

**As Introduced**

**136th General Assembly**

**Regular Session**

**2025-2026**

**H. B. No. 240**

**Representatives Lawson-Rowe, Thomas, C.**

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To amend sections 955.11, 955.22, 955.222, 955.54, 1  
955.99, and 956.99 and to enact sections 955.13, 2  
955.60, and 956.25 of the Revised Code to make 3  
changes to the laws governing dogs and other 4  
companion animals and to name this act Avery's 5  
Law. 6

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

**Section 1.** That sections 955.11, 955.22, 955.222, 955.54, 7  
955.99, and 956.99 be amended and sections 955.13, 955.60, and 8  
956.25 of the Revised Code be enacted to read as follows: 9

**Sec. 955.11.** (A) As used in this section: 10

(1) (a) "Dangerous dog" means a dog that, without 11  
provocation, and subject to division (A) (1) (b) of this section, 12  
has done any of the following: 13

(i) Caused injury, other than killing or serious injury, 14  
to any person; 15

(ii) ~~Killed another dog~~ Caused injury or serious injury, 16  
other than killing, to any companion animal; 17

(iii) Been the subject of a third or subsequent violation 18  
of division (C) of section 955.22 of the Revised Code. 19

(b) "Dangerous dog" does not include a police dog that has  
caused injury, other than killing or serious injury, to any  
person or has ~~killed another dog~~ caused serious injury or injury  
to any companion animal while the police dog is being used to  
assist one or more law enforcement officers in the performance  
of their official duties.

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

(3) (a) Subject to division (A) (3) (b) of this section,  
"nuisance dog" means a dog that without provocation and while  
off the premises of its owner, keeper, or harborer 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.

(b) "Nuisance dog" 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.

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

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

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

(b) Any physical harm that involves a permanent  
incapacity, whether partial or total, or a temporary,

substantial incapacity; 49

(c) Any physical harm that involves a permanent 50  
disfigurement or a temporary, serious disfigurement; 51

(d) Any physical harm that involves acute pain of a 52  
duration that results in substantial suffering or any degree of 53  
prolonged or intractable pain. 54

(6) (a) "Vicious dog" means a dog that, without provocation 55  
and subject to division (A) (6) (b) of this section, has killed or 56  
caused serious injury to any person or has killed a companion 57  
animal. 58

(b) "Vicious dog" does not include either of the 59  
following: 60

(i) A police dog that has killed or caused serious injury 61  
to any person or has killed a companion animal while the police 62  
dog is being used to assist one or more law enforcement officers 63  
in the performance of their official duties; 64

(ii) A dog that has killed or caused serious injury to any 65  
person while a person was committing or attempting to commit a 66  
trespass or other criminal offense on the property of the owner, 67  
keeper, or harbinger of the dog. 68

(7) "Without provocation" means ~~that~~ either of the 69  
following, as applicable: 70

(a) If a dog killed or caused serious injury to any 71  
person, the dog was not teased, tormented, or abused by ~~a~~ the 72  
person, or ~~that~~ the dog was not coming to the aid or the defense 73  
of a person who was not engaged in illegal or criminal activity 74  
and who was not using the dog as a means of carrying out such 75  
activity; 76

(b) If a dog killed a companion animal, the dog was not 77  
attacked by the companion animal. 78

(8) "Companion animal" has the same meaning as in section 79  
959.131 of the Revised Code. 80

(B) Upon the transfer of ownership of any dog, the seller 81  
of the dog shall give the buyer a transfer of ownership 82  
certificate that shall be signed by the seller. The certificate 83  
shall contain the registration number of the dog, the name of 84  
the seller, and a brief description of the dog. Blank forms of 85  
the certificate may be obtained from the county auditor. A 86  
transfer of ownership shall be recorded by the auditor upon 87  
presentation of a transfer of ownership certificate that is 88  
signed by the former owner of a dog and that is accompanied by a 89  
fee of five dollars. 90

(C) Prior to the transfer of ownership or possession of 91  
any dog, upon the buyer's or other transferee's request, the 92  
seller or other transferor of the dog shall give to the person a 93  
written notice relative to the behavior and propensities of the 94  
dog. 95

(D) Within ten days after the transfer of ownership or 96  
possession of any dog, if the seller or other transferor of the 97  
dog has knowledge that the dog is a dangerous dog, the seller or 98  
other transferor shall give to the buyer or other transferee, 99  
the board of health for the district in which the buyer or other 100  
transferee resides, and the dog warden of the county in which 101  
the buyer or other transferee resides, a completed copy of a 102  
written form on which the seller shall furnish the following 103  
information: 104

