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**136th General Assembly
Regular Session
2025-2026**

Sub. H. B. No. 247

To amend sections 304.02, 304.03, 715.23, 901.80, 1
935.03, 955.01, 955.011, 955.012, 955.02, 2
955.03, 955.04, 955.05, 955.06, 955.07, 955.10, 3
955.11, 955.12, 955.121, 955.14, 955.16, 955.20, 4
955.22, 955.221, 955.222, 955.26, 955.261, 5
955.40, 955.43, 955.44, 955.50, 955.54, 959.132, 6
1533.12, 1901.18, 1907.031, 2913.01, and 7
2921.321; to amend, for the purpose of adopting 8
new section numbers as indicated in parentheses, 9
sections 955.01 (955.02), 955.011 (955.021), 10
955.012 (955.022), 955.013 (955.023), 955.02 11
(955.01), 955.09 (955.08), 955.10 (955.09), 12
955.22 (955.24), 955.221 (955.10), 955.222 13
(955.23), and 955.40 (955.262); to enact new 14
sections 955.21 and 955.22 and sections 955.024, 15
955.60, and 955.61; and to repeal sections 16
955.08, 955.21, 955.23, 955.24, 955.25, 955.39, 17
955.51, 955.52, 955.53, and 955.99 of the 18
Revised Code to make changes to the laws 19
governing dogs, including dangerous and vicious 20
dogs, and to name this act Avery's Law. 21

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



Section 1. That sections 304.02, 304.03, 715.23, 901.80, 22
935.03, 955.01, 955.011, 955.012, 955.02, 955.03, 955.04, 23
955.05, 955.06, 955.07, 955.10, 955.11, 955.12, 955.121, 955.14, 24
955.16, 955.20, 955.22, 955.221, 955.222, 955.26, 955.261, 25
955.40, 955.43, 955.44, 955.50, 955.54, 959.132, 1533.12, 26
1901.18, 1907.031, 2913.01, and 2921.321 be amended; sections 27
955.01 (955.02), 955.011 (955.021), 955.012 (955.022), 955.013 28
(955.023), 955.02 (955.01), 955.09 (955.08), 955.10 (955.09), 29
955.22 (955.24), 955.221 (955.10), 955.222 (955.23), and 955.40 30
(955.262) be amended for the purpose of adopting new section 31
numbers as indicated in parentheses; and new sections 955.21 and 32
955.22 and sections 955.024, 955.60, and 955.61 of the Revised 33
Code be enacted to read as follows: 34

Sec. 304.02. Prior to the use of electronic records and 35
electronic signatures by a county office under Chapter 1306. of 36
the Revised Code, and except as otherwise provided in section 37
~~955.013~~ 955.023 of the Revised Code, a county office shall 38
adopt, in writing, a security procedure for the purpose of 39
verifying that an electronic signature, record, or performance 40
is that of a specific person or for detecting changes or errors 41
in the information in an electronic record. A security procedure 42
includes, but is not limited to, a procedure that requires the 43
use of algorithms or other codes, identifying words or numbers, 44
encryption, or callback or other acknowledgment procedures. 45

Sec. 304.03. (A) Whenever any rule or law requires or 46
authorizes the filing of any information, notice, lien, or other 47
document or record with any county office, a filing made by an 48
electronic record shall have the same force and effect as a 49
filing made on paper in all cases where the county office has 50
authorized or agreed to the electronic filing and the filing is 51
made in accordance with applicable rules or an applicable 52

agreement. 53

(B) Nothing in this section authorizes or shall be 54
construed to authorize the use of a financial transaction device 55
in an electronic transaction for the acceptance of payments for 56
county expenses, except pursuant to section 301.28 or ~~955.013-~~ 57
955.023 of the Revised Code. 58

(C) As used in this section, "financial transaction 59
device" and "county expenses" have the same meanings as in 60
section 301.28 of the Revised Code. 61

Sec. 715.23. Except as otherwise provided in section 62
~~955.221-~~955.10 of the Revised Code regarding dogs, a municipal 63
corporation may regulate, restrain, or prohibit the running at 64
large, within the municipal corporation, of cattle, horses, 65
swine, sheep, goats, geese, chickens, or other fowl or animals, 66
impound and hold the fowl or animals, and, on notice to the 67
owners, authorize the sale of the fowl or animals for the 68
penalty imposed by any ordinance, and the cost and expenses of 69
the proceedings. 70

Sec. 901.80. (A) As used in this section: 71

(1) "Agricultural production" has the same meaning as in 72
section 929.01 of the Revised Code. 73

(2) "Agritourism" means an agriculturally related 74
educational, entertainment, historical, cultural, or 75
recreational activity, including you-pick operations or farm 76
markets, conducted on a farm that allows or invites members of 77
the general public to observe, participate in, or enjoy that 78
activity. 79

(3) "Agritourism provider" means a person who owns, 80
operates, provides, or sponsors an agritourism activity or an 81

employee of such a person who engages in or provides agritourism 82
activities whether or not for a fee. 83

(4) "Farm" means land that is composed of tracts, lots, or 84
parcels totaling not less than ten acres devoted to agricultural 85
production or totaling less than ten acres devoted to 86
agricultural production if the land produces an average yearly 87
gross income of at least twenty-five hundred dollars from 88
agricultural production. 89

(5) "Participant" means an individual, other than an 90
agritourism provider, who observes or participates in an 91
agritourism activity. 92

(6) "Risk inherent in an agritourism activity" means a 93
danger or condition that is an integral part of an agritourism 94
activity, including all of the following: 95

(a) The surface and subsurface conditions of land; 96

(b) The behavior or actions of wild animals not kept by or 97
under the control of an agritourism provider; 98

(c) The behavior or actions of domestic animals other than 99
vicious or dangerous dogs as defined in section ~~955.11~~ 955.01 of 100
the Revised Code; 101

(d) The ordinary dangers associated with structures or 102
equipment ordinarily used in farming or ranching operations; 103

(e) The possibility of contracting illness resulting from 104
physical contact with animals, animal feed, animal waste, or 105
surfaces contaminated by animal waste; 106

(f) The possibility that a participant may act in a 107
negligent manner, including by failing to follow instructions 108
given by the agritourism provider or by failing to exercise 109

reasonable caution while engaging in the agritourism activity 110
that may contribute to injury to that participant or another 111
participant. 112

(B) In a civil action, an agritourism provider is immune 113
from liability for any harm a participant sustains during an 114
agritourism activity if the participant is harmed as a result of 115
a risk inherent in an agritourism activity. Nothing in this 116
section requires an agritourism provider to eliminate risks 117
inherent in agritourism activities. 118

(C) An agritourism provider is not immune from civil 119
liability for harm sustained by a participant if any of the 120
following applies: 121

(1) The agritourism provider acts with a willful or wanton 122
disregard for the safety of the participant and proximately 123
causes harm to the participant. 124

(2) The agritourism provider purposefully causes harm to 125
the participant. 126

(3) The agritourism provider's actions or inactions 127
constitute criminal conduct and cause harm to the participant. 128

(4) The agritourism provider fails to post and maintain 129
signs as required by division (D) of this section. 130

(5) The agritourism provider has actual knowledge or 131
should have actual knowledge of an existing dangerous condition 132
on the land or regarding facilities or equipment on the land 133
that is not an inherent risk and does not make the dangerous 134
condition known to the participant, and the dangerous condition 135
proximately causes injury or damage to or the death of the 136
participant. 137

(D) An agritourism provider shall post and maintain signs 138
that contain the warning notice specified in this division. The 139
provider shall place a sign in a clearly visible location at or 140
near each entrance to the agritourism location or at the site of 141
each agritourism activity. The warning notice shall consist of a 142
sign in black letters with each letter to be a minimum of one 143
inch in height. The signs shall contain the following notice of 144
warning: "WARNING: Under Ohio law, there is no liability for an 145
injury to or death of a participant in an agritourism activity 146
conducted at this agritourism location if that injury or death 147
results from the inherent risks of that agritourism activity. 148
Inherent risks of agritourism activities include, but are not 149
limited to, the risk of injury inherent to land, equipment, and 150
animals as well as the potential for you as a participant to act 151
in a negligent manner that may contribute to your injury or 152
death. You are assuming the risk of participating in this 153
agritourism activity." 154

Sec. 935.03. (A) Division (A) of section 935.02 of the 155
Revised Code does not apply to any of the following: 156

(1) A person to which all of the following apply: 157

(a) The person possesses a dangerous wild animal. 158

(b) The person has been issued a license by the United 159
States department of agriculture under the federal animal 160
welfare act. 161

(c) The director of agriculture has determined that the 162
person is in the process of becoming an accredited member of the 163
association of zoos and aquariums or the zoological association 164
of America. 165

(d) The director has informed the person that the person 166

is exempt from division (A) of section 935.02 of the Revised Code. 167
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(2) An organization to which all of the following apply: 169

(a) The organization possesses a dangerous wild animal. 170

(b) The director has determined that the organization is 171
in the process of being accredited or verified by the global 172
federation of animal sanctuaries as a wildlife sanctuary. 173

(c) The director has informed the organization that it is 174
exempt from division (A) of section 935.02 of the Revised Code. 175

(3) A person whose possession of a dangerous wild animal 176
is authorized by an unexpired permit issued under this chapter. 177

(B) Except for the purposes of divisions (A) and (B) of 178
section 935.04 of the Revised Code, this chapter does not apply 179
to any of the following: 180

(1) A facility that is an accredited member of the 181
association of zoos and aquariums or the zoological association 182
of America and that is licensed by the United States department 183
of agriculture under the federal animal welfare act; 184

(2) A research facility as defined in the federal animal 185
welfare act; 186

(3) A research facility that is accredited by the 187
association for the assessment and accreditation of laboratory 188
animal care international; 189

(4) A circus; 190

(5) A wildlife rehabilitation facility that is issued a 191
permit by the chief of the division of wildlife in rules adopted 192
under section 1531.08 of the Revised Code and that rehabilitates 193

dangerous wild animals or restricted snakes that are native to 194
the state for the purpose of reintroduction into the wild; 195

(6) A veterinarian that is providing temporary veterinary 196
care to a dangerous wild animal or restricted snake; 197

(7) A wildlife sanctuary; 198

(8) An individual who does not reside in this state, is 199
traveling through this state with a dangerous wild animal or 200
restricted snake, and does all of the following: 201

(a) Confines the animal or snake in a cage at all times; 202

(b) Confines the animal or snake in a cage that is not 203
accessible to the public; 204

(c) Does not exhibit the animal or snake; 205

(d) Is in the state not more than forty-eight hours unless 206
the animal or snake is receiving veterinary care. 207

(9) An educational institution that displays a single 208
dangerous wild animal as a sports mascot and that meets all of 209
the following criteria: 210

(a) An official of the educational institution has 211
submitted an affidavit attesting that the institution will care 212
for the animal as long as the animal lives and in a facility 213
that is an accredited member of the association of zoos and 214
aquariums or the zoological association of America. 215

(b) The educational institution maintains a liability 216
insurance policy with an insurer authorized or approved to write 217
such insurance in this state that covers claims for injury or 218
damage to persons or property caused by a dangerous wild animal. 219
The amount of the insurance coverage shall be not less than one 220

million dollars. 221

(c) During display and transport, the educational 222
institution confines the dangerous wild animal in a cage that 223
does not permit physical contact between the animal and the 224
public. 225

(d) The educational institution began displaying a 226
dangerous wild animal as a mascot prior to September 5, 2012. 227

(10) Any person who has been issued a permit under section 228
1533.08 of the Revised Code, provided that the permit lists each 229
specimen of wild animal that is a dangerous wild animal or 230
restricted snake in the person's possession; 231

(11) Any person authorized to possess a dangerous wild 232
animal or restricted snake under section 1531.25 of the Revised 233
Code or rules adopted under it; 234

(12) A person with a mobility impairment, as defined in 235
section ~~955.011~~955.021 of the Revised Code, who possesses a 236
dangerous wild animal specified in division (C) (20) (h) of 237
section 935.01 of the Revised Code that has been trained by a 238
nonprofit agency or is in such training to assist the person 239
with a mobility impairment; 240

(13) A deaf or hearing-impaired person who possesses a 241
dangerous wild animal specified in division (C) (20) (h) of 242
section 935.01 of the Revised Code that has been trained by a 243
nonprofit agency or is in such training to assist the deaf or 244
hearing-impaired person; 245

(14) A person who is blind, as defined in section ~~955.011~~ 246
955.021 of the Revised Code, and possesses a dangerous wild 247
animal specified in division (C) (20) (h) of section 935.01 of the 248
Revised Code that has been trained by a nonprofit agency or is 249

in such training to assist the blind person.

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Sec. 955.02 955.01. As used in this chapter, ~~"dog kennel":~~

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(A) "Vicious dog" means a dog that has been designated as
such in accordance with section 955.23 of the Revised Code or a
dog that has previously engaged in a vicious dog act when
evidence of such engagement is presented to a court and the
court determines that the dog has engaged in a previous vicious
dog act.

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(B) "Dangerous dog" means a dog that has been designated
as such in accordance with section 955.23 of the Revised Code or
a dog that has previously engaged in a dangerous dog act when
evidence of such engagement is presented to a court and the
court determines that the dog has engaged in a previous
dangerous dog act.

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(C) "Nuisance dog" means a dog that has been designated as
such in accordance with section 955.23 of the Revised Code or a
dog that has previously engaged in a nuisance dog act when
evidence of such engagement is presented to a court and the
court determines that the dog has engaged in a previous nuisance
dog act.

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(D) "Nuisance dog act," "dangerous dog act," and "vicious
dog act" have the same meanings as in section 955.22 of the
Revised Code.

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(E) "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.

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(F) "Dog kennel" or "kennel" means an establishment that
keeps, houses, and maintains adult dogs, as defined in section
956.01 of the Revised Code, for the purpose of breeding the dogs

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for a fee or other consideration received through a sale, 279
exchange, or lease and that is not a high volume breeder 280
licensed under Chapter 956. of the Revised Code. 281

Sec. ~~955.01~~ 955.02. (A) (1) Except as otherwise provided in 282
this section or in sections ~~955.011, 955.012~~955.021, 955.022, 283
and 955.16 of the Revised Code, every person who owns, keeps, or 284
harbors a dog more than three months of age shall file, on or 285
after the first day of the applicable December, but before the 286
thirty-first day of the applicable January, in the office of the 287
county auditor of the county in which the dog is kept or 288
harbored, an application for registration for a period of one 289
year or three years or an application for a permanent 290
registration. The board of county commissioners, by resolution, 291
may extend the period for filing the application. The 292
~~application~~applicant shall state the age, sex, color, character 293
of hair, whether short or long, and breed, if known, of the dog 294
and the name and address of the owner of the dog on the 295
application. ~~A~~Along with the application, the applicant shall 296
submit a registration fee of two dollars for each year of 297
registration for a one-year or three-year registration or twenty 298
dollars for a permanent registration for each dog ~~shall~~ 299
~~accompany the application~~. However, the fee may exceed that 300
amount if a greater fee has been established under division (A) 301
(2) of this section or under section 955.14 of the Revised Code. 302

(2) A board of county commissioners may establish a 303
registration fee higher than the one provided for in division 304
(A) (1) of this section for ~~dogs~~a dog more than nine months of 305
age that ~~have~~has not been spayed or neutered, except that the 306
higher registration fee permitted by this division ~~shall~~does 307
not apply if ~~a~~the person registering ~~a~~the dog furnishes any of 308
the following with the application ~~either a~~: 309

(a) A certificate from a licensed veterinarian verifying 310
that the dog should not be spayed or neutered because of its age 311
or medical condition~~or~~; 312

(b) A certificate from a licensed veterinarian verifying 313
that the dog should not be spayed or neutered because the dog is 314
used or intended for use for show or breeding purposes~~or a~~; 315

(c) A certificate from the owner of the dog declaring that 316
the owner holds a valid hunting license issued by the division 317
of wildlife of the department of natural resources and that the 318
dog is used or intended for use for hunting purposes. 319

(3) If the board establishes ~~such a fee~~ under division (A) 320
(2) of this section, the application for registration shall 321
state whether the dog is spayed or neutered, and whether a 322
licensed veterinarian has certified that the dog should not be 323
spayed or neutered or the owner has stated that the dog is used 324
or intended to be used for hunting purposes. The board may 325
require a person who is registering a spayed or neutered dog to 326
furnish with the application a certificate from a licensed 327
veterinarian verifying that the dog is spayed or neutered. 328

~~No person shall furnish a certificate under this division~~ 329
~~that the person knows to be false.~~ 330

(B) If the application for registration is not filed and 331
the registration fee paid, on or before the thirty-first day of 332
the applicable January of each year or, if the board of county 333
commissioners by resolution has extended the date to a date 334
later than the thirty-first day of January, the date established 335
by the board, the auditor shall assess a penalty in an amount 336
equal to the registration fee for one year upon the owner, 337
keeper, or harborer, which shall be paid with the registration 338

fee. 339

(C) A person who is the owner, keeper, or harborer of a 340
dangerous dog or vicious dog shall register the dog in 341
accordance with division (A) and division (D) of this section 342
with the county auditor. 343

(D) (1) A person who is the owner, keeper, or harborer of a 344
dangerous dog or vicious dog shall apply for a dangerous dog 345
registration to the county auditor and submit all of the 346
following to the county auditor: 347

(a) A fee of one hundred dollars; 348

(b) The person's address, telephone number, and other 349
appropriate means for the county auditor to contact the person, 350
along with proof that the person is eighteen years of age or 351
older; 352

(c) With respect to the person and the dog for which the 353
dangerous dog registration is required, all of the following: 354

(i) Either satisfactory evidence of the dog's current 355
rabies vaccination or a statement from a licensed veterinarian 356
that a rabies vaccination is medically contraindicated for the 357
dog; 358

(ii) Either satisfactory evidence of the fact that the dog 359
has been neutered or spayed or a statement from a licensed 360
veterinarian that neutering or spaying of the dog is medically 361
contraindicated; 362

