking. 535

(C) (1) Except as provided in section 2951.021 of the 536
Revised Code, the offender shall pay reimbursements imposed upon 537
the offender pursuant to division (A) (5) (a) of this section to 538
pay the costs incurred by a county pursuant to any sanction 539
imposed under this section or section 2929.16 or 2929.17 of the 540
Revised Code or in operating a facility used to confine 541
offenders pursuant to a sanction imposed under section 2929.16 542
of the Revised Code to the county treasurer. The county 543
treasurer shall deposit the reimbursements in the sanction cost 544
reimbursement fund that each board of county commissioners shall 545
create in its county treasury. The county shall use the amounts 546
deposited in the fund to pay the costs incurred by the county 547
pursuant to any sanction imposed under this section or section 548

2929.16 or 2929.17 of the Revised Code or in operating a 549
facility used to confine offenders pursuant to a sanction 550
imposed under section 2929.16 of the Revised Code. 551

(2) Except as provided in section 2951.021 of the Revised 552
Code, the offender shall pay reimbursements imposed upon the 553
offender pursuant to division (A) (5) (a) of this section to pay 554
the costs incurred by a municipal corporation pursuant to any 555
sanction imposed under this section or section 2929.16 or 556
2929.17 of the Revised Code or in operating a facility used to 557
confine offenders pursuant to a sanction imposed under section 558
2929.16 of the Revised Code to the treasurer of the municipal 559
corporation. The treasurer shall deposit the reimbursements in a 560
special fund that shall be established in the treasury of each 561
municipal corporation. The municipal corporation shall use the 562
amounts deposited in the fund to pay the costs incurred by the 563
municipal corporation pursuant to any sanction imposed under 564
this section or section 2929.16 or 2929.17 of the Revised Code 565
or in operating a facility used to confine offenders pursuant to 566
a sanction imposed under section 2929.16 of the Revised Code. 567

(3) Except as provided in section 2951.021 of the Revised 568
Code, the offender shall pay reimbursements imposed pursuant to 569
division (A) (5) (a) of this section for the costs incurred by a 570
private provider pursuant to a sanction imposed under this 571
section or section 2929.16 or 2929.17 of the Revised Code to the 572
provider. 573

(D) Except as otherwise provided in this division, a 574
financial sanction imposed pursuant to division (A) or (B) of 575
this section is a judgment in favor of the state or a political 576
subdivision in which the court that imposed the financial 577
sanction is located, and the offender subject to the financial 578

sanction is the judgment debtor. A financial sanction of 579
reimbursement imposed pursuant to division (A) (5) (a) (ii) of this 580
section upon an offender who is incarcerated in a state facility 581
or a municipal jail is a judgment in favor of the state or the 582
municipal corporation, and the offender subject to the financial 583
sanction is the judgment debtor. A financial sanction of 584
reimbursement imposed upon an offender pursuant to this section 585
for costs incurred by a private provider of sanctions is a 586
judgment in favor of the private provider, and the offender 587
subject to the financial sanction is the judgment debtor. A 588
financial sanction of a mandatory fine imposed under division 589
(B) (10) of this section that is required under that division to 590
be paid to a law enforcement agency, volunteer unit, or first 591
responder is a judgment in favor of the specified law 592
enforcement agency, volunteer unit, or first responder, and the 593
offender subject to the financial sanction is the judgment 594
debtor. A financial sanction of restitution imposed pursuant to 595
division (A) (1) or (B) (8) of this section is an order in favor 596
of the victim of the offender's criminal act that can be 597
collected through a certificate of judgment as described in 598
division (D) (1) of this section, through execution as described 599
in division (D) (2) of this section, or through an order as 600
described in division (D) (3) of this section, and the offender 601
shall be considered for purposes of the collection as the 602
judgment debtor. Imposition of a financial sanction and 603
execution on the judgment does not preclude any other power of 604
the court to impose or enforce sanctions on the offender. Once 605
the financial sanction is imposed as a judgment or order under 606
this division, the victim, private provider, state, or political 607
subdivision may do any of the following: 608

- (1) Obtain from the clerk of the court in which the 609

judgment was entered a certificate of judgment that shall be in 610
the same manner and form as a certificate of judgment issued in 611
a civil action; 612

(2) Obtain execution of the judgment or order through any 613
available procedure, including: 614

(a) An execution against the property of the judgment 615
debtor under Chapter 2329. of the Revised Code; 616

(b) An execution against the person of the judgment debtor 617
under Chapter 2331. of the Revised Code; 618

(c) A proceeding in aid of execution under Chapter 2333. 619
of the Revised Code, including: 620

(i) A proceeding for the examination of the judgment 621
debtor under sections 2333.09 to 2333.12 and sections 2333.15 to 622
2333.27 of the Revised Code; 623

(ii) A proceeding for attachment of the person of the 624
judgment debtor under section 2333.28 of the Revised Code; 625

(iii) A creditor's suit under section 2333.01 of the 626
Revised Code. 627

(d) The attachment of the property of the judgment debtor 628
under Chapter 2715. of the Revised Code; 629

(e) The garnishment of the property of the judgment debtor 630
under Chapter 2716. of the Revised Code. 631

(3) Obtain an order for the assignment of wages of the 632
judgment debtor under section 1321.33 of the Revised Code. 633

(E) A court that imposes a financial sanction upon an 634
offender may hold a hearing if necessary to determine whether 635
the offender is able to pay the sanction or is likely in the 636

future to be able to pay it. 637

(F) Each court imposing a financial sanction upon an 638
offender under this section or under section 2929.32 of the 639
Revised Code may designate the clerk of the court or another 640
person to collect the financial sanction. The clerk or other 641
person authorized by law or the court to collect the financial 642
sanction may enter into contracts with one or more public 643
agencies or private vendors for the collection of, amounts due 644
under the financial sanction imposed pursuant to this section or 645
section 2929.32 of the Revised Code. Before entering into a 646
contract for the collection of amounts due from an offender 647
pursuant to any financial sanction imposed pursuant to this 648
section or section 2929.32 of the Revised Code, a court shall 649
comply with sections 307.86 to 307.92 of the Revised Code. 650

(G) If a court that imposes a financial sanction under 651
division (A) or (B) of this section finds that an offender 652
satisfactorily has completed all other sanctions imposed upon 653
the offender and that all restitution that has been ordered has 654
been paid as ordered, the court may suspend any financial 655
sanctions imposed pursuant to this section or section 2929.32 of 656
the Revised Code that have not been paid. 657

(H) No financial sanction imposed under this section or 658
section 2929.32 of the Revised Code shall preclude a victim from 659
bringing a civil action against the offender. 660

Section 2. That existing sections 2921.321 and 2929.18 of 661
the Revised Code are hereby repealed. 662

Section 3. Section 2929.18 of the Revised Code is 663
presented in this act as a composite of the section as amended 664
by both Sub. H.B. 60 and Sub. H.B. 359 of the 131st General 665

Assembly. The General Assembly, applying the principle stated in 666
division (B) of section 1.52 of the Revised Code that amendments 667
are to be harmonized if reasonably capable of simultaneous 668
operation, finds that the composite is the resulting version of 669
the section in effect prior to the effective date of the section 670
as presented in this act. 671