(1) The name and address of the buyer or other transferee 105

of the dog; 106

(2) The age, sex, color, breed, and current registration 107  
number of the dog. 108

In addition, the seller shall answer the following 109  
questions, which shall be specifically stated on the form as 110  
follows: 111

"Has the dog ever chased or attempted to attack or bite a 112  
person? If yes, describe the incident(s) in which the behavior 113  
occurred." 114

"Has the dog ever bitten a person? If yes, describe the 115  
incident(s) in which the behavior occurred." 116

"Has the dog ever seriously injured or killed a person? If 117  
yes, describe the incident(s) in which the behavior occurred." 118

The dog warden of the county in which the seller resides 119  
shall furnish the form to the seller at no cost. 120

(E) No seller or other transferor of a dog shall fail to 121  
comply with the applicable requirements of divisions (B) to (D) 122  
of this section. 123

**Sec. 955.13.** (A) (1) If a health care provider or a 124  
licensed veterinarian has knowledge of a person being bitten or 125  
injured as a result of an attack by a dog or other non-human 126  
mammal, the provider or veterinarian shall report the bite or 127  
injury, not later than twenty-four hours after obtaining such 128  
knowledge, to the health commissioner of the health district in 129  
which the bite occurred. 130

(2) If a dog or other non-human mammal bites or injures a 131  
person and the owner of such dog or non-human mammal has 132  
knowledge of the bite or injury, the owner shall report the bite 133

or injury, not later than twenty-four hours after obtaining such 134  
knowledge, to the health commissioner of the health district in 135  
which the bite occurred. 136

(3) A person who is bitten or injured as a result of an 137  
attack by a dog or other non-human mammal may report the bite or 138  
injury to the health commissioner of the health district in 139  
which the bite occurred. 140

(B) A city or general health district board of health 141  
shall annually submit a report regarding non-human mammalian 142  
bites and injuries occurring in its district to the department 143  
of health not later than the first day of March of each year. 144  
The report shall include information about the bites and 145  
injuries that occurred in the previous calendar year. 146

**Sec. 955.22.** (A) As used in this section, "dangerous dog" 147  
has the same meaning as in section 955.11 of the Revised Code. 148

(B) No owner, keeper, or harborer of any female dog shall 149  
permit it to go beyond the premises of the owner, keeper, or 150  
harborer at any time the dog is in heat unless the dog is 151  
properly in leash. 152

(C) Except when a dog is lawfully engaged in hunting and 153  
accompanied by the owner, keeper, harborer, or handler of the 154  
dog, no owner, keeper, or harborer of any dog shall fail at any 155  
time to do either of the following: 156

(1) Keep the dog physically confined or restrained ~~upon~~ 157  
~~the premises of the owner, keeper, or harborer~~ by a leash, 158  
tether, adequate fence, adequate supervision, or secure 159  
enclosure to prevent escape. 160

(2) Keep the dog under the reasonable control of some 161  
person. 162

(D) Except when a dangerous dog is lawfully engaged in 163  
hunting or training for the purpose of hunting and is 164  
accompanied by the owner, keeper, harborer, or handler of the 165  
dog, no owner, keeper, or harborer of a dangerous dog shall fail 166  
to do either of the following: 167

(1) While that dog is on the premises of the owner, 168  
keeper, or harborer, securely confine it at all times in ~~a~~ 169  
either of the following: 170

(a) A locked pen that has a top, or other locked enclosure 171  
that has a top; 172

(b) A locked fenced yard, ~~or other locked enclosure that~~ 173  
~~has a top,~~ so long as the dog is on a chain-link leash or tether 174  
that is not more than six feet in length. 175

(2) While that dog is off the premises of the owner, 176  
keeper, or harborer, keep that dog on a chain-link leash or 177  
tether that is not more than six feet in length and additionally 178  
do at least one of the following: 179

(a) Keep that dog in a locked pen that has a top, locked 180  
fenced yard, or other locked enclosure that has a top; 181

(b) Have the leash or tether controlled by a person who is 182  
of suitable age and discretion or securely attach, tie, or affix 183  
the leash or tether to the ground or a stationary object or 184  
fixture so that the dog is adequately restrained and station 185  
such a person in close enough proximity to that dog so as to 186  
prevent it from causing injury to any person; 187