(iii) Satisfactory evidence of the fact that the person 363
has posted and will continue to post clearly visible signs at 364
the person's residence warning both minors and adults of the 365
presence of a dangerous dog on the property; 366

(iv) Satisfactory evidence of the fact that the dog has 367
been permanently identified by means of a microchip and the 368
dog's microchip number. 369

(2) The person shall renew the dangerous dog registration 370
annually for the same fee and in the same manner as the initial 371
registration was obtained. 372

(3) If a dangerous dog registration holder relocates to a 373
new county, the holder shall follow the procedure in division 374
(F) of this section and, upon the expiration of the registration 375
issued in the original county, shall renew the registration in 376
the new county. 377

(E) Upon submission in accordance with division (D) of 378
this section, the county auditor shall issue a dangerous dog 379
registration to the person. The county auditor also shall 380
provide the owner with a uniformly designed tag that identifies 381
the animal as a vicious or dangerous dog. 382

(F) (1) If the owner of a vicious or dangerous dog for whom 383
a dangerous dog registration has previously been obtained 384
relocates to a new address within the same county, the owner 385
shall provide notice of the new address to the county auditor 386
within ten days of relocating to the new address. 387

(2) If the owner of a vicious or dangerous dog for whom a 388
dangerous dog registration has previously been obtained 389
relocates to a new address within another county, the owner 390
shall do both of the following within ten days of relocating to 391
the new address: 392

(a) Provide written notice of the new address and a copy 393
of the original dangerous dog registration to the county auditor 394
of the new county; 395

(b) Provide written notice of the new address to the 396
county auditor of the county where the owner previously resided. 397

(G) An animal shelter that keeps or harbors a dog more 398
than three months of age is exempt from paying any registration 399
fees imposed under ~~division (A) or (B) of this section~~ if it is 400
a nonprofit organization that is exempt from federal income 401
taxation under subsection 501(a) and described in subsection 402
501(c) (3) of the "Internal Revenue Code of 1986," 100 Stat. 403
2085, 26 U.S.C. 1. 404

(H) No owner, keeper, or harborer of any dog shall fail to 405
file the application for registration and pay the associated fee 406
as required under division (A) of this section or, if 407
applicable, fail to pay the penalty prescribed in division (B) 408
of this section. A violation of this division is a strict 409
liability offense and section 2901.20 of the Revised Code does 410
not apply. 411

(I) No owner, keeper, or harborer of a vicious or 412
dangerous dog shall fail to present a valid dangerous dog 413
registration upon request of any law enforcement officer, dog 414
warden, or public health official charged with enforcing this 415
section. A violation of this division is a strict liability 416
offense and section 2901.20 of the Revised Code does not apply. 417

(J) No owner, keeper, or harborer of a dangerous or 418
vicious dog shall fail to do any of the following: 419

(1) Obtain a dangerous dog registration from the county 420
auditor pursuant to this section; 421

(2) Affix a tag that identifies the dog as a dangerous or 422
vicious dog to the dog's collar; 423

(3) Ensure that the dog wears the collar and tag at all 424

times. 425

A violation of division (J) of this section is a strict 426
liability offense and section 2901.20 of the Revised Code does 427
not apply. 428

(K) No person shall recklessly furnish a certificate under 429
division (A) (2) of this section that the person knows to be 430
false. 431

(L) (1) Whoever violates division (H) of this section shall 432
be fined not less than twenty-five dollars or more than one 433
hundred dollars on a first offense, and on each subsequent 434
offense shall be fined not less than seventy-five dollars or 435
more than two hundred fifty dollars and may be imprisoned for 436
not more than thirty days. 437

(2) Whoever violates division (I) of this section is 438
guilty of a minor misdemeanor. 439

(3) Whoever violates division (J) of this section is 440
guilty of a misdemeanor of the fourth degree and a misdemeanor 441
of the third degree on each subsequent offense. 442

(4) Whoever violates division (K) of this section is 443
guilty of a misdemeanor of the first degree. 444

Sec. ~~955.011~~ 955.021. (A) When an application is made for 445
registration of an assistance dog and the owner can show proof 446
by certificate or other means that the dog is an assistance dog, 447
the owner of the dog shall be exempt from any fee for the 448
registration. Registration for an assistance dog shall be 449
permanent and not subject to annual renewal so long as the dog 450
is an assistance dog. Certificates and tags stamped "Ohio 451
Assistance Dog-Permanent Registration," with registration 452
number, shall be issued upon registration of such a dog. ~~Any~~ 453

~~certificate and tag stamped "Ohio Service Dog Permanent~~ 454
~~Registration," with registration number, that was issued for a~~ 455
~~dog in accordance with this section as it existed on and after~~ 456
~~November 26, 2004, but prior to June 30, 2006, shall remain in~~ 457
~~effect as valid proof of the registration of the dog on and~~ 458
~~after November 26, 2004. Duplicate certificates and tags for a~~ 459
dog registered in accordance with this section, upon proper 460
proof of loss, shall be issued and no fee required. Each 461
~~duplicate certificate and tag that is issued shall be stamped~~ 462
~~"Ohio Assistance Dog Permanent Registration."~~ 463

(B) As used in this section and in sections 955.16 and 464
955.43 of the Revised Code: 465

(1) "Person with a mobility impairment" means any person, 466
regardless of age, who is subject to a physiological impairment 467
regardless of its cause, nature, or extent that renders the 468
person unable to move about without the aid of crutches, a 469
wheelchair, or any other form of support, or that limits the 470
person's functional ability to ambulate, climb, descend, sit, 471
rise, or perform any related function. "Person with a mobility 472
impairment" includes a person with a neurological or 473
psychological disability that limits the person's functional 474
ability to ambulate, climb, descend, sit, rise, or perform any 475
related function. "Person with a mobility impairment" also 476
includes a person with a seizure disorder and a person who is 477
diagnosed with autism. 478

(2) "Blind" means either of the following: 479

(a) Vision twenty/two hundred or less in the better eye 480
with proper correction; 481

(b) Field defect in the better eye with proper correction 482

that contracts the peripheral field so that the diameter of the 483
visual field subtends an angle no greater than twenty degrees. 484

(3) "Assistance dog" means a dog that has been trained by 485
a nonprofit or for-profit special agency and that is one of the 486
following: 487

(a) A guide dog; 488

(b) A hearing dog; 489

(c) A service dog. 490

(4) "Guide dog" means a dog that has been trained or is in 491
training to assist a blind person. 492

(5) "Hearing dog" means a dog that has been trained or is 493
in training to assist a deaf or hearing-impaired person. 494

(6) "Service dog" means a dog that has been trained or is 495
in training to assist a person with a mobility impairment. 496

Sec. ~~955.012~~ 955.022. (A) As used in this section: 497

(1) "Controlled substance" has the same meaning as in 498
section 3719.01 of the Revised Code. 499

(2) "Law enforcement agency" means the state highway 500
patrol, the office of a county sheriff, the police department of 501
a municipal corporation or township, or a township or joint 502
police district. 503

(3) "Law enforcement canine" means a dog regularly 504
utilized by a law enforcement agency for general law enforcement 505
purposes, tracking, or detecting the presence of a controlled 506
substance or explosive. 507

(B) Instead of obtaining an annual registration under 508
section ~~955.01~~ 955.02 of the Revised Code, a law enforcement 509

agency owning, keeping, or harboring a law enforcement canine 510
may obtain an annual registration for the dog as a law 511
enforcement canine under this section. The application for a law 512
enforcement canine registration shall be submitted to the county 513
auditor of the county in which the central office of the law 514
enforcement agency that owns, keeps, or harbors the dog is 515
located, except that for a dog owned, kept, or harbored by the 516
state highway patrol, the application shall be submitted to the 517
county auditor of the county in which is located the state 518
highway patrol post to which the dog and its handler primarily 519
are assigned. The application shall be submitted on or after the 520
first day of December immediately preceding the beginning of the 521
registration year and before the thirty-first day of January of 522
that year. If the period for filing registration applications 523
under division (A) (1) of section ~~955.01~~955.02 of the Revised 524
Code is extended in the county in which a law enforcement canine 525
is to be registered, an application for registration under this 526
section shall be submitted to the county auditor not later than 527
the registration deadline for that year, as so extended. 528

The application for registration of a law enforcement 529
canine shall state the age, sex, hair color, character of hair, 530
whether short or long, and breed, if known, of the dog, the name 531
and address of the owner of the dog, and, if the law enforcement 532
agency keeping or harboring the dog is different from the owner, 533
the name of that law enforcement agency. For a dog owned, kept, 534
or harbored by the police department of a municipal corporation 535
or township or by a township or joint police district, the 536
application shall be signed by the chief of the police 537
department or district. For a dog owned, kept, or harbored by 538
the office of a county sheriff, the application shall be signed 539
by the sheriff. For a dog owned, kept, or harbored by the state 540

highway patrol, the application shall be signed by the officer 541
in charge of the post of the state highway patrol to which the 542
dog and its handler primarily are assigned. The application 543
shall include a certification by the chief of the police 544
department or district, sheriff, or officer of the state highway 545
patrol post, as applicable, that the dog described in the 546
application has been properly trained to carry out one or more 547
of the purposes described in division (A)(3) of this section and 548
actually is used for one or more of those purposes by the law 549
enforcement agency making the application. 550

No fee is required for issuance of a law enforcement 551
canine registration. Upon proper proof of loss, a duplicate 552
certificate and tag shall be issued for a dog registered under 553
this section, and no fee shall be required. 554

If an application for registration of a law enforcement 555
canine is not filed under this section on or before the thirty- 556
first day of January of the registration year, or the extended 557
registration deadline established under division (A)(1) of 558
section ~~955.01~~955.02 of the Revised Code, as applicable, the 559
law enforcement canine shall be registered under that section, 560
and the registration fee and late registration penalty 561
applicable under divisions (A) and (B) of that section shall 562
accompany the application. 563

(C) If a law enforcement agency becomes the owner, keeper, 564
or harbinger of a law enforcement canine or brings a law 565
enforcement canine into the state after the thirty-first day of 566
January of a registration year or the extended registration 567
deadline established under division (A)(1) of section ~~955.01~~ 568
955.02 of the Revised Code, as applicable, the law enforcement 569
agency, within thirty days after becoming the owner, keeper, or 570

harborer or bringing the dog into the state, may submit an 571
application for registration of the dog under this section. Upon 572
submission of the application, the law enforcement agency shall 573
be issued such a registration in the manner provided in division 574
(B) of this section. If such an application is not filed within 575
the thirty-day period, the dog shall be registered under section 576
955.05 of the Revised Code, and the registration fee and late 577
registration penalty applicable under that section or section 578
955.06 of the Revised Code shall accompany the application. 579

Sec. ~~955.013~~ 955.023. (A) As used in this section, 580
"financial transaction device" has the same meaning as in 581
section 301.28 of the Revised Code. 582

(B) A county auditor may establish procedures and take 583
actions that are necessary to allow for either or both of the 584
following: 585

(1) The registration of dogs and kennels under this 586
chapter via the internet; 587

(2) The payment of dog and kennel registration fees under 588
this chapter by financial transaction devices, including payment 589
by financial transaction devices via the internet. 590

Sec. 955.024. Whenever a county auditor registers a 591
dangerous or vicious dog or receives a notification regarding an 592
address change from an owner, keeper, or harborer of a dangerous 593
or vicious dog, the county auditor shall notify in writing the 594
applicable county dog warden of such registration or address 595
change. 596

Sec. 955.03. Any dog ~~which~~that has been registered under 597
sections ~~955.01~~955.02 and 955.04 of the Revised Code and any 598
dog not required to be registered under such sections shall be 599

considered as personal property and have all the rights and 600
privileges and be subject to like restraints as other livestock. 601

Sec. 955.04. (A) Every owner of a dog kennel ~~of dogs~~ 602
shall, in like manner as provided in division (A) of section 603
~~955.01-955.02~~ of the Revised Code, make application for the 604
registration of such kennel, and pay to the county auditor a 605
registration fee of ten dollars for each such kennel, unless a 606
greater fee has been established under section 955.14 of the 607
Revised Code. If ~~such the~~ application is not filed and the fee 608
paid, on or before the thirty-first day of January of each year, 609
the auditor shall assess a penalty in an amount equal to the 610
registration fee upon the owner of such kennel. The payment of 611
~~such the~~ kennel registration fee ~~shall entitle~~ entitles the 612
licensee to not more than five tags, to bear consecutive numbers 613
and to be issued in like manner and have like effect when worn 614
by any dog owned in good faith by such licensee as the tags 615
provided for in section ~~955.08-955.07~~ of the Revised Code. Upon 616
application to the county auditor, additional tags, in excess of 617
the five tags, may be issued upon payment of an additional fee 618
of one dollar per tag. 619

(B) No owner of a kennel shall fail to register the kennel 620
in accordance with this section. A violation of this division is 621
a strict liability offense and section 2901.20 of the Revised 622
Code does not apply. 623

(C) Whoever violates division (B) of this section shall be 624
fined not less than twenty-five dollars or more than one hundred 625
dollars on a first offense, and on each subsequent offense shall 626
be fined not less than seventy-five dollars or more than two 627
hundred fifty dollars and may be imprisoned for not more than 628
thirty days. 629

Sec. 955.05. After the thirty-first day of January of any 630
year, except as otherwise provided in section ~~955.012~~ 955.022 or 631
955.16 of the Revised Code, every person, immediately upon 632
becoming the owner, keeper, or harborer of any dog more than 633
three months of age or brought from outside the state during any 634
year, shall file like applications, with fees, as required by 635
section ~~955.01~~ 955.02 of the Revised Code, for registration for 636
a period of one year or three years or an application for 637
permanent registration. If the application is not filed and the 638
fee paid, within thirty days after the dog is acquired, becomes 639
three months of age, or is brought from outside the state, the 640
auditor shall assess a penalty in an amount equal to the 641
registration fee for one year upon the owner, keeper, or 642
harborer, which shall be paid with the registration fee. 643
Thereafter, the owner, keeper, or harborer shall register the 644
dog as provided in section ~~955.01~~ 955.02 of the Revised Code, as 645
applicable. 646

Every person becoming the owner of a dog kennel ~~of dogs~~ 647
after the thirty-first day of January of any year shall file 648
like applications, with fees, as required by section 955.04 of 649
the Revised Code, for the registration of such kennel for the 650
current calendar year. If such application is not filed and the 651
fee paid within thirty days after the person becomes the owner 652
of such kennel, the auditor shall assess a penalty in an amount 653
equal to the registration fee upon the owner of such kennel. 654

Sec. 955.06. (A) The owner, keeper, or harborer of a dog 655
becoming three months of age after the first day of July in a 656
calendar year and the owner, keeper, or harborer of a dog 657
purchased outside the state after the first day of July in a 658
calendar year shall register the dog in accordance with division 659
(B), (C), or (D) of this section within ninety days of the dog's 660

becoming three months of age or within ninety days of the date 661
of the purchase of the dog, as applicable. 662

(B) The owner, keeper, or harborer of a dog to which 663
division (A) of this section applies may register the dog for 664
the remainder of the current year. The fee for such a 665
registration shall be one-half of the original fee for a one- 666
year registration. Thereafter, the owner, keeper, or harborer 667
shall register the dog for a period of one year, three years, or 668
permanently as provided in section ~~955.01~~955.02 of the Revised 669
Code. 670

(C) The owner, keeper, or harborer of a dog to which 671
division (A) of this section applies may register the dog for a 672
period consisting of the remainder of the current year and two 673
additional years. The fee for such a registration shall be 674
eighty-three per cent of the original fee for a three-year 675
registration. Thereafter, the owner, keeper, or harborer shall 676
register the dog for a period of one year, three years, or 677
permanently as provided in section ~~955.01~~955.02 of the Revised 678
Code. 679

(D) The owner, keeper, or harborer of a dog to which 680
division (A) of this section applies may register the dog 681
permanently. The fee for such a registration shall be the same 682
as the original fee for a permanent registration. 683

Sec. 955.07. (A) Upon the filing of the application for 684
registration required by sections ~~955.01~~955.02 and 955.04 of 685
the Revised Code and upon the payment of the registration fee 686
and the administrative fee, if applicable, the county auditor 687
shall assign a distinctive number to every dog or dog kennel 688
described in the application and shall deliver a certificate of 689
registration bearing the number to the owner of the dog or dog 690

kennel. A record of all certificates of registration issued, 691
together with the applications for registration, shall be kept 692
by the auditor in a dog and kennel register until after an audit 693
performed by the auditor of state. This record shall be open to 694
the inspection of any person during reasonable business hours. 695

(B) In addition to the certificate of registration 696
provided for under division (A) of this section, the county 697
auditor shall issue to every person applying for the 698
registration of a dog and paying the required fee a metal tag 699
for each dog so registered. The form, color, character, and 700
lettering of the tag shall be prescribed by the county auditor. 701
If a tag is lost, a duplicate shall be furnished by the auditor 702
upon proper proof of loss and the payment of five dollars for 703
each duplicate tag issued. 704

Sec. 955.09 955.08. Certificates of registration and 705
registration tags shall be valid only during the calendar year 706
or years for which they are issued. 707

Sec. 955.10 955.09. (A) No owner of a dog, except a dog 708
constantly confined to a dog kennel registered under this 709
chapter or ~~one~~-licensed under Chapter 956. of the Revised Code, 710
shall fail to require the dog to wear, at all times, a valid tag 711
issued in connection with a certificate of registration under 712
division (A) of section 955.02 of the Revised Code. A violation 713
of this division is a strict liability offense and section 714
2901.20 of the Revised Code does not apply. A dog found not 715
wearing at any time a valid tag ~~shall be~~ is prima-facie evidence 716
of lack of registration and shall subject any dog found not 717
wearing such a tag to impounding, sale, or destruction. 718

