

As Introduced

136th General Assembly

Regular Session

2025-2026

H. B. No. 240

Representatives Lawson-Rowe, Thomas, C.

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