(c) Muzzle that dog. 188

(E) No person who has been convicted of or pleaded guilty 189  
to three or more violations of division (C) of this section 190

involving the same dog and no owner, keeper, or harborer of a 191  
dangerous dog shall fail to do the following: 192

(1) Obtain liability insurance with an insurer authorized 193  
to write liability insurance in this state providing at least 194  
one hundred thousand dollars of coverage in each occurrence 195  
because of damage or bodily injury to or death of a person 196  
caused by the dangerous dog if so ordered by a court and provide 197  
proof of that liability insurance upon request to any law 198  
enforcement officer, county dog warden, or public health 199  
official charged with enforcing this section; 200

(2) Obtain a dangerous dog registration certificate from 201  
the county auditor pursuant to division (I) of this section, 202  
affix a tag that identifies the dog as a dangerous dog to the 203  
dog's collar, and ensure that the dog wears the collar and tag 204  
at all times; 205

(3) Notify the local dog warden immediately if any of the 206  
following occurs: 207

(a) The dog is loose or unconfined. 208

(b) The dog bites a person, unless the dog is on the 209  
property of the owner of the dog, and the person who is bitten 210  
is unlawfully trespassing or committing a criminal act within 211  
the boundaries of that property. 212

(c) The dog attacks another animal while the dog is off 213  
the property of the owner of the dog. 214

(4) If the dog is sold, given to another person, or dies, 215  
notify the county auditor within ten days of the sale, transfer, 216  
or death. 217

(F) No person shall do any of the following: 218



(1) Debark or surgically silence a dog that the person	219
knows or has reason to believe is a dangerous dog;	220
(2) Possess a dangerous dog if the person knows or has	221
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	225
person's dog is not a dangerous 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 dangerous dog.	230
The written waiver form shall include all of the following:	231
(1) The veterinarian's license number and current business	232
address;	233
(2) The number of the license of the dog if the dog is	234
licensed;	235
(3) A reasonable description of the age, coloring, and	236
gender of the dog as well as any notable markings on the dog;	237
(4) The signature of the owner of the dog attesting that	238
the owner's dog is not a dangerous dog;	239
(5) A statement that division (F) of section 955.22 of the	240
Revised Code prohibits any person from doing any of the	241
following:	242
(a) Debarking or surgically silencing a dog that the	243
person knows or has reason to believe is a dangerous dog;	244
(b) Possessing a dangerous dog if the person knows or has	245

reason to believe that the dog has been debarked or surgically  
silenced;

(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 dangerous dog or otherwise  
provide false information on that written waiver form.

(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 dangerous dog.

(I) (1) 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  
following to the county auditor:

(a) A fee of fifty dollars;

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

(c) With respect to the person and the dog for which the  
registration is sought, all of the following:

(i) Either satisfactory evidence of the dog's current  
rabies vaccination or a statement from a licensed veterinarian  
that a rabies vaccination is medically contraindicated for the  
dog;

(ii) Either satisfactory evidence of the fact that the dog  
has been neutered or spayed or a statement from a licensed

veterinarian that neutering or spaying of the dog is medically 274  
contraindicated; 275

(iii) Satisfactory evidence of the fact that the person 276  
has posted and will continue to post clearly visible signs at 277  
the person's residence warning both minors and adults of the 278  
presence of a dangerous dog on the property; 279

(iv) Satisfactory evidence of the fact that the dog has 280  
been permanently identified by means of a microchip and the 281  
dog's microchip number. 282

(2) Upon the issuance of a dangerous dog registration 283  
certificate to the owner of a dog, the county auditor shall 284  
provide the owner with a uniformly designed tag that identifies 285  
the animal as a dangerous dog. The owner shall renew the 286  
certificate annually for the same fee and in the same manner as 287  
the initial certificate was obtained. If a certificate holder 288  
relocates to a new county, the certificate holder shall follow 289  
the procedure in division (I) (3) (b) of this section and, upon 290  
the expiration of the certificate issued in the original county, 291  
shall renew the certificate in the new county. 292

(3) (a) If the owner of a dangerous dog for whom a 293  
registration certificate has previously been obtained relocates 294  
to a new address within the same county, the owner shall provide 295  
notice of the new address to the county auditor within ten days 296  
of relocating to the new address. 297

(b) If the owner of a dangerous dog for whom a 298  
registration certificate has previously been obtained relocates 299  
to a new address within another county, the owner shall do both 300  
of the following within ten days of relocating to the new 301  
address: 302