(B) No person shall recklessly obstruct or interfere with 719
anyone lawfully engaged in capturing an unregistered dog or 720

examining a dog wearing a tag. 721

(C) No person shall recklessly own, keep, or harbor a dog 722
wearing a fictitious, altered, or invalid registration tag or a 723
registration tag not issued by the county auditor in connection 724
with the registration of such animal. 725

(D) Whoever violates division (A), (B), or (C) of this 726
section is guilty of a minor misdemeanor. 727

Sec. ~~955.221~~ 955.10. (A) For the purposes of this section, 728
ordinances or resolutions to control dogs include, but are not 729
limited to, ordinances or resolutions concerned with the 730
ownership, keeping, or harboring of dogs, the restraint of dogs, 731
dogs as public nuisances, and dogs as a threat to public health, 732
safety, and welfare, except that such ordinances or resolutions 733
as permitted in division (B) of this section shall not prohibit 734
the use of any dog which is lawfully engaged in hunting or 735
training for the purpose of hunting while accompanied by a 736
licensed hunter. However, such dogs at all other times and in 737
all other respects shall be subject to the ordinance or 738
resolution permitted by this section, unless actually in the 739
field and engaged in hunting or in legitimate training for such 740
purpose. 741

(B) (1) A board of county commissioners may adopt and 742
enforce resolutions to control dogs within the unincorporated 743
areas of the county that are not otherwise in conflict with any 744
other provision of the Revised Code. 745

(2) A board of township trustees may adopt and enforce 746
resolutions to control dogs within the township that are not 747
otherwise in conflict with any other provision of the Revised 748
Code, if the township is located in a county where the board of 749

county commissioners has not adopted resolutions to control dogs 750
within the unincorporated areas of the county under this 751
section. In the event that the board of county commissioners 752
adopts resolutions to control dogs in the county after a board 753
of township trustees has adopted resolutions to control dogs 754
within the township, the resolutions adopted by the county board 755
of commissioners prevail over the resolutions adopted by the 756
board of township trustees. 757

(3) A municipal corporation may adopt and enforce 758
ordinances to control dogs within the municipal corporation that 759
are not otherwise in conflict with any other provision of the 760
Revised Code. 761

(C) No person shall recklessly violate any resolution or 762
ordinance adopted under this section. 763

(D) Whoever violates division (C) of this section is 764
guilty of a minor misdemeanor. Each day of continued violation 765
constitutes a separate offense. Fines levied and collected for 766
violations of that division shall be distributed by the mayor or 767
clerk of the municipal or county court in accordance with 768
section 733.40, division (F) of section 1901.31, or division (C) 769
of section 1907.20 of the Revised Code to the treasury of the 770
county, township, or municipal corporation whose resolution or 771
ordinance was violated. 772

Sec. 955.11. (A) ~~As used in this section:—~~ 773

~~(1)(a) "Dangerous dog" means a dog that, without~~ 774
~~provocation, and subject to division (A)(1)(b) of this section,~~ 775
~~has done any of the following:~~ 776

~~(i) Caused injury, other than killing or serious injury,~~ 777
~~to any person;~~ 778

~~(ii) Killed another dog.~~ 779

~~(iii) Been the subject of a third or subsequent violation
of division (C) of section 955.22 of the Revised Code.~~ 780
781

~~(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 while the police dog is being
used to assist one or more law enforcement officers in the
performance of their official duties.~~ 782
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~~(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.~~ 787
788
789

~~(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.~~ 790
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~~(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.~~ 796
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~~(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.~~ 802
803
804

~~(5) "Serious injury" means any of the following:~~ 805

~~(a) Any physical harm that carries a substantial risk of~~ 806

death; 807

~~(b) Any physical harm that involves a permanent 808
incapacity, whether partial or total, or a temporary, 809
substantial incapacity; 810~~

~~(c) Any physical harm that involves a permanent 811
disfigurement or a temporary, serious disfigurement; 812~~

~~(d) Any physical harm that involves acute pain of a 813
duration that results in substantial suffering or any degree of 814
prolonged or intractable pain. 815~~

~~(6) (a) "Vicious dog" means a dog that, without provocation 816
and subject to division (A) (6) (b) of this section, has killed or 817
caused serious injury to any person. 818~~

~~(b) "Vicious dog" does not include either of the 819
following: 820~~

~~(i) A police dog that has killed or caused serious injury 821
to any person while the police dog is being used to assist one 822
or more law enforcement officers in the performance of their 823
official duties; 824~~

~~(ii) A dog that has killed or caused serious injury to any 825
person while a person was committing or attempting to commit a 826
trespass or other criminal offense on the property of the owner, 827
keeper, or harborer of the dog. 828~~

~~(7) "Without provocation" means that a dog was not teased, 829
tormented, or abused by a person, or that the dog was not coming 830
to the aid or the defense of a person who was not engaged in 831
illegal or criminal activity and who was not using the dog as a 832
means of carrying out such activity. 833~~

~~(B) Upon the transfer of ownership of any dog, the seller 834~~

of the dog shall give the buyer a transfer of ownership 835
certificate that shall be signed by the seller. The certificate 836
shall contain the registration number of the dog, the name of 837
the seller, and a brief description of the dog. Blank forms of 838
the certificate may be obtained from the county auditor. A 839
transfer of ownership shall be recorded by the auditor upon 840
presentation of a transfer of ownership certificate that is 841
signed by the former owner of a dog and that is accompanied by a 842
fee of five dollars. 843

~~(C) Prior~~ (B) Except as provided in division (C) of this 844
section, prior to the transfer of ownership or possession of ~~any~~ 845
a dog, upon the buyer's or other transferee's request, the 846
seller or other transferor of the dog shall give to the person a 847
written notice relative to the behavior and propensities of the 848
dog. 849

~~(D)~~ (C) Within ten days after the transfer of ownership or 850
possession of any dog, if the seller or other transferor of the 851
dog has knowledge that the dog is a dangerous dog or vicious 852
dog, the seller or other transferor shall give to the buyer or 853
other transferee, the board of health for the district in which 854
the buyer or other transferee resides, and the dog warden of the 855
county in which the buyer or other transferee resides, a 856
completed copy of a written form on which the seller shall 857
furnish the following information: 858

(1) The name and address of the buyer or other transferee 859
of the dog; 860

(2) The age, sex, color, breed, and current registration 861
number of the dog. 862

In addition, the seller shall answer the following 863

questions, which shall be specifically stated on the form as 864
follows: 865

"Has the dog ever chased or attempted to attack or bite a 866
person? If yes, describe the incident(s) in which the behavior 867
occurred." 868

"Has the dog ever bitten a person? If yes, describe the 869
incident(s) in which the behavior occurred." 870

"Has the dog ever seriously injured or killed a person? If 871
yes, describe the incident(s) in which the behavior occurred." 872

The seller or other transferor shall obtain the signature 873
of the buyer or other transferee after a statement on the form 874
that the buyer or other transferee understands that such person 875
is acquiring a dangerous or vicious dog. 876

The dog warden of the county in which the seller resides 877
shall furnish the form to the seller at no cost. 878

~~(E)~~ (D) (1) No seller or other transferor of a dog shall 879
fail to comply with the applicable requirements of divisions (B) 880
~~to (D)~~ division (A) of this section. A violation of this division 881
is a strict liability offense and section 2901.20 of the Revised 882
Code does not apply. 883

(2) No seller or other transferor of a dog shall fail to 884
comply with the requirements of division (B) or (C) of this 885
section. A violation of this division is a strict liability 886
offense and section 2901.20 of the Revised Code does not apply. 887

(E) (1) Whoever violates division (D) (1) of this section is 888
guilty of a minor misdemeanor. 889

(2) Whoever violates division (D) (2) of this section is 890
guilty of a minor misdemeanor on a first offense and of a 891

misdemeanor of the fourth degree on each subsequent offense. 892

Sec. 955.12. (A) Except as provided in section 955.121 of 893
Revised Code, a board of county commissioners shall appoint or 894
employ a county dog warden and deputies in such number, for such 895
periods of time, and at such compensation as the board considers 896
necessary to enforce sections 955.01 to 955.27 and 955.50 ~~to~~ 897
~~955.53~~ of the Revised Code. 898

(B) Except as otherwise provided in section 3.061 of the 899
Revised Code, the warden and deputies shall give bond in a sum 900
not less than five hundred dollars and not more than two 901
thousand dollars, as set by the board, conditioned for the 902
faithful performance of their duties. The bond or bonds may, in 903
the discretion of the board, be individual or blanket bonds. The 904
bonds shall be filed with the county auditor of their respective 905
counties. 906

(C) The warden and deputies shall make a record of all 907
dogs owned, kept, and harbored in their respective counties. 908
They shall patrol their respective counties and seize and 909
impound on sight all dogs found running at large and all dogs 910
more than three months of age found not wearing a valid 911
registration tag, except any dog that wears a valid registration 912
tag and is: on the premises of its owner, keeper, or harborer, 913
under the reasonable control of its owner or some other person, 914
hunting with its owner or its handler at a field trial, kept 915
constantly confined in a dog kennel registered under this 916
chapter or one licensed under Chapter 956. of the Revised Code, 917
or acquired by, and confined on the premises of, an institution 918
or organization of the type described in section 955.16 of the 919
Revised Code. A dog that wears a valid registration tag may be 920
seized on the premises of its owner, keeper, or harborer and 921

impounded only in the event of a natural disaster. 922

(D) If a dog warden has reason to believe that a dog is 923
being treated inhumanely on the premises of its owner, keeper, 924
or harborer, the warden shall ~~apply to the court of common pleas~~ 925
~~for the county in which the premises are located for an order to~~ 926
~~enter the premises, and if necessary, seize the dog. If the~~ 927
~~court finds probable cause to believe that the dog is being~~ 928
~~treated inhumanely, it shall issue such an order~~notify, in 929
writing, the humane society or the appropriate law enforcement 930
authority that has jurisdiction to enforce Chapter 959. of the 931
Revised Code. 932

(E) The warden and deputies shall also make weekly 933
reports, in writing, to the board in their respective counties 934
of all dogs seized, impounded, redeemed, and destroyed. 935

(F) The wardens and deputies shall have the same police 936
powers as are conferred upon sheriffs and police officers in the 937
performance of their duties as prescribed by sections 955.01 to 938
955.27 and 955.50 ~~to 955.53~~ of the Revised Code. They shall also 939
have power to summon the assistance of bystanders in performing 940
their duties and may serve writs and other legal processes 941
issued by any court in their respective counties with reference 942
to enforcing those sections. County auditors may deputize the 943
wardens or deputies to issue dog licenses as provided in 944
sections 955.01 and 955.14 of the Revised Code. 945

(G) Whenever any person files an affidavit in a court of 946
competent jurisdiction that there is a dog running at large that 947
is not kept constantly confined either in a dog kennel 948
registered under this chapter or one licensed under Chapter 956. 949
of the Revised Code or on the premises of an institution or 950
organization of the type described in section 955.16 of the 951

Revised Code or that a dog is kept or harbored in the warden's 952
jurisdiction without being registered as required by law, the 953
court shall immediately order the warden to seize and impound 954
the dog. Thereupon the warden shall immediately seize and 955
impound the dog complained of. The warden shall give immediate 956
notice by certified mail to the owner, keeper, or harborer of 957
the dog seized and impounded by the warden, if the owner, 958
keeper, or harborer can be determined from the current year's 959
registration list maintained by the warden and the county 960
auditor of the county where the dog is registered, that the dog 961
has been impounded and that, unless the dog is redeemed within 962
fourteen days of the date of the notice, it may thereafter be 963
sold or destroyed according to law. If the owner, keeper, or 964
harborer cannot be determined from the current year's 965
registration list maintained by the warden and the county 966
auditor of the county where the dog is registered, the officer 967
shall post a notice in the pound or animal shelter both 968
describing the dog and place where seized and advising the 969
unknown owner that, unless the dog is redeemed within three 970
days, it may thereafter be sold or destroyed according to law. 971

(H) No county dog warden shall knowingly fail to perform 972
the warden's duties under this section or other legal duties 973
required of dog wardens. 974

(I) Whoever violates division (H) of this section is 975
guilty of a minor misdemeanor. 976

Sec. 955.121. (A) (1) In lieu of appointing a county dog 977
warden and deputies under section 955.12 of the Revised Code, a 978
board of county commissioners may appoint the county sheriff to 979
enforce sections 955.01 to 955.27 and 955.50 ~~to 955.53~~ of the 980
Revised Code. If a board chooses to appoint the county sheriff 981

as the county dog warden, the board shall enter into a two-year 982
written agreement with the sheriff for that purpose at the first 983
meeting in a calendar year following a general election in which 984
at least one of the members of the board was elected. 985

(2) The agreement may authorize both of the following: 986

(a) The sheriff to appoint sheriff's deputies or persons 987
other than peace officers as deputy dog wardens; 988

(b) The transfer of any benefits accrued by employees who 989
are transferred as a result of the county sheriff's being 990
appointed as the county dog warden. 991

(B) Any dog warden and deputy dog wardens appointed under 992
this section shall comply with both of the following: 993

(1) Any training requirements applicable to county dog 994
wardens and deputy dog wardens appointed or employed under 995
section 955.12 of the Revised Code; 996

(2) The requirements established in that section. 997

(C) If a county sheriff or a sheriff's deputies are 998
appointed as a dog warden or deputy dog wardens under this 999
section, references in this chapter and in Chapters 953., 956., 1000
and 959. of the Revised Code to "dog warden" and "deputy dog 1001
warden" shall be deemed to be replaced, respectively, with 1002
references to "sheriff" and "deputy sheriff." 1003

Sec. 955.14. (A) Notwithstanding section ~~955.01~~ 955.02 of 1004
the Revised Code, a board of county commissioners by resolution 1005
may increase dog and kennel registration fees in the county. The 1006
amount of the fees shall not exceed an amount that the board, in 1007
its discretion, estimates is needed to pay all expenses for the 1008
administration of this chapter. Such a resolution shall be 1009

adopted not earlier than the first day of February and not later 1010
than the thirty-first day of August of any year and shall 1011
specify the registration period or periods to which the 1012
increased fees apply. An increase in fees adopted under this 1013
division shall be in the ratio of two dollars for each year of 1014
registration for a dog registration fee, twenty dollars for a 1015
permanent dog registration fee, and ten dollars for a kennel 1016
registration fee. 1017

(B) Notwithstanding section 955.20 of the Revised Code, if 1018
dog and kennel registration fees in any county are increased 1019
above two dollars for each year of registration and twenty 1020
dollars for a permanent registration for a dog registration fee 1021
and ten dollars for a kennel registration fee under authority of 1022
division (A) of this section, then on or before the first day of 1023
March following each year in which the increased fees are in 1024
effect, the county auditor shall draw on the dog and kennel fund 1025
a warrant payable to the college of veterinary medicine of the 1026
Ohio state university in an amount equal to ten cents for each 1027
one-year dog registration, thirty cents for each three-year dog 1028
registration, one dollar for each permanent dog registration, 1029
and ten cents for each kennel registration fee received during 1030
the preceding year. The money received by the college of 1031
veterinary medicine of the Ohio state university under this 1032
division shall be applied for research and study of the diseases 1033
of dogs, particularly those transmittable to humans, and for 1034
research of other diseases of dogs that by their nature will 1035
provide results applicable to the prevention and treatment of 1036
both human and canine illness. 1037

(C) The Ohio state university college of veterinary 1038
medicine shall be responsible to report annually to the general 1039
assembly the progress of the research and study authorized and 1040

funded by division (B) of this section. The report shall briefly
describe the research projects undertaken and assess the value
of each. The report shall account for funds received pursuant to
division (B) of this section and for the funds expended
attributable to each research project and for other necessary
expenses in conjunction with the research authorized by division
(B) of this section. The report shall be filed with the general
assembly by the first day of May of each year.

(D) The county auditor may authorize agents to receive
applications for registration of dogs and kennels and to issue
certificates of registration and tags. If authorized agents are
employed in a county, each applicant for a dog or kennel
registration shall pay to the agent an administrative fee of
seventy-five cents in addition to the registration fee. The
administrative fee shall be the compensation of the agent. The
county auditor shall establish rules for reporting and
accounting by the agents. No administrative or similar fee shall
be charged in any county except as authorized by this division
or division (E) of this section.

(E) For any county that accepts the payment of dog and
kennel registration fees by financial transaction devices in
accordance with section ~~955.013~~ 955.023 of the Revised Code, in
addition to those registration fees, the county auditor shall
collect for each registration paid by a financial transaction
device one of the following:

(1) An administrative fee of seventy-five cents or another
amount necessary to cover actual costs designated by the county
auditor;

(2) If the board of county commissioners adopts a
surcharge or convenience fee for making payments by a financial

transaction device under division (E) of section 301.28 of the 1071
Revised Code, that surcharge or convenience fee; 1072

(3) If the county auditor contracts with a third party to 1073
provide services to enable registration via the internet as 1074
provided in section ~~955.013~~955.023 of the Revised Code, a 1075
surcharge or convenience fee as agreed to between that third 1076
party and the county for those internet registration services. 1077
Any additional expenses incurred by the county auditor that 1078
result from a contract with a third party as provided in this 1079
section and section ~~955.013~~955.023 of the Revised Code and that 1080
are not covered by a surcharge or convenience fee shall be paid 1081
out of the allowance provided to the county auditor under 1082
section 955.20 of the Revised Code. 1083

(F) The county auditor shall post conspicuously the amount 1084
of the administrative fee, surcharge, or convenience fee that is 1085
permissible under this section on the web page where the auditor 1086
accepts payments for registrations made under division (B)(1) of 1087
section ~~955.013~~955.023 of the Revised Code. If any person 1088
chooses to pay by financial transaction device, the 1089
administrative fee, surcharge, or convenience fee shall be 1090
considered voluntary and is not refundable. 1091

Sec. 955.16. (A) Dogs that have been seized by the county 1092
dog warden and impounded shall be kept, housed, and fed for 1093
three days for the purpose of redemption, as provided by section 1094
955.18 of the Revised Code, unless any of the following applies: 1095

(1) Immediate humane destruction of the dog is necessary 1096
because of obvious disease or injury. If the diseased or injured 1097
dog is registered, as determined from the current year's 1098
registration list maintained by the warden and the county 1099
auditor of the county where the dog is registered, the necessity 1100

of destroying the dog shall be certified by a licensed 1101
veterinarian or a registered veterinary technician. If the dog 1102
is not registered, the decision to destroy it shall be made by 1103
the warden. 1104

(2) The dog is currently registered on the registration 1105
list maintained by the warden and the auditor of the county 1106
where the dog is registered and the attempts to notify the 1107
owner, keeper, or harborer under section 955.12 of the Revised 1108
Code have failed, in which case the dog shall be kept, housed, 1109
and fed for fourteen days for the purpose of redemption. 1110

(3) The warden has contacted the owner, keeper, or 1111
harborer under section 955.12 of the Revised Code, and the 1112
owner, keeper, or harborer has requested that the dog remain in 1113
the pound or animal shelter until the owner, harborer, or keeper 1114
redeems the dog. The time for such redemption shall be not more 1115
than forty-eight hours following the end of the appropriate 1116
redemption period. 1117

Any dog not so redeemed may be adopted out or donated to 1118
any person, including a nonprofit special agency that is engaged 1119
in the training of any type of assistance dogs or to a nonprofit 1120
teaching or research institution or organization that is 1121
certified by the director of health as being engaged in teaching 1122
or research concerning the prevention and treatment of diseases 1123
of human beings or animals. The county dog warden may charge an 1124
adoption fee for any dog that is adopted. Except as provided in 1125
division (B) of this section, no dog shall be discharged from 1126
the pound or animal shelter until the animal has been registered 1127
and furnished with a valid registration tag. 1128

(B) Any dog that is donated to a nonprofit special agency 1129
engaged in the training of any type of assistance dogs in 1130

accordance with division (A) of this section and any dog that is 1131
sold to any nonprofit teaching or research institution or 1132
organization shall be discharged from the pound or animal 1133
shelter without registration and may be kept by the agency or by 1134
the institution or organization without registration so long as 1135
the dog is being trained, or is being used for teaching and 1136
research purposes. 1137

Any institution or organization certified by the director 1138
that obtains dogs for teaching and research purposes pursuant to 1139
this section shall, at all reasonable times, make the dogs 1140
available for inspection by humane society agents, appointed 1141
pursuant to section 1717.06 of the Revised Code, in order that 1142
the agents may prevent the perpetration of any act of cruelty, 1143
as defined in section 1717.01 of the Revised Code, to the dogs. 1144

(C) Any dog that the dog warden or poundkeeper is unable 1145
to dispose of, in the manner provided by this section and 1146
section 955.18 of the Revised Code, may be humanely destroyed, 1147
except that no dog shall be destroyed until twenty-four hours 1148
after it has been offered to a nonprofit teaching or research 1149
institution or organization, as provided in this section, that 1150
has made a request for dogs to the dog warden or poundkeeper. 1151

(D) An owner of a dog that is wearing a valid registration 1152
tag who presents the dog to the dog warden or poundkeeper may 1153
specify in writing that the dog shall not be offered to a 1154
nonprofit teaching or research institution or organization, as 1155
provided in this section. 1156

(E) A record of all dogs impounded, the disposition of the 1157
same, the owner's name and address, if known, and a statement of 1158
costs assessed against the dogs shall be kept by the 1159
poundkeeper, and the poundkeeper shall furnish a transcript 1160

thereof to the county treasurer quarterly. 1161

A record of all dogs received and the source that supplied 1162
them shall be kept, for a period of three years from the date of 1163
acquiring the dogs, by all institutions or organizations engaged 1164
in teaching or research concerning the prevention and treatment 1165
of diseases of human beings or animals. 1166

(F) No person shall recklessly destroy any dog by the use 1167
of a high altitude decompression chamber or by any method other 1168
than a method that immediately and painlessly renders the dog 1169
initially unconscious and subsequently dead. 1170

(G) Whoever violates division (F) of this section is 1171
guilty of a misdemeanor of the fourth degree. 1172

Sec. 955.20. The registration fees provided for in 1173
sections ~~955.01-955.02~~ to 955.14 of the Revised Code constitute 1174
a special fund known as "the dog and kennel fund." The fees 1175
shall be deposited by the county auditor in the county treasury 1176
daily as collected. Money in the fund shall be used for the 1177
purpose of defraying the cost of furnishing all blanks, records, 1178
tags, nets, and other equipment, for the purpose of paying the 1179
compensation of county dog wardens, deputies, poundkeepers, and 1180
other employees necessary to carry out and enforce sections 1181
~~955.01-955.02~~ to 955.261 of the Revised Code, and in accordance 1182
with section 955.27 of the Revised Code. The board of county 1183
commissioners, by resolution, shall appropriate sufficient funds 1184
out of the dog and kennel fund, not more than fifteen per cent 1185
of which shall be expended by the auditor for registration tags, 1186
blanks, records, and clerk hire, for the purpose of defraying 1187
the necessary expenses of registering, seizing, impounding, and 1188
destroying dogs in accordance with sections 955.01 to 955.27 of 1189
the Revised Code, and for the purpose of covering any additional 1190

expenses incurred by the county auditor as authorized by 1191
division (E) (3) of section 955.14 of the Revised Code. 1192

If the funds so appropriated in any calendar year are 1193
found by the board to be insufficient to defray the necessary 1194
cost and expense of the county dog warden in enforcing sections 1195
~~955.01-955.02~~ to 955.27 of the Revised Code, the board, by 1196
resolution so provided, may appropriate further funds for the 1197
use and purpose of the county dog warden in administering those 1198
sections. 1199

Sec. 955.21. (A) Except when a dog is lawfully engaged in 1200
hunting and accompanied by the owner, keeper, harborer, or 1201
handler of the dog, no owner, keeper, or harborer of any dog 1202
shall fail at any time to do either of the following: 1203

(1) Keep the dog physically confined or restrained upon 1204
the premises of the owner, keeper, or harborer by a leash, 1205
tether, adequate fence, supervision, or secure enclosure to 1206
prevent escape; 1207

(2) Keep the dog under the reasonable control of some 1208
person. 1209

A violation of division (A) of this section is a strict 1210
liability offense and section 2901.20 of the Revised Code does 1211
not apply. 1212

(B) Whoever commits a violation of this section that 1213
involves a dog that is not a nuisance dog, dangerous dog, or 1214
vicious dog shall be fined not less than twenty-five dollars or 1215
more than one hundred dollars on a first offense, and on each 1216
subsequent offense shall be fined not less than seventy-five 1217
dollars or more than two hundred fifty dollars and may be 1218
imprisoned for not more than thirty days. Additionally, the 1219

court may order the offender to personally supervise the dog 1220
that the offender owns, keeps, or harbors, to cause that dog to 1221
complete dog obedience training, or to do both. 1222

(C) Whoever commits a violation of this section that 1223
involves a nuisance dog is guilty of a misdemeanor of the fourth 1224
degree on the first offense and of a misdemeanor of the third 1225
degree on each subsequent offense involving the same dog. 1226
Additionally, the court may order the offender to personally 1227
supervise the nuisance dog that the offender owns, keeps, or 1228
harbors, to cause that dog to complete dog obedience training, 1229
or to do both. 1230

(D) Whoever commits a violation of this section that 1231
involves a dangerous dog is guilty of a misdemeanor of the third 1232
degree on a first offense and of a misdemeanor of the second 1233
degree on each subsequent offense. Additionally, the court may 1234
order the offender to do either or both of the following: 1235

(1) Personally supervise the dangerous dog that the 1236
offender owns, keeps, or harbors; 1237

(2) Cause that dog to complete dog obedience training. 1238

The court, in the alternative, may order the dangerous dog 1239
to be humanely destroyed by a licensed veterinarian or the 1240
county dog warden at the owner's expense. 1241

Until the court makes a final determination and during the 1242
pendency of any appeal and at the discretion of the dog warden, 1243
the dog shall be confined or restrained in accordance with 1244
division (A) of section 955.24 of the Revised Code or at the 1245
county dog pound at the owner's expense. 1246

(E) Whoever commits a violation of this section that 1247
involves a vicious dog is guilty of a misdemeanor of the second 1248

degree on a first offense and of a misdemeanor of the first 1249
degree on each subsequent offense. Additionally, the court shall 1250
order the offender to do both of the following: 1251

(1) Personally supervise the vicious dog that the offender 1252
owns, keeps, or harbors; 1253

(2) Cause that dog to complete dog obedience training. 1254

The court, in the alternative, may order the vicious dog 1255
to be humanely destroyed by a licensed veterinarian or the 1256
county dog warden at the owner's expense. 1257

Until the court makes a final determination and during the 1258
pendency of any appeal and at the discretion of the dog warden, 1259
the dog shall be confined or restrained in accordance with 1260
division (A) of section 955.24 of the Revised Code or at the 1261
county dog pound at the owner's expense. 1262

Sec. 955.22. (A) As used in this section and section 1263
955.23 of the Revised Code: 1264

(1) "Vicious dog act" means one of the following actions 1265
committed by a dog without provocation, other than by a police 1266
dog that is being used to assist one or more law enforcement 1267
officers in the performance of their official duties: 1268

(a) The killing of any person; 1269

(b) Causing serious injury to any person by physical 1270
contact; 1271

(c) Engaging in a dangerous dog act after the dog has been 1272
designated as a dangerous dog under section 955.23 of the 1273
Revised Code. 1274

(2) "Dangerous dog act" means one of the following actions 1275

committed by a dog without provocation, other than by a police 1276
dog that is being used to assist one or more law enforcement 1277
officers in the performance of their official duties: 1278

(a) Causing injury by physical contact, other than killing 1279
or serious injury, to any person in either a menacing fashion or 1280
an apparent attitude of attack; 1281

(b) The killing of another dog or livestock; 1282

(c) Causing serious injury to another dog or livestock 1283
that results in euthanasia of the animal by a person authorized 1284
to perform euthanasia under Ohio law. 1285

(3) "Nuisance dog act" means one of the following actions 1286
committed by a dog without provocation and while off the 1287
premises of its owner, keeper, or harbinger, other than by a 1288
police dog that is being used to assist one or more law 1289
enforcement officers in the performance of their official 1290
duties: 1291

(a) Chasing or approaching a person in either a menacing 1292
fashion or an apparent attitude of attack; 1293

(b) Attempting to bite or otherwise endanger any person in 1294
either a menacing fashion or an apparent attitude of attack; 1295

(c) Causing injury without making physical contact in 1296
either a menacing fashion or an apparent attitude of attack; 1297

(d) Chasing, threatening, harassing, or injuring another 1298
dog or livestock in either a menacing fashion or an apparent 1299
attitude of attack; 1300

(e) Having been the subject of a third or subsequent 1301
violation of section 955.21 of the Revised Code. 1302

(4) "Injury" means any physical harm to a person, another 1303
dog, or livestock, but does not include physical harm resulting 1304
from a situation where the dog behaves in a playful, 1305
nonaggressive, or age-appropriate manner. 1306

(5) "Serious injury" means any of the following: 1307

(a) Any physical harm that carries a substantial risk of 1308
death; 1309

(b) Any physical harm that involves a permanent 1310
incapacity, whether partial or total, or a temporary, 1311
substantial incapacity; 1312

(c) Any physical harm that involves a permanent 1313
disfigurement or a temporary, serious disfigurement; 1314

(d) Any physical harm that involves acute pain of a 1315
duration that results in substantial suffering or any degree of 1316
prolonged or intractable pain. 1317

(6) "Without provocation" means either of the following, 1318
as applicable: 1319

(a) That a dog was not teased, tormented, or abused by a 1320
person, or that the dog was not coming to the aid or the defense 1321
of a person who was not engaged in illegal or criminal activity 1322
and who was not using the dog as a means of carrying out such 1323
activity; 1324

(b) That a dog was not attacked by another dog or 1325
livestock. 1326

(B) (1) No owner, keeper, or harbinger of a dog shall 1327
negligently fail to prevent the dog from committing a vicious 1328
dog act. Whoever violates this division is guilty of a 1329
misdemeanor of the third degree on a first offense and a 1330

misdemeanor of the second degree on each subsequent offense. 1331

(2) No owner, keeper, or harbinger of a dangerous or 1332
vicious dog shall negligently fail to prevent the dog from 1333
committing a vicious dog act that involves injuring or killing a 1334
person. Whoever violates this division is guilty of a felony of 1335
the third degree. 1336

(C) (1) No owner, keeper, or harbinger of a dog shall 1337
negligently fail to prevent the dog from committing a dangerous 1338
dog act. Whoever violates this division is guilty of a 1339
misdemeanor of the fourth degree on a first offense and a 1340
misdemeanor of the third degree on each subsequent offense. 1341

(2) No owner, keeper, or harbinger of a dangerous or 1342
vicious dog shall negligently fail to prevent the dog from 1343
committing a dangerous dog act that involves injuring a person. 1344
Whoever violates this division is guilty of a felony of the 1345
fifth degree. 1346

(D) No owner, keeper, or harbinger of a dog shall 1347
negligently fail to prevent the dog from committing a nuisance 1348
dog act. Whoever violates this division is guilty a minor 1349
misdemeanor on a first offense and a misdemeanor of the fourth 1350
degree on each subsequent offense. 1351

(E) In addition to any other penalty described under this 1352
section, and except as provided in division (F) of this section, 1353
the court may order the dog that is the subject of an offense 1354
under this section to be humanely destroyed by a licensed 1355
veterinarian or the county dog warden at the owner's expense. 1356

(F) In addition to any other penalty described under this 1357
section, the court shall order the dog that is the subject of an 1358
offense under this section to be humanely destroyed by a 1359

licensed veterinarian or the county dog warden at the owner's 1360
expense if, as a result of the offense, the dog kills or causes 1361
serious injury to a person. 1362

Sec. 955.222 955.23. ~~(A) The municipal court or county 1363~~
~~court that has territorial jurisdiction over the residence of 1364~~
~~the owner, keeper, or harbinger of a dog shall conduct any 1365~~
~~hearing concerning the designation of the dog as a nuisance dog, 1366~~
~~dangerous dog, or vicious dog. 1367~~

~~(B)~~ (A) (1) If a person who is authorized to enforce this 1368
chapter has ~~reasonable~~ probable cause to believe that a dog in 1369
the person's jurisdiction is ~~a nuisance dog, dangerous dog, or 1370~~
~~vicious dog~~ has committed a dangerous dog act or vicious dog act, 1371
the person, subject to division (G) of this section, shall 1372
~~notify the owner, keeper, or harbinger of that dog, by certified 1373~~
~~mail or in person, of both of the following: 1374~~

~~(1) That the person has designated the dog a nuisance dog, 1375~~
~~dangerous dog, or vicious dog, as applicable; 1376~~

~~(2) That the owner, keeper, or harbinger of the dog may 1377~~
~~request a hearing regarding the designation in accordance with 1378~~
~~this section. The notice shall include instructions for filing a 1379~~
~~request for a hearing in the county in which the dog's owner, 1380~~
~~keeper, or harbinger resides~~ petition the municipal court or 1381
county court that has territorial jurisdiction over the location 1382
where the alleged act occurred to hold a hearing to determine 1383
whether the court shall issue an order designating the dog as a 1384
dangerous or vicious dog, as applicable, in accordance with this 1385
section. 1386

(2) If a person who is authorized to enforce this chapter 1387
has probable cause to believe that a dog in the person's 1388

jurisdiction has committed a nuisance dog act, the person, 1389
subject to division (G) of this section, may petition the 1390
municipal court or county court that has territorial 1391
jurisdiction over the location where the alleged act occurred to 1392
hold a hearing to determine whether the court shall issue an 1393
order designating the dog as a nuisance dog in accordance with 1394
this section. 1395

(B) Probable cause may be supported by one or more written 1396
statements of a witness describing the incident or incidents in 1397
which the witness saw the dog engage in a nuisance dog act, a 1398
dangerous dog act, or a vicious dog act. 1399

(C) ~~If the owner, keeper, or harborer of the dog disagrees~~ 1400
~~with the designation of the dog as a nuisance dog, dangerous~~ 1401
~~dog, or vicious dog, as applicable, the owner, keeper, or~~ 1402
~~harborer~~The court, not later than ten days after receiving 1403
~~notification of the designation~~the petition described in 1404
division (A) of this section, may request a hearing regarding 1405
the determination. The request for a hearing shall be in writing 1406
and shall be filed with the municipal court or county court that 1407
has territorial jurisdiction over the residence of the dog's 1408
~~owner, keeper, or harborers~~shall hold the hearing and, at the 1409
conclusion of the hearing, issue a final determination 1410
concerning whether the dog shall be designated a nuisance, 1411
dangerous, or vicious dog. At the hearing, the person who 1412
~~designated the dog as a nuisance dog, dangerous dog, or vicious~~ 1413
~~dog~~petitioned the court has the burden of proving, by clear and 1414
convincing evidence, that the dog is a nuisance dog, dangerous 1415
~~dog, or vicious dog~~committed a nuisance dog act, dangerous dog 1416
act, or vicious dog act. 1417

(D) The owner, keeper, or harborer of the dog or the 1418

person who ~~designated the dog as a nuisance dog, dangerous dog,~~ 1419
~~or vicious dog~~ petitioned the court may appeal the court's final 1420
determination as in any other case filed in that court. 1421