(i) Provide written notice of the new address and a copy 303  
of the original dangerous dog registration certificate to the 304  
county auditor of the new county; 305

(ii) Provide written notice of the new address to the 306  
county auditor of the county where the owner previously resided. 307

(4) The owner of a dangerous dog shall present the 308  
dangerous dog registration certificate upon being requested to 309  
do so by any law enforcement officer, dog warden, or public 310  
health official charged with enforcing this section. 311

(5) The fees collected pursuant to this division shall be 312  
deposited in the dog and kennel fund of the county. 313

**Sec. 955.222.** (A) The municipal court or county court that 314  
has territorial jurisdiction over the residence of the owner, 315  
keeper, or harborer of a dog shall conduct any hearing 316  
concerning the designation of the dog as a nuisance dog, 317  
dangerous dog, or vicious dog. 318

(B) If a person who is authorized to enforce this chapter 319  
has reasonable cause to believe that a dog in the person's 320  
jurisdiction is a nuisance dog, dangerous dog, or vicious dog, 321  
the person shall notify the owner, keeper, or harborer of that 322  
dog, by certified mail or in person, of both of the following: 323

(1) That the person has designated the dog a nuisance dog, 324  
dangerous dog, or vicious dog, as applicable; 325

(2) That the owner, keeper, or harborer of the dog may 326  
request a hearing regarding the designation in accordance with 327  
this section. The notice shall include instructions for filing a 328  
request for a hearing in the county in which the dog's owner, 329  
keeper, or harborer resides. 330

(C) If the owner, keeper, or harborer of the dog disagrees 331  
with the designation of the dog as a nuisance dog, dangerous 332  
dog, or vicious dog, as applicable, the owner, keeper, or 333  
harborer, not later than ten days after receiving notification 334  
of the designation, may request a hearing regarding the 335  
determination. The request for a hearing shall be in writing and 336  
shall be filed with the municipal court or county court that has 337  
territorial jurisdiction over the residence of the dog's owner, 338  
keeper, or harborer. At the hearing, the person who designated 339  
the dog as a nuisance dog, dangerous dog, or vicious dog has the 340  
burden of proving, by clear and convincing evidence, that the 341  
dog is a nuisance dog, dangerous dog, or vicious dog. 342

The owner, keeper, or harborer of the dog or the person 343  
who designated the dog as a nuisance dog, dangerous dog, or 344  
vicious dog may appeal the court's final determination as in any 345  
other case filed in that court. 346

(D) A court, upon motion of an owner, keeper, or harborer 347  
or an attorney representing the owner, keeper, or harborer, may 348  
order that the dog designated as a nuisance dog, dangerous dog, 349  
or vicious dog be held in the possession of the owner, keeper, 350  
or harborer until the court makes a final determination under 351  
this section or during the pendency of an appeal, as applicable. 352  
Until the court makes a final determination and during the 353  
pendency of any appeal, the dog shall be confined or restrained 354  
in accordance with the provisions of division (D) of section 355  
955.22 of the Revised Code that apply to dangerous dogs 356  
regardless of whether the dog has been designated as a vicious 357  
dog or a nuisance dog rather than a dangerous dog. The owner, 358  
keeper, or harborer of the dog shall not be required to comply 359  
with any other requirements established in the Revised Code that 360  
concern a nuisance dog, dangerous dog, or vicious dog, as 361

applicable, until the court makes a final determination and 362  
during the pendency of any appeal. 363

(E) If a dog is finally determined under this section, or 364  
on appeal as described in this section, to be a vicious dog, 365  
division (D) of section 955.11 and divisions (D) to (I) of 366  
section 955.22 of the Revised Code apply with respect to the dog 367  
and the owner, keeper, or harbinger of the dog as if the dog were 368  
a dangerous dog, and section 955.54 of the Revised Code applies 369  
with respect to the dog as if it were a dangerous dog, and the 370  
court shall issue an order that specifies that those provisions 371  
apply with respect to the dog and the owner, keeper, or harbinger 372  
in that manner. As part of the order, the court shall require 373  
the owner, keeper, or harbinger to obtain the liability insurance 374  
required under division (E) (1) of section 955.22 of the Revised 375  
Code in an amount described in division ~~(H) (2)~~ (M) (2) of section 376  
955.99 of the Revised Code. 377

(F) As used in this section, "nuisance dog," "dangerous 378  
dog," and "vicious dog" have the same meanings as in section 379  
955.11 of the Revised Code. 380