~~(D) A court, upon motion of an owner, keeper, or harborer~~ 1422
~~or an attorney representing the owner, keeper, or harborer, may~~ 1423
~~order that the dog designated as a nuisance dog, dangerous dog,~~ 1424
~~or vicious dog~~ (E) (1) If the dog warden determines that it is 1425
safe to have the dog remain in the custody of the dog's owner, 1426
keeper, or harborer, the dog shall be held in the possession of 1427
the owner, keeper, or harborer until the court makes a final 1428
determination under this section or during the pendency of an 1429
appeal, as applicable. Until the court makes a final 1430
determination and during the pendency of any appeal, the dog 1431
shall be confined or restrained in accordance with the 1432
provisions of division ~~(D)~~ (A) of section ~~955.22-955.24~~ of the 1433
Revised Code ~~that apply to dangerous dogs regardless of whether~~ 1434
~~the dog has been designated as a vicious dog or a nuisance dog~~ 1435
~~rather than a dangerous dog.~~ The owner, keeper, or harborer of 1436
the dog shall not be required to comply with any other 1437
requirements established in the Revised Code that concern a 1438
nuisance dog, dangerous dog, or vicious dog, as applicable, 1439
until the court makes a final determination and during the 1440
pendency of any appeal. 1441

(2) If the dog warden determines that it is not safe to 1442
have the dog remain in the custody of the dog's owner, keeper, 1443
or harborer after the commission of the alleged nuisance dog 1444
act, dangerous dog act, or vicious dog act and during the 1445
pendency of a court's determination or appeal under this 1446
section, the dog shall be held in the custody of the dog warden. 1447
While the dog is being so held, the cost of the holding is the 1448
responsibility of the dog's owner, keeper, or harborer. However, 1449

the dog's owner, keeper, or harborer shall not be responsible 1450
for such costs if the court does not determine that the dog be 1451
designated as a nuisance, dangerous, or vicious dog. 1452

~~(E) If a dog is finally determined under this section, or~~ 1453
~~on appeal as described in this section, to be a vicious dog,~~ 1454
~~division (D) of section 955.11 and divisions (D) to (I) of~~ 1455
~~section 955.22 of the Revised Code apply with respect to the dog~~ 1456
~~and the owner, keeper, or harborer of the dog as if the dog were~~ 1457
~~a dangerous dog, and section 955.54 of the Revised Code applies~~ 1458
~~with respect to the dog as if it were a dangerous dog, and the~~ 1459
~~court shall issue an order that specifies that those provisions~~ 1460
~~apply with respect to the dog and the owner, keeper, or harborer~~ 1461
~~in that manner. As part of the order, the court shall require~~ 1462
~~the owner, keeper, or harborer to obtain the liability insurance~~ 1463
~~required under division (E) (1) of section 955.22 of the Revised~~ 1464
~~Code in an amount described in division (H) (2) of section 955.99~~ 1465
~~of the Revised Code.~~ 1466

~~(F) As used in this section, "nuisance dog," "dangerous~~ 1467
~~dog," and "vicious dog" have the same meanings as in section~~ 1468
~~955.11 of the Revised Code.~~ 1469

(F) (1) Except as provided in division (F) (2) of this 1470
section, the court may order a dog that is designated in 1471
accordance with this section to be humanely destroyed by a 1472
licensed veterinarian or the county dog warden at the owner's 1473
expense. 1474

(2) The court shall order a dog that is designated in 1475
accordance with this section to be humanely destroyed by a 1476
licensed veterinarian or the county dog warden at the owner's 1477
expense if the court determines that the dog killed or caused 1478
serious injury to a person. 1479

(G) If the dog that is the subject of a petition under this section is also the subject of a criminal proceeding for a violation of section 955.22 of the Revised Code arising out of the same event, the petition shall be filed in the court in which the criminal proceeding is pending. The court shall conduct the hearing under this section and the criminal proceeding concurrently.

Sec. 955.22 955.24. (A) ~~As used in this section, "dangerous dog" has the same meaning as in section 955.11 of the Revised Code.~~

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

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

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

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

~~(D) Except when a dangerous dog is lawfully engaged in hunting or training for the purpose of hunting and is accompanied by the owner, keeper, harborer, or handler of the dog, no No owner, keeper, or harborer of a vicious or dangerous dog shall fail to do either any of the following:~~

(1) While that dog is outdoors, but on the premises of the 1509
owner, keeper, or harborer, securely confine ~~it~~ the dog at all 1510
times in a locked pen that has a top, locked fenced yard with 1511
fencing that is sufficiently constructed to prevent escape, or 1512
other locked enclosure that has a top; 1513

(2) While that dog is inside a residential dwelling or 1514
other building on the premises of the owner, keeper, or 1515
harborer, and there is an invitee inside the dwelling or 1516
building, securely confine the dog at all times inside the 1517
dwelling or building so that there is no reasonable probability 1518
that the dog comes into contact with the invitee; 1519

(3) While that dog is off the premises of the owner, 1520
keeper, or harborer, keep that dog on a chain-link leash or 1521
tether that is not more than six feet in length and additionally 1522
do at least one of the following: 1523

(a) Keep that dog in a locked pen that has a top, locked 1524
fenced yard with fencing that is sufficiently constructed to 1525
prevent escape, or other locked enclosure that has a top; 1526

(b) Have the leash or tether controlled by a person who is 1527
of suitable age and discretion or securely attach, tie, or affix 1528
the leash or tether to the ground or a stationary object or 1529
fixture so that the dog is adequately restrained and station 1530
such a person in close enough proximity to that dog so as to 1531
prevent it from causing injury to any person; 1532

(c) Muzzle that dog. 1533

A violation of division (A) of this section is a strict 1534
liability offense and section 2901.20 of the Revised Code does 1535
not apply. 1536

~~(E) (B) No person who has been convicted of or pleaded~~ 1537

~~guilty to three or more violations of division (C) of this~~ 1538
~~section involving the same dog and no owner, keeper, or harborer~~ 1539
of a vicious or dangerous dog shall fail to do any of the 1540
following: 1541

(1) Obtain liability insurance in an amount, exclusive of 1542
interest and costs, that equals or exceeds one hundred thousand 1543
dollars, with an insurer authorized to write liability insurance 1544
in this state providing coverage in each occurrence because of 1545
damage or bodily injury to or death of a person caused by the 1546
vicious or dangerous dog ~~if so ordered by a court and provide;~~ 1547

(2) Provide proof of that liability insurance upon request 1548
to any law enforcement officer, county dog warden, or public 1549
health official charged with enforcing this section; 1550

~~(2) Obtain a dangerous dog registration certificate from~~ 1551
~~the county auditor pursuant to division (I) of this section,~~ 1552
~~affix a tag that identifies the dog as a dangerous dog to the~~ 1553
~~dog's collar, and ensure that the dog wears the collar and tag~~ 1554
~~at all times;~~ 1555

(3) Notify the local dog warden immediately if any of the 1556
following occurs: 1557

(a) The dog is loose or unconfined. 1558

(b) The dog bites a person, unless the dog is on the 1559
property of the owner of the dog, and the person who is bitten 1560
is unlawfully trespassing or committing a criminal act within 1561
the boundaries of that property. 1562

(c) The dog attacks another animal while the dog is off 1563
the property of the owner of the dog. 1564

(4) If the dog is sold, given to another person, or dies, 1565

notify the county auditor and the dog warden within ten days of 1566
the sale, transfer, or death; 1567

(5) Prior to any training or veterinary care provided to 1568
the dog by a trainer or licensed veterinarian, disclose to the 1569
trainer or licensed veterinarian, as applicable, that the dog is 1570
a vicious or dangerous dog. 1571

A violation of division (B) of this section is a strict 1572
liability offense and section 2901.20 of the Revised Code does 1573
not apply. 1574

~~(F)~~ (C) No person shall recklessly do any of the following: 1575

(1) Debark or surgically silence a dog that the person 1576
knows or has reason to believe is a vicious or dangerous dog; 1577

(2) Possess a vicious or dangerous dog if the person knows 1578
or has reason to believe that the dog has been debarked or 1579
surgically silenced; 1580

(3) Falsely attest on a waiver form provided by the 1581
veterinarian ~~under division (G) of this section~~ that the 1582
person's dog is not a vicious or dangerous dog or otherwise 1583
provide false information on that written waiver form. 1584

~~(G)~~ (D) Before a veterinarian debarks or surgically 1585
silences a dog, the veterinarian may give the owner of the dog a 1586
written waiver form that attests that the dog is not a vicious 1587
or dangerous dog. The written waiver form shall include all of 1588
the following: 1589

(1) The veterinarian's license number and current business 1590
address; 1591

(2) The number of the license of the dog if the dog is 1592
licensed; 1593

(3) A reasonable description of the age, coloring, and 1594
gender of the dog as well as any notable markings on the dog; 1595

(4) The signature of the owner of the dog attesting that 1596
the owner's dog is not a dangerous dog; 1597

(5) A statement that ~~division (F) of section 955.22 of the~~ 1598
~~Revised Code~~ Ohio law prohibits any person from doing any of the 1599
following: 1600

(a) Debarking or surgically silencing a dog that the 1601
person knows or has reason to believe is a vicious or dangerous 1602
dog; 1603

(b) Possessing a vicious or dangerous dog if the person 1604
knows or has reason to believe that the dog has been debarked or 1605
surgically silenced; 1606

(c) Falsely attesting on a waiver form provided by the 1607
veterinarian ~~under division (G) of section 955.22 of the Revised~~ 1608
~~Code~~ that the person's dog is not a vicious or dangerous dog or 1609
otherwise provide false information on that written waiver form. 1610

~~(H)~~ (E) It is an affirmative defense to a charge of a 1611
violation of division ~~(F)~~ (C) of this section that the 1612
veterinarian who is charged with the violation obtained, prior 1613
to debarking or surgically silencing the dog, a written waiver 1614
form that complies with ~~division (G) of this section~~ and that 1615
attests that the dog is not a vicious or dangerous dog. 1616

~~(I) (1) The county auditor shall issue a dangerous dog~~ 1617
~~registration certificate to a person who is the owner of a dog,~~ 1618
~~who is eighteen years of age or older, and who provides the~~ 1619
~~following to the county auditor:~~ 1620

~~(a) A fee of fifty dollars;~~ 1621

~~(b) The person's address, phone number, and other
appropriate means for the local dog warden or county auditor to
contact the person;~~ 1622
1623
1624

~~(c) With respect to the person and the dog for which the
registration is sought, all of the following:~~ 1625
1626

~~(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;~~ 1627
1628
1629
1630

~~(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
contraindicated;~~ 1631
1632
1633
1634

~~(iii) Satisfactory evidence of the fact that the person
has posted and will continue to post clearly visible signs at
the person's residence warning both minors and adults of the
presence of a dangerous dog on the property;~~ 1635
1636
1637
1638

~~(iv) Satisfactory evidence of the fact that the dog has
been permanently identified by means of a microchip and the
dog's microchip number.~~ 1639
1640
1641

~~(2) Upon the issuance of a dangerous dog registration
certificate to the owner of a dog, the county auditor shall
provide the owner with a uniformly designed tag that identifies
the animal as a dangerous dog. The owner shall renew the
certificate annually for the same fee and in the same manner as
the initial certificate was obtained. If a certificate holder
relocates to a new county, the certificate holder shall follow
the procedure in division (I) (3) (b) of this section and, upon
the expiration of the certificate issued in the original county,~~ 1642
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~~shall renew the certificate in the new county.~~

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

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

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

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

1665

1666

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

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

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1672

(F) (1) Whoever violates division (A) of this section is
guilty of a misdemeanor of the fourth degree on a first offense
and of a misdemeanor of the third degree on each subsequent
offense. Additionally, the court may order the offender to do
either or both of the following:

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1677

(a) Personally supervise the vicious or dangerous dog that

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the offender owns, keeps, or harbors; 1679

(b) Cause the dog to complete dog obedience training. 1680

(2) The court, in the alternative, may order the vicious 1681
or dangerous dog to be humanely destroyed by a licensed 1682
veterinarian or the county dog warden at the owner's expense. 1683

(G) (1) Whoever violates division (B) (1) of this section is 1684
guilty of a misdemeanor of the fourth degree. 1685

(2) Whoever violates division (B) (2), (3), (4), or (5) of 1686
this section is guilty of a minor misdemeanor. 1687

(H) Whoever violates division (C) (1), (2), or (3) of this 1688
section is guilty of a felony of the fourth degree. 1689
Additionally, the court shall order that the dog involved in the 1690
violation be humanely destroyed by a licensed veterinarian or 1691
the county dog warden. Until the court makes a final 1692
determination and during the pendency of any appeal of a 1693
violation of division (C) (1), (2), or (3) of this section and at 1694
the discretion of the dog warden, the dog shall be confined or 1695
restrained in accordance with the provisions of division (A) of 1696
this section or at the county dog pound at the owner's expense. 1697

Sec. 955.26. (A) Whenever, in the judgment of the director 1698
of health, any city or general health district board of health, 1699
or persons performing the duties of a board of health, rabies is 1700
prevalent, the director of health, the board, or those persons 1701
shall declare a quarantine of all dogs in the health district or 1702
in a part of it. During the quarantine, the owner, keeper, or 1703
harborer of any dog shall keep it confined on the premises of 1704
the owner, keeper, or harborer, or in a pound, kennel, or other 1705
suitable place, at the expense of the owner, keeper, or 1706
harborer, except that a dog may be permitted to leave the 1707

premises of its owner, keeper, or harborer if it is under leash 1708
or under the control of a responsible person. The quarantine 1709
order shall be considered an emergency and need not be 1710
published. 1711

(B) When the quarantine has been declared, the director of 1712
health, the board, or those persons may require vaccination for 1713
rabies of all dogs within the health district or part of it. 1714
Proof of rabies vaccination within a satisfactory period shall 1715
be demonstrated to the county auditor before any registration is 1716
issued under section ~~955.01~~ 955.02 of the Revised Code for any 1717
dog that is required to be vaccinated. 1718

(C) The director shall determine appropriate methods of 1719
rabies vaccination and satisfactory periods for purposes of 1720
quarantines under this section. 1721

(D) When a quarantine of dogs has been declared in any 1722
health district or part of a health district, the county dog 1723
warden and all other persons having the authority of police 1724
officers shall assist the health authorities in enforcing the 1725
quarantine order. When rabies vaccination has been declared 1726
compulsory in any health district or part of a health district, 1727
the dog warden shall assist the health authorities in enforcing 1728
the vaccination order. 1729

(E) Notwithstanding this section, a city or general health 1730
district board of health may make orders pursuant to sections 1731
3709.20 and 3709.21 of the Revised Code requiring the 1732
vaccination of dogs. 1733

(F) No person shall recklessly violate a rabies quarantine 1734
order issued under this section. 1735

(G) Whoever violates division (F) of this section is 1736

guilty of a minor misdemeanor on a first offense and of a 1737
misdemeanor of the fourth degree on each subsequent offense. 1738

Sec. 955.261. (A) (1) No person shall remove a dog that has 1739
bitten any person from the county in which the bite occurred 1740
until a quarantine period as specified in division (B) of this 1741
section has been completed. No person shall transfer a dog that 1742
has bitten any person until a quarantine period as specified in 1743
division (B) of this section has been completed, except that a 1744
person may transfer the dog to the county dog warden or to any 1745
other animal control authority. 1746

(2) (a) Subject to division (A) (2) (b) of this section, no 1747
person shall kill a dog that has bitten any person until a 1748
quarantine period as specified in division (B) of this section 1749
has been completed. 1750

(b) Division (A) (2) (a) of this section does not apply to 1751
the killing of a dog in order to prevent further injury or death 1752
or if the dog is diseased or seriously injured. 1753

(3) No person who has killed a dog that has bitten any 1754
person in order to prevent further injury or death or if the dog 1755
is diseased or seriously injured shall fail to do both of the 1756
following: 1757

(a) Immediately after the killing of the dog, notify the 1758
board of health for the district in which the bite occurred of 1759
the facts relative to the bite and the killing; 1760

(b) Hold the body of the dog until that board of health 1761
claims it to perform tests for rabies. 1762

(B) The quarantine period for a dog that has bitten any 1763
person shall be ten days or another period that the board of 1764
health for the district in which the bite occurred determines is 1765

necessary to observe the dog for rabies. 1766

(C) (1) To enable persons to comply with the quarantine 1767
requirements specified in divisions (A) and (B) of this section, 1768
boards of health shall make provision for the quarantine of 1769
individual dogs under the circumstances described in those 1770
divisions. 1771

(2) Upon the receipt of a notification pursuant to 1772
division (A) (3) of this section that a dog that has bitten any 1773
person has been killed, the board of health for the district in 1774
which the bite occurred shall claim the body of the dog from its 1775
killer and then perform tests on the body for rabies. 1776

(D) This section does not apply to a police dog that has 1777
bitten a person while the police dog is under the care of a 1778
licensed veterinarian or has bitten a person while the police 1779
dog is being used for law enforcement, corrections, prison or 1780
jail security, or investigative purposes. If, after biting a 1781
person, a police dog exhibits any abnormal behavior, the law 1782
enforcement agency and the law enforcement officer the police 1783
dog assists, within a reasonable time after the person is 1784
bitten, shall make the police dog available for the board of 1785
health for the district in which the bite occurred to perform 1786
tests for rabies. 1787

(E) ~~As used in this section, "police dog" has the same~~ 1788
~~meaning as in section 2921.321 of the Revised Code~~Whoever 1789
recklessly violates this section is guilty of a minor 1790
misdemeanor on a first offense and of a misdemeanor of the 1791
fourth degree on each subsequent offense. 1792

Sec. 955.40 955.262. Any corporation which violates 1793
section ~~955.39~~955.26 of the Revised Code shall forfeit and pay 1794

to the municipal corporation a sum not to exceed three hundred 1795
dollars, to be collected in a civil action brought in the name 1796
of the municipal corporation. 1797

The judgment authorized in this section being in the 1798
nature of a penalty, or exemplary damages, no proof of actual 1799
damages shall be required, but the court or jury, finding other 1800
facts to justify recovery, shall determine the amount by 1801
reference to all the facts, culpatory, exculpatory, or 1802
extenuating, adduced at the trial. 1803

Sec. 955.43. (A) As used in this section, "institutions of 1804
education" means any of the following: 1805

(1) Any state university or college as defined in section 1806
3345.32 of the Revised Code; 1807