**Sec. 955.54.** (A) No person who is convicted of or pleads 381  
guilty to a felony offense of violence committed on or after ~~the~~ 382  
~~effective date of this section or May 22, 2012,~~ a felony 383  
violation of any provision of Chapter 959., 2923., or 2925. of 384  
the Revised Code committed on or after ~~the effective date of~~ 385  
~~this section~~ May 22, 2012, or a violation of division (B) of 386  
section 2919.22 of the Revised Code committed on or after the 387  
effective date of this amendment shall knowingly own, possess, 388  
have custody of, or reside in a residence with either of the 389  
following for a period of ~~three~~ five years commencing either 390  
upon the date of release of the person from any period of 391

incarceration imposed for the offense or violation or, if the  
person is not incarcerated for the offense or violation, upon  
the date of the person's final release from the other sanctions  
imposed for the offense or violation:

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

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

(B) ~~A~~ No person described in division (A) of this section  
shall fail to microchip for permanent identification any dog  
owned, possessed by, or in the custody of the person.

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

(2) Division (A) of this section does not apply to any  
person with respect to any dog that the person owned, possessed,  
had custody of, or resided in a residence with prior to ~~the~~  
~~effective date of this section~~ May 22, 2012, or, with regard to  
a violation of division (B) of section 2919.22 of the Revised  
Code, prior to the effective date of this amendment.

**Sec. 955.60.** (A) Any person authorized to enforce this  
chapter shall investigate any complaint that indicates a  
possible violation of any provision of this chapter involving a  
dog.

(B) If, after investigating an alleged violation of this  
chapter under division (A) of this section, an authorized person  
does not cite a person for or charge a person with a violation,  
the authorized person shall notify, in accordance with division  
(C) of this section, the owner, keeper, or harbinger of the dog

that there has been a complaint regarding the dog and that the 421  
authorized person investigated a possible violation. The notice 422  
shall specify all of the following: 423

(1) A citation to the applicable provision or provisions 424  
of law at issue; 425

(2) Contact information for the authorized person; 426

(3) A requirement that the owner, keeper, or harborer of 427  
the dog respond to the authorized person indicating that the 428  
owner, keeper, or harborer has received the notice. 429

(C) The authorized person shall post the notice on the 430  
door of the dwelling at which the dog resides within twenty-four 431  
hours of the authorized person's investigation. The owner, 432  
keeper, or harborer of the dog shall respond within forty-eight 433  
hours to the authorized person via electronic mail, facsimile, 434  
telephone, or social media correspondence, indicating that the 435  
owner, keeper, or harborer has received the notice or within a 436  
reasonable time after the forty-eight-hour period, provided 437  
that the response is accompanied with a reasonable explanation 438  
of why the forty-eight-hour response deadline was not met. 439

**Sec. 955.99.** (A) (1) Whoever violates division (E) of 440  
section 955.11 of the Revised Code because of a failure to 441  
comply with division (B) of that section is guilty of a minor 442  
misdemeanor. 443

(2) Whoever violates division (E) of section 955.11 of the 444  
Revised Code because of a failure to comply with division (C) or 445  
(D) of that section is guilty of a minor misdemeanor on a first 446  
offense and of a misdemeanor of the fourth degree on each 447  
subsequent offense. 448

(B) Whoever violates section 955.10, 955.23, 955.24, or 449



955.25 of the Revised Code is guilty of a minor misdemeanor. 450

(C) Whoever violates section 955.261, 955.39, or 955.50 of 451  
the Revised Code is guilty of a minor misdemeanor on a first 452  
offense and of a misdemeanor of the fourth degree on each 453  
subsequent offense. 454

(D) Whoever violates division (F) of section 955.16 or 455  
division (B) of section 955.43 of the Revised Code is guilty of 456  
a misdemeanor of the fourth degree. 457

(E) (1) Whoever violates section 955.21 of the Revised 458  
Code, ~~violates or~~ division (B) of section 955.22 of the Revised 459  
Code, ~~or commits a violation of division (C) of section 955.22~~ 460  
~~of the Revised Code that involves a dog that is not a nuisance~~ 461  
~~dog, dangerous dog, or vicious dog~~ shall be fined not less than 462  
twenty-five dollars or more than one hundred dollars on a first 463  
offense, and on each subsequent offense shall be fined not less 464  
than seventy-five dollars or more than two hundred fifty dollars 465  
and may be imprisoned for not more than thirty days. 466