(2) Any private college or university that holds a 1808
certificate of authorization issued by the Ohio board of regents 1809
pursuant to Chapter 1713. of the Revised Code; 1810

(3) Any elementary or secondary school operated by a board 1811
of education; 1812

(4) Any chartered or nonchartered nonpublic elementary or 1813
secondary school; 1814

(5) Any school issued a certificate of registration by the 1815
state board of career colleges and schools. 1816

(B) When a person who is blind, deaf, or hearing impaired, 1817
a person with a mobility impairment, or a trainer of an 1818
assistance dog is accompanied by an assistance dog, the person 1819
or trainer, as applicable, is entitled to the full and equal 1820
accommodations, advantages, facilities, and privileges of all 1821
public conveyances, hotels, lodging places, all places of public 1822

accommodation, amusement, or resort, all institutions of 1823
education, and other places to which the general public is 1824
invited, and may take the dog into such conveyances and places, 1825
subject only to the conditions and limitations applicable to all 1826
persons not so accompanied, except that: 1827

(1) The dog shall not occupy a seat in any public 1828
conveyance. 1829

(2) The dog shall be upon a leash while using the 1830
facilities of a common carrier. 1831

(3) Any dog in training to become an assistance dog shall 1832
be covered by a liability insurance policy provided by the 1833
nonprofit special agency engaged in such work protecting members 1834
of the public against personal injury or property damage caused 1835
by the dog. 1836

~~(B)~~ (C) No person shall recklessly deprive a person who is 1837
blind, deaf, or hearing impaired, a person who has a mobility 1838
impairment, or a trainer of an assistance dog when the person or 1839
trainer, as applicable, is accompanied by an assistance dog of 1840
any of the advantages, facilities, or privileges provided in 1841
division ~~(A)~~ (B) of this section, and no person shall charge the 1842
person or trainer a fee or charge for the dog. 1843

(D) Whoever violates division (C) of this section is 1844
guilty of a misdemeanor of the fourth degree. 1845

~~(C) As used in this section, "institutions of education"~~ 1846
~~means:~~ 1847

~~(1) Any state university or college as defined in section~~ 1848
~~3345.32 of the Revised Code;~~ 1849

~~(2) Any private college or university that holds a~~ 1850

~~certificate of authorization issued by the Ohio board of regents~~ 1851
~~pursuant to Chapter 1713. of the Revised Code;~~ 1852

~~(3) Any elementary or secondary school operated by a board~~ 1853
~~of education;~~ 1854

~~(4) Any chartered or nonchartered nonpublic elementary or~~ 1855
~~secondary school;~~ 1856

~~(5) Any school issued a certificate of registration by the~~ 1857
~~state board of career colleges and schools.~~ 1858

Sec. 955.44. All fines collected for violations of 1859
sections 955.02, 955.09, 955.10, 955.11, 955.21955.12, 1860
955.22955.21, 955.24, 955.23, 955.25, and 955.261 of the Revised 1861
Code shall be deposited in the county treasury to the credit of 1862
the dog and kennel fund. 1863

Sec. 955.50. (A) No person shall sell, offer to sell, or 1864
expose for sale, for the purpose of resale or receive for 1865
delivery within this state, or ship from any point within this 1866
state to any point outside this state, for sale to the general 1867
public at retail, any dog under the age of eight weeks. 1868

(B) No person shall receive from outside this state, or 1869
ship from any point within this state to any point outside this 1870
state, for sale to the general public at retail, any dog that is 1871
not accompanied by a certificate, issued by a licensed 1872
veterinarian who is accredited by the United States department 1873
of agriculture and authorized to issue health certificates for 1874
animals in interstate commerce, certifying that the dog is 1875
sufficiently sound and healthy to be reasonably expected to 1876
withstand the intended transportation without adverse effect. 1877

(C) This section does not apply to the transportation of 1878
dogs in interstate commerce by common carrier, provided that 1879

neither the point of shipment nor the point of receiving is 1880
within this state. 1881

(D) No person responsible for the transportation of a 1882
pregnant dog to any point within this state or from any point 1883
within this state to any point outside this state shall be 1884
liable in damages for any injury to or illness of, or the death 1885
of, the dog or any puppies, ~~whenever~~ whenever the injury, 1886
illness, or death results from the birth of such puppies during 1887
the time the dog is being transported. 1888

(E) Whoever recklessly violates this section is guilty of 1889
a minor misdemeanor on a first offense and of a misdemeanor of 1890
the fourth degree on each subsequent offense. 1891

Sec. 955.54. (A) No person who is convicted of or pleads 1892
guilty to a felony offense of violence committed on or after ~~the~~ 1893
~~effective date of this section~~ May 22, 2012, or a felony 1894
violation of any provision of Chapter 959., 2923., or 2925. of 1895
the Revised Code committed on or after ~~the effective date of~~ 1896
~~this section~~ May 22, 2012, shall knowingly own, possess, have 1897
custody of, or reside in a residence with ~~either~~ any of the 1898
following for a period of three years commencing either upon the 1899
date of release of the person from any period of incarceration 1900
imposed for the offense or violation or, if the person is not 1901
incarcerated for the offense or violation, upon the date ~~of that~~ 1902
~~the person's final release from the other sanctions imposed for~~ 1903
person plead guilty to or was convicted of the offense or 1904
violation: 1905

(1) An unsprayed or unneutered dog older than twelve weeks 1906
of age; 1907

(2) Any dog that has been determined to be a dangerous dog 1908

or vicious dog under Chapter 955. of the Revised Code; 1909

(3) Any dog that does not have a permanently implanted 1910
microchip that has an identification number that is unique to 1911
the microchip. 1912

~~(B) A person described in division (A) of this section~~ 1913
~~shall microchip for permanent identification any dog owned,~~ 1914
~~possessed by, or in the custody of the person.~~ 1915

~~(C) (1)~~ Division (A) of this section does not apply to any 1916
person who is confined in a correctional institution of the 1917
department of rehabilitation and correction. 1918

(2) Division (A) of this section does not apply to any 1919
person with respect to any dog that the person owned, possessed, 1920
had custody of, or resided in a residence with prior to ~~the~~ 1921
~~effective date of this section~~ May 22, 2012. 1922

(C) Whoever recklessly violates this section is guilty of 1923
a misdemeanor of the first degree. 1924

Sec. 955.60. (A) Any person authorized to enforce this 1925
chapter shall investigate any complaint that indicates a 1926
possible violation of any provision of this chapter involving a 1927
dog. 1928

(B) If, after investigating an alleged violation of this 1929
chapter under division (A) of this section, an authorized person 1930
does not cite a person for or charge a person with a violation, 1931
the authorized person shall notify, in accordance with division 1932
(C) of this section, the owner, keeper, or harbinger of the dog 1933
that there has been a complaint regarding the dog and that the 1934
authorized person investigated a possible violation. The notice 1935
shall specify both of the following: 1936

(1) A citation to the applicable provision or provisions 1937
of law at issue; 1938

(2) Contact information for the authorized person. 1939

(C) The authorized person shall post the notice on the 1940
door of the dwelling at which the dog resides within twenty-four 1941
hours after the authorized person concludes the investigation. 1942

Sec. 955.61. (A) (1) If a health care provider or a 1943
licensed veterinarian has knowledge of a person being bitten or 1944
injured as a result of an attack by a dog or other non-human 1945
mammal, the provider or veterinarian shall report the bite or 1946
injury, not later than twenty-four hours after obtaining such 1947
knowledge, to the health commissioner of the health district in 1948
which the bite occurred. 1949

(2) A person who is bitten or injured as a result of an 1950
attack by a dog or other non-human mammal may report the bite or 1951
injury to the health commissioner of the health district in 1952
which the bite occurred. 1953

(B) A city or general health district board of health 1954
shall annually submit a report regarding non-human mammalian 1955
bites and injuries occurring in its district to the department 1956
of health not later than the first day of March of each year. 1957
The report shall include information about the bites and 1958
injuries that occurred in the previous calendar year. 1959

Sec. 959.132. (A) As used in this section: 1960

"Companion animal" has the same meaning as in section 1961
959.131 of the Revised Code. 1962

"Impounding agency" means a county humane society 1963
organized under section 1717.05 of the Revised Code, an animal 1964

shelter, or a law enforcement agency that has impounded a 1965
companion animal in accordance with this section. 1966

"Offense" means a violation of Chapter 959. of the Revised 1967
Code or an attempt, in violation of section 2923.02 of the 1968
Revised Code, to violate Chapter 959. of the Revised Code. 1969

"Officer" means any law enforcement officer, humane 1970
society agent, or other person appointed to act as an animal 1971
control officer for a municipal corporation or township in 1972
accordance with state law, an ordinance, or a resolution. 1973

(B) An officer may seize and cause to be impounded at an 1974
impounding agency an animal that the officer has probable cause 1975
to believe is the subject of an offense. No officer or 1976
impounding agency shall impound an animal that is the subject of 1977
an offense in a shelter owned, operated, or controlled by a 1978
board of county commissioners pursuant to Chapter 955. of the 1979
Revised Code unless the board, by resolution, authorizes the 1980
impoundment of such an animal in a shelter owned, operated, or 1981
controlled by that board and has executed, in the case when the 1982
officer is other than a dog warden or assistant dog warden, a 1983
contract specifying the terms and conditions of the impoundment. 1984

(C) The officer shall give written notice of the seizure 1985
and impoundment to the owner, keeper, or harborer of the animal 1986
not later than twenty-four hours after the animal was seized and 1987
impounded. If the officer is unable to give the notice to the 1988
owner, keeper, or harborer of the animal, the officer shall post 1989
the notice on the door of the residence or in another 1990
conspicuous place on the premises at which the animal was 1991
seized. The notice shall include a statement that a hearing will 1992
be held not later than ten days after the notice is provided or 1993
at the next available court date to determine whether the 1994

officer had probable cause to seize the animal and, if 1995
applicable, to determine the amount of a bond or cash deposit 1996
that is needed to provide for the animal's care and keeping for 1997
not less than thirty days beginning on the date on which the 1998
animal was impounded. 1999

(D) An animal that is seized under this section may be 2000
humanely destroyed immediately or at any time during impoundment 2001
if a licensed veterinarian determines it to be necessary because 2002
the animal is suffering. 2003

(E) (1) Not later than ten days after notice is provided or 2004
at the next available court date, the court shall hold a hearing 2005
to determine whether the officer impounding an animal had 2006
probable cause to seize the animal. If the court determines that 2007
probable cause exists, the court shall determine the amount of a 2008
bond or cash deposit that is necessary and reasonable to provide 2009
for the animal's care and keeping for not less than thirty days 2010
beginning on the date on which the animal was impounded. 2011

(2) If the court determines that probable cause does not 2012
exist, the court immediately shall order the impounding agency 2013
to return the animal to its owner if possible. If the animal 2014
cannot be returned because it has died as a result of neglect or 2015
other misconduct by the impounding agency or if the animal is 2016
injured as a result of neglect or other misconduct by the 2017
impounding agency, the court shall order the impounding agency 2018
to pay the owner an amount determined by the court to be equal 2019
to the reasonable market value of the animal at the time that it 2020
was impounded plus statutory interest as defined in section 2021
1343.03 of the Revised Code from the date of the impoundment or 2022
an amount determined by the court to be equal to the reasonable 2023
cost of treatment of the injury to the animal, as applicable. 2024

The requirement established in division (E) (2) of this section 2025
regarding the payment of the reasonable market value of the 2026
animal shall not apply in the case of a dog that, in violation 2027
of section ~~955.01~~955.02 of the Revised Code, was not registered 2028
at the time it was seized and impounded. 2029

(3) If the court determines that probable cause exists and 2030
determines the amount of a bond or cash deposit, the case shall 2031
continue and the owner shall post a bond or cash deposit to 2032
provide for the animal's care and keeping for not less than 2033
thirty days beginning on the date on which the animal was 2034
impounded. The owner may renew a bond or cash deposit by 2035
posting, not later than ten days following the expiration of the 2036
period for which a previous bond or cash deposit was posted, a 2037
new bond or cash deposit in an amount that the court, in 2038
consultation with the impounding agency, determines is necessary 2039
and reasonable to provide for the animal's care and keeping for 2040
not less than thirty days beginning on the date on which the 2041
previous period expired. If no bond or cash deposit is posted or 2042
if a bond or cash deposit expires and is not renewed, the 2043
impounding agency may determine the disposition of the animal 2044
unless the court issues an order that specifies otherwise. 2045

(F) If a person is convicted of committing an offense, the 2046
court may impose the following additional penalties against the 2047
person: 2048

(1) A requirement that the person pay for the costs 2049
incurred by the impounding agency in caring for an animal 2050
involved in the applicable offense, provided that the costs were 2051
incurred during the animal's impoundment. A bond or cash deposit 2052
posted under this section may be applied to the costs. 2053

(2) An order permanently terminating the person's right to 2054

possession, title, custody, or care of the animal that was 2055
involved in the offense. If the court issues such an order, the 2056
court shall order the disposition of the animal. 2057

(G) If a person is found not guilty of committing an 2058
offense, the court immediately shall order the impounding agency 2059
to return the animal to its owner if possible and to return the 2060
entire amount of any bond or cash deposit posted under division 2061
(E) of this section. If the animal cannot be returned because it 2062
has died as a result of neglect or other misconduct by the 2063
impounding agency or if the animal is injured as a result of 2064
neglect or other misconduct by the impounding agency, the court 2065
shall order the impounding agency to pay the owner an amount 2066
determined by the court to be equal to the reasonable market 2067
value of the animal at the time that it was impounded plus 2068
statutory interest as defined in section 1343.03 of the Revised 2069
Code from the date of the impoundment or an amount determined by 2070
the court to be equal to the reasonable cost of treatment of the 2071
injury to the animal, as applicable. The requirements 2072
established in this division regarding the return of a bond or 2073
cash deposit and the payment of the reasonable market value of 2074
the animal shall not apply in the case of a dog that, in 2075
violation of section ~~955.01~~955.02 of the Revised Code, was not 2076
registered at the time it was seized and impounded. 2077

(H) If charges are filed under section 959.131 of the 2078
Revised Code against the custodian or caretaker of a companion 2079
animal, but the companion animal that is the subject of the 2080
charges is not impounded, the court in which the charges are 2081
pending may order the owner or person having custody of the 2082
companion animal to provide to the companion animal the 2083
necessities described in division (D) (2), (D) (3), (E) (2), (E) 2084
(3), (F) (2), or (F) (3) of section 959.131 of the Revised Code 2085

until the final disposition of the charges. If the court issues 2086
an order of that nature, the court also may authorize an officer 2087
or another person to visit the place where the companion animal 2088
is being kept, at the times and under the conditions that the 2089
court may set, to determine whether the companion animal is 2090
receiving those necessities and to remove and impound the 2091
companion animal if the companion animal is not receiving those 2092
necessities. 2093

Sec. 1533.12. (A) (1) Except as otherwise provided in 2094
division (A) (2) of this section, every person on active duty in 2095
the armed forces of the United States who is stationed in this 2096
state and who wishes to engage in an activity for which a 2097
license, permit, or stamp is required under this chapter first 2098
shall obtain the requisite license, permit, or stamp. Such a 2099
person is eligible to obtain a resident hunting or fishing 2100
license regardless of whether the person qualifies as a resident 2101
of this state. To obtain a resident hunting or fishing license, 2102
the person shall present a card or other evidence identifying 2103
the person as being on active duty in the armed forces of the 2104
United States and as being stationed in this state. 2105

(2) Every person on active duty in the armed forces of the 2106
United States, while on leave or furlough, may take or catch 2107
fish of the kind lawfully permitted to be taken or caught within 2108
the state, may hunt any wild bird or wild quadruped lawfully 2109
permitted to be hunted within the state, and may trap fur- 2110
bearing animals lawfully permitted to be trapped within the 2111
state, without procuring a fishing license, a hunting license, a 2112
fur taker permit, or a wetlands habitat stamp required by this 2113
chapter, provided that the person shall carry on the person when 2114
fishing, hunting, or trapping, a card or other evidence 2115
identifying the person as being on active duty in the armed 2116

forces of the United States, and provided that the person is not 2117
otherwise violating any of the hunting, fishing, and trapping 2118
laws of this state. 2119

In order to hunt deer or wild turkey, any such person 2120
shall obtain a deer or wild turkey permit, as applicable, under 2121
section 1533.11 of the Revised Code. Such a person is eligible 2122
to obtain a deer or wild turkey permit at the resident rate, 2123
regardless of whether the person is a resident of this state. 2124
However, the person need not obtain a hunting license in order 2125
to obtain such a permit. 2126

(B) The chief of the division of wildlife shall provide by 2127
rule adopted under section 1531.10 of the Revised Code all of 2128
the following: 2129

(1) Every resident of this state with a disability that 2130
has been determined by the veterans administration to be 2131
permanently and totally disabling, who receives a pension or 2132
compensation from the veterans administration, and who received 2133
an honorable discharge from the armed forces of the United 2134
States, and every veteran to whom the registrar of motor 2135
vehicles has issued a set of license plates under section 2136
4503.41 of the Revised Code, shall be issued a fishing license, 2137
hunting license, fur taker permit, deer or wild turkey permit, 2138
or wetlands habitat stamp, or any combination of those licenses, 2139
permits, and stamp, free of charge on an annual, multi-year, or 2140
lifetime basis as determined appropriate by the chief when 2141
application is made to the chief in the manner prescribed by and 2142
on forms provided by the chief. 2143

(2) Every resident of the state who was born on or before 2144
December 31, 1937, shall be issued an annual fishing license, 2145
hunting license, fur taker permit, deer or wild turkey permit, 2146

or wetlands habitat stamp, or any combination of those licenses, 2147
permits, and stamp, free of charge when application is made to 2148
the chief in the manner prescribed by and on forms provided by 2149
the chief. 2150

(3) Every resident of state or county institutions, 2151
charitable institutions, and military homes in this state shall 2152
be issued an annual fishing license free of charge when 2153
application is made to the chief in the manner prescribed by and 2154
on forms provided by the chief. 2155