(2) In addition to the penalties prescribed in division 467  
(E) (1) of this section, if the offender is guilty of a violation 468  
of division (B) of section 955.22 of the Revised Code ~~or a~~ 469  
~~violation of division (C) of section 955.22 of the Revised Code~~ 470  
~~that involves a dog that is not a nuisance dog, dangerous dog,~~ 471  
~~or vicious dog,~~ the court may order the offender to personally 472  
supervise the dog that the offender owns, keeps, or harbors, to 473  
cause that dog to complete dog obedience training, or to do 474  
both. 475

(F) (1) ~~Whoever commits a violation of~~ Except as provided 476  
in division (G), (H), (I), (J), (K), or (L) of this section, 477  
whoever violates division (C) of section 955.22 of the Revised 478

Code shall be fined not less than twenty-five dollars nor more 479  
than one hundred dollars on a first offense, and on each 480  
subsequent offense shall be fined not less than seventy-five 481  
dollars nor more than two hundred fifty dollars and may be 482  
imprisoned for not more than thirty days. On a third offense 483  
involving the same dog, the court shall require the offender to 484  
register the dog as a dangerous dog. 485

(2) In addition to the penalties prescribed in division 486  
(F) (1) of this section, the court may order the offender to 487  
personally supervise the dog that was the subject of the 488  
offense, to cause that dog to complete dog obedience training, 489  
or to do both. 490

(G) (1) Except as provided in division (H), (I), (J), (K), 491  
or (L) of this section, whoever violates division (C) of section 492  
955.22 of the Revised Code that involves a nuisance dog is 493  
guilty of a minor misdemeanor on the first offense and of a 494  
misdemeanor of the ~~fourth~~ second degree on each subsequent 495  
offense involving the same dog. ~~Upon a person being convicted of~~ 496  
~~or pleading guilty to a third violation of division (C) of~~ 497  
~~section 955.22 of the Revised Code involving the same dog, the~~ 498  
~~court shall require the offender to register the involved dog as~~ 499  
~~a dangerous dog.~~ 500

(2) In addition to the penalties prescribed in division 501  
~~(F) (1)~~ (G) (1) of this section, ~~if a violation of division (C) of~~ 502  
~~section 955.22 of the Revised Code involves a nuisance dog, the~~ 503  
court may order the offender to personally supervise the 504  
nuisance dog that ~~the offender owns, keeps, or harbors~~ was the 505  
subject of the offense, to cause that dog to complete dog 506  
obedience training, or to do both. 507

~~(G) Whoever commits a violation of~~ (H) (1) Except as 508

provided in division (I), (J), (K), or (L) of this section, 509  
whoever violates division (C) of section 955.22 of the Revised 510  
Code that involves a dangerous dog or a vicious dog or a 511  
violation of division (D) of that section is guilty of a 512  
misdemeanor of the ~~fourth~~second degree on a first offense and 513  
of a misdemeanor of the ~~third~~first degree on each subsequent 514  
offense. Additionally 515

(2) In addition to the penalties prescribed in division 516  
(H) (1) of this section, the court may order the offender to 517  
personally supervise the dangerous or vicious dog that ~~the~~ 518  
~~offender owns, keeps, or harbors~~was the subject of the offense, 519  
to cause that dog to complete dog obedience training, or to do 520  
both, and the court may order the offender to obtain liability 521  
insurance pursuant to division (E) of section 955.22 of the 522  
Revised Code. The court, in the alternative, may order the 523  
dangerous or vicious dog to be humanely destroyed by a licensed 524  
veterinarian, the county dog warden, or the county humane 525  
society at the owner's expense. ~~With respect to a violation of~~ 526  
~~division (C) of section 955.22 of the Revised Code that involves~~ 527  
~~a dangerous dog, until the court makes a final determination and~~ 528  
~~during the pendency of any appeal of a violation of that~~ 529  
~~division and at the discretion of the dog warden, the dog shall~~ 530  
~~be confined or restrained in accordance with division (D) of~~ 531  
~~section 955.22 of the Revised Code or at the county dog pound at~~ 532  
~~the owner's expense.~~ 533

~~(H) (1) Whoever commits a violation of~~ (I) Except as 534  
provided in division (J), (K), or (L) of this section, whoever 535  
violates division (C) of section 955.22 of the Revised Code is 536  
guilty of a misdemeanor of the first degree if the dog that is 537  
the subject of the offense causes injury, other than death or 538  
serious injury, to a person or causes injury, serious injury, or 539

death to a companion animal. Additionally, the court may order 540  
the dog to be humanely destroyed by a licensed veterinarian, the 541  
county dog warden, or the county humane society at the owner's 542  
expense. 543

(J) Except as provided in division (K) or (L) of this 544  
section, whoever violates division (C) of section 955.22 of the 545  
Revised Code is guilty of a felony of the fifth degree if the 546  
dog that is the subject of the offense causes injury, other than 547  
death or serious injury, to a person or causes injury, serious 548  
injury, or death to a companion animal and the offender has 549  
previously pleaded guilty to or has been convicted of a 550  
violation of division (C) of section 955.22 of the Revised Code 551  
involving the same dog that previously injured, seriously 552  
injured, or killed a person, or seriously injured or killed a 553  
companion animal. Additionally, the court may order the dog to 554  
be humanely destroyed by a licensed veterinarian, the county dog 555  
warden, or the county humane society at the owner's expense. 556

(K) Except as provided in division (L) of this section, 557  
whoever violates division (C) of section 955.22 of the Revised 558  
Code ~~that involves a vicious dog~~ is guilty of ~~one of the~~ 559  
~~following:~~ 560

~~(a) A~~ ~~a~~ ~~felony of the fourth~~ felony of the fifth degree if the dog kills 561  
or causes serious injury to a person. Additionally, the court 562  
may order that the dog be humanely destroyed by a licensed 563  
veterinarian, the county dog warden, or the county humane 564  
society at the owner's expense. 565

(L) Whoever violates division (C) of section 955.22 of the 566  
Revised Code is guilty of a felony of the fourth degree if the 567  
dog that is the subject of the offense kills or causes serious 568  
injury to a person and the offender has previously pleaded 569

guilty to or has been convicted of a violation of division (C) 570  
of section 955.22 of the Revised Code involving the same dog 571  
that previously injured, seriously injured, or killed a person 572  
or seriously injured or killed a companion animal. Additionally, 573  
the court shall order that the ~~vicious~~ dog be humanely destroyed 574  
by a licensed veterinarian, the county dog warden, or the county 575  
humane society at the owner's expense. 576

~~(b) A misdemeanor of the first degree if the dog causes~~ 577  
~~serious injury to a person. Additionally, the court may order~~ 578  
~~the vicious dog to be humanely destroyed by a licensed~~ 579  
~~veterinarian, the county dog warden, or the county humane~~ 580  
~~society at the owner's expense.~~ 581

~~(2)~~ (M) (1) With respect to a violation of division (C) of 582  
section 955.22 of the Revised Code for which penalties are 583  
imposed under divisions (H) to (L) of this section, until the 584  
court makes a final determination and during the pendency of any 585  
appeal of a violation of that division and at the discretion of 586  
the dog warden, the dog shall be confined or restrained in 587  
accordance with division (D) of section 955.22 of the Revised 588  
Code or at the county dog pound at the owner's expense. 589

(2) If the court does not order the ~~vicious~~ dog to be 590  
destroyed under division ~~(H) (1) (b)~~ (I), (J), or (K) of this 591  
section, the court shall issue an order that specifies that 592  
division (D) of section 955.11 and divisions (D) to (I) of 593  
section 955.22 of the Revised Code apply with respect to the dog 594  
and the owner, keeper, or harborer of the dog as if the dog were 595  
a dangerous dog and that section 955.54 of the Revised Code 596  
applies with respect to the dog as if it were a dangerous dog. 597  
As part of the order, the court shall order the offender to 598  
obtain the liability insurance required under division (E) (1) of 599

section 955.22 of the Revised Code in an amount, exclusive of 600  
interest and costs, that equals or exceeds one hundred thousand 601  
dollars. ~~Until the court makes a final determination and during~~ 602  
~~the pendency of any appeal of a violation of division (C) of~~ 603  
~~section 955.22 of the Revised Code and at the discretion of the~~ 604  
~~dog warden, the dog shall be confined or restrained in~~ 605  
~~accordance with the provisions described in division (D) of~~ 606  
~~section 955.22 of the Revised Code or at the county dog pound at~~ 607  
~~the owner's expense.~~ 608

~~(I)~~ (N) Whoever violates division (A) (2) of section 955.01 609  
of the Revised Code is guilty of a misdemeanor of the first 610  
degree. 611

~~(J)~~ (O) Whoever violates division (E) (2) of section 955.22 612  
of the Revised Code is guilty of a misdemeanor of the fourth 613  
degree. 614