(4) As used in division (B) (4) of this section, "blind" 2156
and "person with a mobility impairment" have the same meanings 2157
as in section ~~955.011~~ 955.021 of the Revised Code. 2158

Any person with a mobility impairment or blind person who 2159
is a resident of this state and who is unable to engage in 2160
fishing without the assistance of another person shall be issued 2161
an annual fishing license free of charge when application is 2162
made to the chief in the manner prescribed by and on forms 2163
provided by the chief. The person who is assisting the person 2164
with a mobility impairment or blind person may assist in taking 2165
or catching fish of the kind permitted to be taken or caught 2166
without procuring the license required under section 1533.32 of 2167
the Revised Code, provided that only one line is used by both 2168
persons. 2169

(5) As used in division (B) (5) of this section, "prisoner 2170
of war" means any regularly appointed, enrolled, enlisted, or 2171
inducted member of the military forces of the United States who 2172
was captured, separated, and incarcerated by an enemy of the 2173
United States. 2174

Any person who has been a prisoner of war, was honorably 2175

discharged from the military forces, and is a resident of this 2176
state shall be issued a fishing license, hunting license, fur 2177
taker permit, or wetlands habitat stamp, or any combination of 2178
those licenses, permits, and stamp, free of charge on an annual, 2179
multi-year, or lifetime basis as determined appropriate by the 2180
chief when application is made to the chief in the manner 2181
prescribed by and on forms provided by the chief. 2182

(C) The chief shall adopt rules pursuant to section 2183
1531.08 of the Revised Code designating not more than two days, 2184
which need not be consecutive, in each year as "free sport 2185
fishing days" on which any resident may exercise the privileges 2186
accorded the holder of a fishing license issued under section 2187
1533.32 of the Revised Code without procuring such a license, 2188
provided that the person is not otherwise violating any of the 2189
fishing laws of this state. 2190

Sec. 1901.18. (A) Except as otherwise provided in this 2191
division or section 1901.181 of the Revised Code, subject to the 2192
monetary jurisdiction of municipal courts as set forth in 2193
section 1901.17 of the Revised Code, a municipal court has 2194
original jurisdiction within its territory in all of the 2195
following actions or proceedings and to perform all of the 2196
following functions: 2197

(1) In any civil action, of whatever nature or remedy, of 2198
which judges of county courts have jurisdiction; 2199

(2) In any action or proceeding at law for the recovery of 2200
money or personal property of which the court of common pleas 2201
has jurisdiction; 2202

(3) In any action at law based on contract, to determine, 2203
preserve, and enforce all legal and equitable rights involved in 2204

the contract, to decree an accounting, reformation, or 2205
cancellation of the contract, and to hear and determine all 2206
legal and equitable remedies necessary or proper for a complete 2207
determination of the rights of the parties to the contract; 2208

(4) In any action or proceeding for the sale of personal 2209
property under chattel mortgage, lien, encumbrance, or other 2210
charge, for the foreclosure and marshalling of liens on personal 2211
property of that nature, and for the rendering of personal 2212
judgment in the action or proceeding; 2213

(5) In any action or proceeding to enforce the collection 2214
of its own judgments or the judgments rendered by any court 2215
within the territory to which the municipal court has succeeded, 2216
and to subject the interest of a judgment debtor in personal 2217
property to satisfy judgments enforceable by the municipal 2218
court; 2219

(6) In any action or proceeding in the nature of 2220
interpleader; 2221

(7) In any action of replevin; 2222

(8) In any action of forcible entry and detainer; 2223

(9) In any action concerning the issuance and enforcement 2224
of temporary protection orders pursuant to section 2919.26 of 2225
the Revised Code or protection orders pursuant to section 2226
2903.213 of the Revised Code or the enforcement of protection 2227
orders issued by courts of another state, as defined in section 2228
2919.27 of the Revised Code; 2229

(10) If the municipal court has a housing or environmental 2230
division, in any action over which the division is given 2231
jurisdiction by section 1901.181 of the Revised Code, provided 2232
that, except as specified in division (B) of that section, no 2233

judge of the court other than the judge of the division shall 2234
hear or determine any action over which the division has 2235
jurisdiction; 2236

(11) In any action brought pursuant to division (I) of 2237
section 4781.40 of the Revised Code, if the residential premises 2238
that are the subject of the action are located within the 2239
territorial jurisdiction of the court; 2240

(12) In any civil action as described in division (B) (1) 2241
of section 3767.41 of the Revised Code that relates to a public 2242
nuisance, and, to the extent any provision of this chapter 2243
conflicts or is inconsistent with a provision of that section, 2244
the provision of that section shall control in the civil action; 2245

(13) In a proceeding brought pursuant to section ~~955.222~~ 2246
955.23 of the Revised Code by the owner of a dog that has been 2247
designated as a nuisance dog, dangerous dog, or vicious dog; 2248

(14) In every civil action concerning a violation of a 2249
state traffic law or a municipal traffic ordinance. 2250

(B) The Cleveland municipal court also shall have 2251
jurisdiction within its territory in all of the following 2252
actions or proceedings and to perform all of the following 2253
functions: 2254

(1) In all actions and proceedings for the sale of real 2255
property under lien of a judgment of the municipal court or a 2256
lien for machinery, material, or fuel furnished or labor 2257
performed, irrespective of amount, and, in those actions and 2258
proceedings, the court may proceed to foreclose and marshal all 2259
liens and all vested or contingent rights, to appoint a 2260
receiver, and to render personal judgment irrespective of amount 2261
in favor of any party. 2262

(2) In all actions for the foreclosure of a mortgage on 2263
real property given to secure the payment of money or the 2264
enforcement of a specific lien for money or other encumbrance or 2265
charge on real property, when the amount claimed by the 2266
plaintiff does not exceed fifteen thousand dollars and the real 2267
property is situated within the territory, and, in those 2268
actions, the court may proceed to foreclose all liens and all 2269
vested and contingent rights and may proceed to render judgments 2270
and make findings and orders between the parties in the same 2271
manner and to the same extent as in similar actions in the court 2272
of common pleas. 2273

(3) In all actions for the recovery of real property 2274
situated within the territory to the same extent as courts of 2275
common pleas have jurisdiction; 2276

(4) In all actions for injunction to prevent or terminate 2277
violations of the ordinances and regulations of the city of 2278
Cleveland enacted or promulgated under the police power of the 2279
city of Cleveland, pursuant to Section 3 of Article XVIII, Ohio 2280
Constitution, over which the court of common pleas has or may 2281
have jurisdiction, and, in those actions, the court may proceed 2282
to render judgments and make findings and orders in the same 2283
manner and to the same extent as in similar actions in the court 2284
of common pleas. 2285

(C) As used in this section, "violation of a state traffic 2286
law or a municipal traffic ordinance" has the same meaning as in 2287
section 1901.20 of the Revised Code. 2288

Sec. 1907.031. (A) Except as otherwise provided in section 2289
1907.03 of the Revised Code and in addition to the jurisdiction 2290
authorized in other sections of this chapter and in section 2291
1909.11 of the Revised Code, a county court has original 2292

jurisdiction within its district in all of the following actions 2293
or proceedings and to perform all of the following functions: 2294

(1) In an action or proceeding at law for the recovery of 2295
money or personal property of which the court of common pleas 2296
has jurisdiction; 2297

(2) In an action at law based on contract, to determine, 2298
preserve, and enforce all legal and equitable rights involved in 2299
the contract, to decree an accounting, reformation, or 2300
cancellation of the contract, and to hear and determine all 2301
legal and equitable remedies necessary or proper for a complete 2302
determination of the rights of the parties to the contract; 2303

(3) In an action or proceeding for the sale of personal 2304
property under chattel mortgage, lien, encumbrance, or other 2305
charge, for the foreclosure and marshalling of liens on the 2306
personal property, and for the rendering of personal judgment in 2307
the action or proceeding; 2308

(4) In an action or proceeding to enforce the collection 2309
of its own judgments and to subject the interest of a judgment 2310
debtor in personal property to satisfy judgments enforceable by 2311
the county court; 2312

(5) In an action or proceeding in the nature of 2313
interpleader; 2314

(6) In an action of forcible entry and detainer; 2315

(7) In a proceeding brought pursuant to section ~~955.222~~ 2316
955.23 of the Revised Code by the owner of a dog that has been 2317
designated as a nuisance dog, dangerous dog, or vicious dog; 2318

(8) In every civil action or proceeding concerning a 2319
violation of a state traffic law or a municipal traffic 2320

ordinance. 2321

(B) A county court has original jurisdiction in civil 2322
actions as described in division (B) (1) of section 3767.41 of 2323
the Revised Code that relate to a public nuisance. To the extent 2324
any provision of this chapter conflicts or is inconsistent with 2325
a provision of that section, the provision of that section shall 2326
control in such a civil action. 2327

(C) As used in this section, "violation of a state traffic 2328
law or a municipal traffic ordinance" has the same meaning as in 2329
section 1901.20 of the Revised Code. 2330

Sec. 2913.01. As used in this chapter, unless the context 2331
requires that a term be given a different meaning: 2332

(A) "Deception" means knowingly deceiving another or 2333
causing another to be deceived by any false or misleading 2334
representation, by withholding information, by preventing 2335
another from acquiring information, or by any other conduct, 2336
act, or omission that creates, confirms, or perpetuates a false 2337
impression in another, including a false impression as to law, 2338
value, state of mind, or other objective or subjective fact. 2339

(B) "Defraud" means to knowingly obtain, by deception, 2340
some benefit for oneself or another, or to knowingly cause, by 2341
deception, some detriment to another. 2342

(C) "Deprive" means to do any of the following: 2343

(1) Withhold property of another permanently, or for a 2344
period that appropriates a substantial portion of its value or 2345
use, or with purpose to restore it only upon payment of a reward 2346
or other consideration; 2347

(2) Dispose of property so as to make it unlikely that the 2348

owner will recover it; 2349

(3) Accept, use, or appropriate money, property, or 2350
services, with purpose not to give proper consideration in 2351
return for the money, property, or services, and without 2352
reasonable justification or excuse for not giving proper 2353
consideration. 2354

(D) "Owner" means, unless the context requires a different 2355
meaning, any person, other than the actor, who is the owner of, 2356
who has possession or control of, or who has any license or 2357
interest in property or services, even though the ownership, 2358
possession, control, license, or interest is unlawful. 2359

(E) "Services" include labor, personal services, 2360
professional services, rental services, public utility services 2361
including wireless service as defined in division (F) (1) of 2362
section 128.01 of the Revised Code, common carrier services, and 2363
food, drink, transportation, entertainment, and cable television 2364
services and, for purposes of section 2913.04 of the Revised 2365
Code, include cable services as defined in that section. 2366

(F) "Writing" means any computer software, document, 2367
letter, memorandum, note, paper, plate, data, film, or other 2368
thing having in or upon it any written, typewritten, or printed 2369
matter, and any token, stamp, seal, credit card, badge, 2370
trademark, label, or other symbol of value, right, privilege, 2371
license, or identification. 2372

(G) "Forge" means to fabricate or create, in whole or in 2373
part and by any means, any spurious writing, or to make, 2374
execute, alter, complete, reproduce, or otherwise purport to 2375
authenticate any writing, when the writing in fact is not 2376
authenticated by that conduct. 2377

(H) "Utter" means to issue, publish, transfer, use, put or 2378
send into circulation, deliver, or display. 2379

(I) "Coin machine" means any mechanical or electronic 2380
device designed to do both of the following: 2381

(1) Receive a coin, bill, or token made for that purpose; 2382

(2) In return for the insertion or deposit of a coin, 2383
bill, or token, automatically dispense property, provide a 2384
service, or grant a license. 2385

(J) "Slug" means an object that, by virtue of its size, 2386
shape, composition, or other quality, is capable of being 2387
inserted or deposited in a coin machine as an improper 2388
substitute for a genuine coin, bill, or token made for that 2389
purpose. 2390

(K) "Theft offense" means any of the following: 2391

(1) A violation of section 2911.01, 2911.02, 2911.11, 2392
2911.12, 2911.13, 2911.31, 2911.32, 2913.02, 2913.03, 2913.04, 2393
2913.041, 2913.05, 2913.06, 2913.08, 2913.11, 2913.21, 2913.31, 2394
2913.32, 2913.33, 2913.34, 2913.40, 2913.42, 2913.43, 2913.44, 2395
2913.45, 2913.47, 2913.48, former section 2913.47 or 2913.48, or 2396
section 2913.51, 2915.05, or 2921.41 of the Revised Code; 2397

(2) A violation of an existing or former municipal 2398
ordinance or law of this or any other state, or of the United 2399
States, substantially equivalent to any section listed in 2400
division (K) (1) of this section or a violation of section 2401
2913.41, 2913.81, or 2915.06 of the Revised Code as it existed 2402
prior to July 1, 1996; 2403

(3) An offense under an existing or former municipal 2404
ordinance or law of this or any other state, or of the United 2405

States, involving robbery, burglary, breaking and entering, 2406
theft, embezzlement, wrongful conversion, forgery, 2407
counterfeiting, deceit, or fraud; 2408

(4) A conspiracy or attempt to commit, or complicity in 2409
committing, any offense under division (K) (1), (2), or (3) of 2410
this section. 2411

(L) "Computer services" includes, but is not limited to, 2412
the use of a computer system, computer network, computer 2413
program, data that is prepared for computer use, or data that is 2414
contained within a computer system or computer network. 2415

(M) "Computer" means an electronic device that performs 2416
logical, arithmetic, and memory functions by the manipulation of 2417
electronic or magnetic impulses. "Computer" includes, but is not 2418
limited to, all input, output, processing, storage, computer 2419
program, or communication facilities that are connected, or 2420
related, in a computer system or network to an electronic device 2421
of that nature. 2422

(N) "Computer system" means a computer and related 2423
devices, whether connected or unconnected, including, but not 2424
limited to, data input, output, and storage devices, data 2425
communications links, and computer programs and data that make 2426
the system capable of performing specified special purpose data 2427
processing tasks. 2428

(O) "Computer network" means a set of related and remotely 2429
connected computers and communication facilities that includes 2430
more than one computer system that has the capability to 2431
transmit among the connected computers and communication 2432
facilities through the use of computer facilities. 2433

(P) "Computer program" means an ordered set of data 2434

representing coded instructions or statements that, when 2435
executed by a computer, cause the computer to process data. 2436

(Q) "Computer software" means computer programs, 2437
procedures, and other documentation associated with the 2438
operation of a computer system. 2439

(R) "Data" means a representation of information, 2440
knowledge, facts, concepts, or instructions that are being or 2441
have been prepared in a formalized manner and that are intended 2442
for use in a computer, computer system, or computer network. For 2443
purposes of section 2913.47 of the Revised Code, "data" has the 2444
additional meaning set forth in division (A) of that section. 2445

(S) "Cable television service" means any services provided 2446
by or through the facilities of any cable television system or 2447
other similar closed circuit coaxial cable communications 2448
system, or any microwave or similar transmission service used in 2449
connection with any cable television system or other similar 2450
closed circuit coaxial cable communications system. 2451

(T) "Gain access" means to approach, instruct, communicate 2452
with, store data in, retrieve data from, or otherwise make use 2453
of any resources of a computer, computer system, or computer 2454
network, or any cable service or cable system both as defined in 2455
section 2913.04 of the Revised Code. 2456

(U) "Credit card" includes, but is not limited to, a card, 2457
code, device, or other means of access to a customer's account 2458
for the purpose of obtaining money, property, labor, or services 2459
on credit, or for initiating an electronic fund transfer at a 2460
point-of-sale terminal, an automated teller machine, or a cash 2461
dispensing machine. It also includes a county procurement card 2462
issued under section 301.29 of the Revised Code. 2463

(V) "Electronic fund transfer" has the same meaning as in 2464
92 Stat. 3728, 15 U.S.C.A. 1693a, as amended. 2465

(W) "Rented property" means personal property in which the 2466
right of possession and use of the property is for a short and 2467
possibly indeterminate term in return for consideration; the 2468
rentee generally controls the duration of possession of the 2469
property, within any applicable minimum or maximum term; and the 2470
amount of consideration generally is determined by the duration 2471
of possession of the property. 2472

(X) "Telecommunication" means the origination, emission, 2473
dissemination, transmission, or reception of data, images, 2474
signals, sounds, or other intelligence or equivalence of 2475
intelligence of any nature over any communications system by any 2476
method, including, but not limited to, a fiber optic, 2477
electronic, magnetic, optical, digital, or analog method. 2478

(Y) "Telecommunications device" means any instrument, 2479
equipment, machine, or other device that facilitates 2480
telecommunication, including, but not limited to, a computer, 2481
computer network, computer chip, computer circuit, scanner, 2482
telephone, cellular telephone, pager, personal communications 2483
device, transponder, receiver, radio, modem, or device that 2484
enables the use of a modem. 2485

(Z) "Telecommunications service" means the providing, 2486
allowing, facilitating, or generating of any form of 2487
telecommunication through the use of a telecommunications device 2488
over a telecommunications system. 2489

(AA) "Counterfeit telecommunications device" means a 2490
telecommunications device that, alone or with another 2491
telecommunications device, has been altered, constructed, 2492

manufactured, or programmed to acquire, intercept, receive, or 2493
otherwise facilitate the use of a telecommunications service or 2494
information service without the authority or consent of the 2495
provider of the telecommunications service or information 2496
service. "Counterfeit telecommunications device" includes, but 2497
is not limited to, a clone telephone, clone microchip, tumbler 2498
telephone, or tumbler microchip; a wireless scanning device 2499
capable of acquiring, intercepting, receiving, or otherwise 2500
facilitating the use of telecommunications service or 2501
information service without immediate detection; or a device, 2502
equipment, hardware, or software designed for, or capable of, 2503
altering or changing the electronic serial number in a wireless 2504
telephone. 2505

(BB) (1) "Information service" means, subject to division 2506
(BB) (2) of this section, the offering of a capability for 2507
generating, acquiring, storing, transforming, processing, 2508
retrieving, utilizing, or making available information via 2509
telecommunications, including, but not limited to, electronic 2510
publishing. 2511

(2) "Information service" does not include any use of a 2512
capability of a type described in division (BB) (1) of this 2513
section for the management, control, or operation of a 2514
telecommunications system or the management of a 2515
telecommunications service. 2516

(CC) "Elderly person" means a person who is sixty-five 2517
years of age or older. 2518

(DD) "Disabled adult" means a person who is eighteen years 2519
of age or older and has some impairment of body or mind that 2520
makes the person unable to work at any substantially 2521
remunerative employment that the person otherwise would be able 2522

to perform and that will, with reasonable probability, continue 2523
for a period of at least twelve months without any present 2524
indication of recovery from the impairment, or who is eighteen 2525
years of age or older and has been certified as permanently and 2526
totally disabled by an agency of this state or the United States 2527
that has the function of so classifying persons. 2528

(EE) "Firearm" and "dangerous ordnance" have the same 2529
meanings as in section 2923.11 of the Revised Code. 2530

(FF) "Motor vehicle" has the same meaning as in section 2531
4501.01 of the Revised Code. 2532

(GG) "Dangerous drug" has the same meaning as in section 2533
4729.01 of the Revised Code. 2534

(HH) "Drug abuse offense" has the same meaning as in 2535
section 2925.01 of the Revised Code. 2536

(II) (1) "Computer hacking" means any of the following: 2537

(a) Gaining access or attempting to gain access to all or 2538
part of a computer, computer system, or a computer network 2539
without express or implied authorization with the intent to 2540
defraud or with intent to commit a crime; 2541

(b) Misusing computer or network services including, but 2542
not limited to, mail transfer programs, file transfer programs, 2543
proxy servers, and web servers by performing functions not 2544
authorized by the owner of the computer, computer system, or 2545
computer network or other person authorized to give consent. As 2546
used in this division, "misuse of computer and network services" 2547
includes, but is not limited to, the unauthorized use of any of 2548
the following: 2549

(i) Mail transfer programs to send mail to persons other 2550

than the authorized users of that computer or computer network; 2551

(ii) File transfer program proxy services or proxy servers 2552
to access other computers, computer systems, or computer 2553
networks; 2554

(iii) Web servers to redirect users to other web pages or 2555
web servers. 2556

(c)(i) Subject to division (II)(1)(c)(ii) of this section, 2557
using a group of computer programs commonly known as "port 2558
scanners" or "probes" to intentionally access any computer, 2559
computer system, or computer network without the permission of 2560
the owner of the computer, computer system, or computer network 2561
or other person authorized to give consent. The group of 2562
computer programs referred to in this division includes, but is 2563
not limited to, those computer programs that use a computer 2564
network to access a computer, computer system, or another 2565
computer network to determine any of the following: the presence 2566
or types of computers or computer systems on a network; the 2567
computer network's facilities and capabilities; the availability 2568
of computer or network services; the presence or versions of 2569
computer software including, but not limited to, operating 2570
systems, computer services, or computer contaminants; the 2571
presence of a known computer software deficiency that can be 2572
used to gain unauthorized access to a computer, computer system, 2573
or computer network; or any other information about a computer, 2574
computer system, or computer network not necessary for the 2575
normal and lawful operation of the computer initiating the 2576
access. 2577

(ii) The group of computer programs referred to in 2578
division (II)(1)(c)(i) of this section does not include standard 2579
computer software used for the normal operation, administration, 2580

management, and test of a computer, computer system, or computer 2581
network including, but not limited to, domain name services, 2582
mail transfer services, and other operating system services, 2583
computer programs commonly called "ping," "tcpdump," and 2584
"traceroute" and other network monitoring and management 2585
computer software, and computer programs commonly known as 2586
"nslookup" and "whois" and other systems administration computer 2587
software. 2588

(d) The intentional use of a computer, computer system, or 2589
a computer network in a manner that exceeds any right or 2590
permission granted by the owner of the computer, computer 2591
system, or computer network or other person authorized to give 2592
consent. 2593

(2) "Computer hacking" does not include the introduction 2594
of a computer contaminant, as defined in section 2909.01 of the 2595
Revised Code, into a computer, computer system, computer 2596
program, or computer network. 2597

(JJ) "Police dog or horse" has the same meaning as in 2598
section 2921.321 of the Revised Code. 2599

(KK) "Anhydrous ammonia" is a compound formed by the 2600
combination of two gaseous elements, nitrogen and hydrogen, in 2601
the manner described in this division. Anhydrous ammonia is one 2602
part nitrogen to three parts hydrogen (NH₃). Anhydrous ammonia 2603
by weight is fourteen parts nitrogen to three parts hydrogen, 2604
which is approximately eighty-two per cent nitrogen to eighteen 2605
per cent hydrogen. 2606

(LL) "Assistance dog" has the same meaning as in section 2607
~~955.011~~955.021 of the Revised Code. 2608

(MM) "Federally licensed firearms dealer" has the same 2609

meaning as in section 5502.63 of the Revised Code. 2610

(NN) "Active duty service member" means any member of the 2611
armed forces of the United States performing active duty under 2612
title 10 of the United States Code. 2613

Sec. 2921.321. (A) No person shall knowingly cause, or 2614
attempt to cause, physical harm to a police dog or horse in 2615
either of the following circumstances: 2616

(1) The police dog or horse is assisting a law enforcement 2617
officer in the performance of the officer's official duties at 2618
the time the physical harm is caused or attempted. 2619

(2) The police dog or horse is not assisting a law 2620
enforcement officer in the performance of the officer's official 2621
duties at the time the physical harm is caused or attempted, but 2622
the offender has actual knowledge that the dog or horse is a 2623
police dog or horse. 2624

(B) No person shall recklessly do any of the following: 2625

(1) Taunt, torment, or strike a police dog or horse; 2626

(2) Throw an object or substance at a police dog or horse; 2627

(3) Interfere with or obstruct a police dog or horse, or 2628
interfere with or obstruct a law enforcement officer who is 2629
being assisted by a police dog or horse, in a manner that does 2630
any of the following: 2631

(a) Inhibits or restricts the law enforcement officer's 2632
control of the police dog or horse; 2633

(b) Deprives the law enforcement officer of control of the 2634
police dog or horse; 2635

(c) Releases the police dog or horse from its area of 2636

control; 2637

(d) Enters the area of control of the police dog or horse 2638
without the consent of the law enforcement officer, including 2639
placing food or any other object or substance into that area; 2640

(e) Inhibits or restricts the ability of the police dog or 2641
horse to assist a law enforcement officer. 2642

(4) Engage in any conduct that is likely to cause serious 2643
physical injury or death to a police dog or horse; 2644

(5) If the person is the owner, keeper, or harbinger of a 2645
dog, fail to reasonably restrain the dog from taunting, 2646
tormenting, chasing, approaching in a menacing fashion or 2647
apparent attitude of attack, or attempting to bite or otherwise 2648
endanger a police dog or horse that at the time of the conduct, 2649
the police dog or horse is assisting a law enforcement officer 2650
in the performance of the officer's duties or that the person 2651
knows is a police dog or horse. 2652

(C) No person shall knowingly cause, or attempt to cause, 2653
physical harm to an assistance dog in either of the following 2654
circumstances: 2655

(1) The dog, at the time the physical harm is caused or 2656
attempted, is assisting or serving a person who is blind, deaf, 2657
or hearing impaired or a person with a mobility impairment. 2658

(2) The dog, at the time the physical harm is caused or 2659
attempted, is not assisting or serving a person who is blind, 2660
deaf, or hearing impaired or a person with a mobility 2661
impairment, but the offender has actual knowledge that the dog 2662
is an assistance dog. 2663

(D) No person shall recklessly do any of the following: 2664

(1) Taunt, torment, or strike an assistance dog;	2665
(2) Throw an object or substance at an assistance dog;	2666
(3) Interfere with or obstruct an assistance dog, or	2667
interfere with or obstruct a person who is blind, deaf, or	2668
hearing impaired or a person with a mobility impairment who is	2669
being assisted or served by an assistance dog, in a manner that	2670
does any of the following:	2671
(a) Inhibits or restricts the assisted or served person's	2672
control of the dog;	2673
(b) Deprives the assisted or served person of control of	2674
the dog;	2675
(c) Releases the dog from its area of control;	2676
(d) Enters the area of control of the dog without the	2677
consent of the assisted or served person, including placing food	2678
or any other object or substance into that area;	2679
(e) Inhibits or restricts the ability of the dog to assist	2680
the assisted or served person.	2681
(4) Engage in any conduct that is likely to cause serious	2682
physical injury or death to an assistance dog;	2683
(5) If the person is the owner, keeper, or harbinger of a	2684
dog, fail to reasonably restrain the dog from taunting,	2685
tormenting, chasing, approaching in a menacing fashion or	2686
apparent attitude of attack, or attempting to bite or otherwise	2687
endanger an assistance dog that at the time of the conduct is	2688
assisting or serving a person who is blind, deaf, or hearing	2689
impaired or a person with a mobility impairment or that the	2690
person knows is an assistance dog.	2691

(E) (1) Whoever violates division (A) of this section is 2692
guilty of assaulting a police dog or horse, and shall be 2693
punished as provided in divisions (E) (1) (a) and (b) of this 2694
section. 2695

(a) Except as otherwise provided in this division, 2696
assaulting a police dog or horse is a misdemeanor of the second 2697
degree. If the violation results in the death of the police dog 2698
or horse, assaulting a police dog or horse is a felony of the 2699
third degree and the court shall impose as a mandatory prison 2700
term one of the definite prison terms prescribed in division (A) 2701
(3) (b) of section 2929.14 of the Revised Code for a felony of 2702
the third degree. If the violation results in serious physical 2703
harm to the police dog or horse other than its death, assaulting 2704
a police dog or horse is a felony of the fourth degree. If the 2705
violation results in physical harm to the police dog or horse 2706
other than death or serious physical harm, assaulting a police 2707
dog or horse is a misdemeanor of the first degree. 2708

(b) In addition to any other sanction imposed for 2709
assaulting a police dog or horse, if the violation of division 2710
(A) of this section results in the death of the police dog or 2711
horse, the sentencing court shall impose as a financial sanction 2712
a mandatory fine under division (B) (10) of section 2929.18 of 2713
the Revised Code. The fine shall be paid to the law enforcement 2714
agency that was served by the police dog or horse that was 2715
killed, and shall be used by that agency only for one or more of 2716
the following purposes: 2717

(i) If the dog or horse was not owned by the agency, the 2718
payment to the owner of the dog or horse of the cost of the dog 2719
or horse and the cost of the training of the dog or horse to 2720
qualify it as a police dog or horse, if that cost has not 2721

previously been paid by the agency; 2722

(ii) After payment of the costs described in division (E) 2723
(1) (b) (i) of this section, if applicable, payment of the cost of 2724
replacing the dog or horse that was killed; 2725

(iii) After payment of the costs described in division (E) 2726
(1) (b) (i) of this section, if applicable, payment of the cost of 2727
training the replacement dog or horse to qualify it as a police 2728
dog or horse; 2729

(iv) After payment of the costs described in division (E) 2730
(1) (b) (i) of this section, if applicable, payment of the cost of 2731
further training of the replacement dog or horse that is needed 2732
to train it to the level of training that had been achieved by 2733
the dog or horse that was killed. 2734

(2) Whoever violates division (B) of this section is 2735
guilty of harassing a police dog or horse. Except as otherwise 2736
provided in this division, harassing a police dog or horse is a 2737
misdemeanor of the second degree. If the violation results in 2738
the death of the police dog or horse, harassing a police dog or 2739
horse is a felony of the third degree. If the violation results 2740
in serious physical harm to the police dog or horse, but does 2741
not result in its death, harassing a police dog or horse, is a 2742
felony of the fourth degree. If the violation results in 2743
physical harm to the police dog or horse, but does not result in 2744
its death or in serious physical harm to it, harassing a police 2745
dog or horse is a misdemeanor of the first degree. 2746

(3) Whoever violates division (C) of this section is 2747
guilty of assaulting an assistance dog. Except as otherwise 2748
provided in this division, assaulting an assistance dog is a 2749
misdemeanor of the second degree. If the violation results in 2750

the death of the assistance dog, assaulting an assistance dog is 2751
a felony of the third degree. If the violation results in 2752
serious physical harm to the assistance dog other than its 2753
death, assaulting an assistance dog is a felony of the fourth 2754
degree. If the violation results in physical harm to the 2755
assistance dog other than death or serious physical harm, 2756
assaulting an assistance dog is a misdemeanor of the first 2757
degree. 2758

(4) Whoever violates division (D) of this section is 2759
guilty of harassing an assistance dog. Except as otherwise 2760
provided in this division, harassing an assistance dog is a 2761
misdemeanor of the second degree. If the violation results in 2762
the death of the assistance dog, harassing an assistance dog is 2763
a felony of the third degree. If the violation results in 2764
serious physical harm to the assistance dog, but does not result 2765
in its death, harassing an assistance dog is a felony of the 2766
fourth degree. If the violation results in physical harm to the 2767
assistance dog, but does not result in its death or in serious 2768
physical harm to it, harassing an assistance dog is a 2769
misdemeanor of the first degree. 2770

(5) In addition to any other sanction or penalty imposed 2771
for the offense under this section, Chapter 2929., or any other 2772
provision of the Revised Code, whoever violates division (A), 2773
(B), (C), or (D) of this section is responsible for the payment 2774
of all of the following: 2775

(a) Any veterinary bill or bill for medication incurred as 2776
a result of the violation by the police department regarding a 2777
violation of division (A) or (B) of this section or by the 2778
person who is blind, deaf, or hearing impaired or the person 2779
with a mobility impairment assisted or served by the assistance 2780

dog regarding a violation of division (C) or (D) of this 2781
section; 2782

(b) The cost of any damaged equipment that results from 2783
the violation; 2784

(c) If the violation did not result in the death of the 2785
police dog or horse or the assistance dog that was the subject 2786
of the violation and if, as a result of that dog or horse being 2787
the subject of the violation, the dog or horse needs further 2788
training or retraining to be able to continue in the capacity of 2789
a police dog or horse or an assistance dog, the cost of any 2790
further training or retraining of that dog or horse by a law 2791
enforcement officer or by the person who is blind, deaf, or 2792
hearing impaired or the person with a mobility impairment 2793
assisted or served by the assistance dog; 2794

(d) If the violation resulted in the death of the 2795
assistance dog that was the subject of the violation or resulted 2796
in serious physical harm to the police dog or horse or the 2797
assistance dog or horse that was the subject of the violation to 2798
the extent that the dog or horse needs to be replaced on either 2799
a temporary or a permanent basis, the cost of replacing that dog 2800
or horse and of any further training of a new police dog or 2801
horse or a new assistance dog by a law enforcement officer or by 2802
the person who is blind, deaf, or hearing impaired or the person 2803
with a mobility impairment assisted or served by the assistance 2804
dog, which replacement or training is required because of the 2805
death of or the serious physical harm to the dog or horse that 2806
was the subject of the violation. 2807

(F) This section does not apply to a licensed veterinarian 2808
whose conduct is in accordance with Chapter 4741. of the Revised 2809
Code. 2810

(G) This section only applies to an offender who knows or 2811
should know at the time of the violation that the police dog or 2812
horse or assistance dog that is the subject of a violation under 2813
this section is a police dog or horse or an assistance dog. 2814

(H) As used in this section: 2815

(1) "Physical harm" means any injury, illness, or other 2816
physiological impairment, regardless of its gravity or duration. 2817

(2) "Police dog or horse" means a dog or horse that has 2818
been trained, and may be used, to assist law enforcement 2819
officers in the performance of their official duties. 2820

(3) "Serious physical harm" means any of the following: 2821

(a) Any physical harm that carries a substantial risk of 2822
death; 2823

(b) Any physical harm that causes permanent maiming or 2824
that involves some temporary, substantial maiming; 2825

(c) Any physical harm that causes acute pain of a duration 2826
that results in substantial suffering. 2827

(4) "Assistance dog," "blind," and "person with a mobility 2828
impairment" have the same meanings as in section ~~955.011~~955.021 2829
of the Revised Code. 2830

Section 2. That existing sections 304.02, 304.03, 715.23, 2831
901.80, 935.03, 955.01, 955.011, 955.012, 955.013, 955.02, 2832
955.03, 955.04, 955.05, 955.06, 955.07, 955.09, 955.10, 955.11, 2833
955.12, 955.121, 955.14, 955.16, 955.20, 955.22, 955.221, 2834
955.222, 955.26, 955.261, 955.40, 955.43, 955.44, 955.50, 2835
955.54, 959.132, 1533.12, 1901.18, 1907.031, 2913.01, and 2836
2921.321 of the Revised Code are hereby repealed. 2837

Section 3. That sections 955.08, 955.21, 955.23, 955.24,
955.25, 955.39, 955.51, 955.52, 955.53, and 955.99 of the
Revised Code are hereby repealed.

Section 4. The owner of a dog who holds a valid dangerous
dog registration certificate for the dog that was issued under
division (I) of section 955.22 of the Revised Code as that
section existed prior to its amendment by this act shall renew
the certificate beginning on the first day of December of the
year in which this section takes effect, but not later than the
thirty-first day of January of the subsequent year regardless of
when the owner would have been required to renew the certificate
under former law. Except as otherwise provided in this section,
the owner shall file the application in accordance with section
955.02 of the Revised Code as amended by this act.

If the renewal required by this section results in a
reduction of the registration period for which the owner paid
fifty dollars under former law, the owner shall pay a
registration fee for the renewal required by this section in an
amount that is prorated as determined by the county auditor of
the county in which the owner resides. Thereafter, the owner
shall renew the dangerous dog registration certificate in
accordance with section 955.02 of the Revised Code as amended by
this act.

Section 5. This act shall be known as Avery's Law.

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