~~(K)~~ (P) Whoever violates division (C) of section 955.221 of 615  
the Revised Code is guilty of a minor misdemeanor. Each day of 616  
continued violation constitutes a separate offense. Fines levied 617  
and collected for violations of that division shall be 618  
distributed by the mayor or clerk of the municipal or county 619  
court in accordance with section 733.40, division (F) of section 620  
1901.31, or division (C) of section 1907.20 of the Revised Code 621  
to the treasury of the county, township, or municipal 622  
corporation whose resolution or ordinance was violated. 623

~~(L)~~ (Q) Whoever violates division (F) (1), (2), or (3) of 624  
section 955.22 of the Revised Code is guilty of a felony of the 625  
fourth degree. Additionally, the court shall order that the dog 626  
involved in the violation be humanely destroyed by a licensed 627  
veterinarian, the county dog warden, or the county humane 628  
society. Until the court makes a final determination and during 629

the pendency of any appeal of a violation of division (F) (1), 630  
(2), or (3) of section 955.22 of the Revised Code and at the 631  
discretion of the dog warden, the dog shall be confined or 632  
restrained in accordance with the provisions of division (D) of 633  
section 955.22 of the Revised Code or at the county dog pound at 634  
the owner's expense. 635

~~(M)~~ (R) Whoever violates division (E) (1), (3), or (4) of 636  
section 955.22 of the Revised Code is guilty of a minor 637  
misdemeanor. 638

~~(N)~~ (S) Whoever violates division (I) (4) of section 955.22 639  
of the Revised Code is guilty of a minor misdemeanor. 640

~~(O)~~ (T) Whoever violates division (A) or (B) of section 641  
955.54 of the Revised Code is guilty of a misdemeanor of the 642  
first degree. 643

~~(P)~~ ~~(1)~~ (U) (1) If a dog is confined at the county dog pound 644  
pursuant to ~~division (G)~~, divisions (H), or (L) to (L) or (Q) of 645  
this section, the county dog warden shall give written notice of 646  
the confinement to the owner of the dog. If the county dog 647  
warden is unable to give the notice to the owner of the dog, the 648  
county dog warden shall post the notice on the door of the 649  
residence of the owner of the dog or in another conspicuous 650  
place on the premises at which the dog was seized. The notice 651  
shall include a statement that a security in the amount of one 652  
hundred dollars is due to the county dog warden within ten days 653  
to secure payment of all reasonable expenses, including medical 654  
care and boarding of the dog for sixty days, expected to be 655  
incurred by the county dog pound in caring for the dog pending 656  
the determination. The county dog warden may draw from the 657  
security any actual costs incurred in caring for the dog. 658

(2) If the person ordered to post security under division ~~(P) (1)~~ (U) (1) of this section 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.

(3) Not more than ten days after the court makes a final determination under ~~division (G), divisions (H), or (L)~~ to (L) or (Q) of this section, the county dog warden shall 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 under division (P) (1) of this section is less than the actual cost of confinement of the dog, the owner shall remit the difference between the security provided and the actual cost to the county dog warden within thirty days after the court's determination. If the county dog warden finds that the security provided under division (P) (1) of this section is greater than that actual cost, the county dog warden shall remit the difference between the security provided and the actual cost to the owner within thirty days after the court's determination.

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

**Sec. 956.25.** (A) As used in this section, companion animal has the same meaning as in section 959.131 of the Revised Code.

(B) No person shall knowingly breed a companion animal for commercial purposes in an area that is zoned residential.

(C) Division (B) of this section does not apply to either of the following:

(1) A person that breeds a companion animal in a



recreational manner and does not profit from the breeding 688  
activity; 689

(2) The unintentional or accidental breeding of a 690  
companion animal. 691

**Sec. 956.99.** (A) Whoever violates section 956.25 of the 692  
Revised Code is guilty of a minor misdemeanor on a first offense 693  
and a misdemeanor of the fourth degree on each subsequent 694  
offense. 695

(B) Whoever violates division (A), (B), or (C) of section 696  
956.051 of the Revised Code, division (A), (B), or (C) of 697  
section 956.20 of the Revised Code, or division (E) of section 698  
956.21 of the Revised Code is guilty of a misdemeanor of the 699  
fourth degree. 700

**Section 2.** That existing sections 955.11, 955.22, 955.222, 701  
955.54, 955.99, and 956.99 of the Revised Code are hereby 702  
repealed. 703

**Section 3.** This act shall be known as Avery's Law. 704

705