

As Introduced

136th General Assembly

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H. B. No. 247

Representative Miller, K.

**Cosponsors: Representatives Robb Blasdel, Brennan, Hall, T., Hiner, Johnson,
Ray, Stewart, Sigrist, White, A.**

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 section 955.60; 15
and to repeal sections 955.08, 955.21, 955.23, 16
955.24, 955.25, 955.39, 955.51, 955.52, 955.53, 17
and 955.99 of the Revised Code to make changes 18
to the laws governing dogs, including dangerous 19
and vicious dogs. 20

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

Section 1. That sections 304.02, 304.03, 715.23, 901.80, 21
935.03, 955.01, 955.011, 955.012, 955.02, 955.03, 955.04, 22
955.05, 955.06, 955.07, 955.10, 955.11, 955.12, 955.121, 955.14, 23
955.16, 955.20, 955.22, 955.221, 955.222, 955.26, 955.261, 24
955.40, 955.43, 955.44, 955.50, 955.54, 959.132, 1533.12, 25
1901.18, 1907.031, 2913.01, and 2921.321 be amended; sections 26
955.01 (955.02), 955.011 (955.021), 955.012 (955.022), 955.013 27
(955.023), 955.02 (955.01), 955.09 (955.08), 955.10 (955.09), 28
955.22 (955.24), 955.221 (955.10), 955.222 (955.23), and 955.40 29
(955.262) be amended for the purpose of adopting new section 30
numbers as indicated in parentheses; and new sections 955.21 and 31
955.22 and section 955.60 of the Revised Code be enacted to read 32
as follows: 33

Sec. 304.02. Prior to the use of electronic records and 34
electronic signatures by a county office under Chapter 1306. of 35
the Revised Code, and except as otherwise provided in section 36
~~955.013~~ 955.023 of the Revised Code, a county office shall 37
adopt, in writing, a security procedure for the purpose of 38
verifying that an electronic signature, record, or performance 39
is that of a specific person or for detecting changes or errors 40
in the information in an electronic record. A security procedure 41
includes, but is not limited to, a procedure that requires the 42
use of algorithms or other codes, identifying words or numbers, 43
encryption, or callback or other acknowledgment procedures. 44

Sec. 304.03. (A) Whenever any rule or law requires or 45
authorizes the filing of any information, notice, lien, or other 46
document or record with any county office, a filing made by an 47
electronic record shall have the same force and effect as a 48
filing made on paper in all cases where the county office has 49
authorized or agreed to the electronic filing and the filing is 50
made in accordance with applicable rules or an applicable 51

agreement. 52

(B) Nothing in this section authorizes or shall be 53
construed to authorize the use of a financial transaction device 54
in an electronic transaction for the acceptance of payments for 55
county expenses, except pursuant to section 301.28 or ~~955.013~~ 56
955.023 of the Revised Code. 57

(C) As used in this section, "financial transaction 58
device" and "county expenses" have the same meanings as in 59
section 301.28 of the Revised Code. 60

Sec. 715.23. Except as otherwise provided in section 61
~~955.221~~ 955.10 of the Revised Code regarding dogs, a municipal 62
corporation may regulate, restrain, or prohibit the running at 63
large, within the municipal corporation, of cattle, horses, 64
swine, sheep, goats, geese, chickens, or other fowl or animals, 65
impound and hold the fowl or animals, and, on notice to the 66
owners, authorize the sale of the fowl or animals for the 67
penalty imposed by any ordinance, and the cost and expenses of 68
the proceedings. 69

Sec. 901.80. (A) As used in this section: 70

(1) "Agricultural production" has the same meaning as in 71
section 929.01 of the Revised Code. 72

(2) "Agritourism" means an agriculturally related 73
educational, entertainment, historical, cultural, or 74
recreational activity, including you-pick operations or farm 75
markets, conducted on a farm that allows or invites members of 76
the general public to observe, participate in, or enjoy that 77
activity. 78

(3) "Agritourism provider" means a person who owns, 79
operates, provides, or sponsors an agritourism activity or an 80

employee of such a person who engages in or provides agritourism activities whether or not for a fee.	81 82
(4) "Farm" means land that is composed of tracts, lots, or parcels totaling not less than ten acres devoted to agricultural production or totaling less than ten acres devoted to agricultural production if the land produces an average yearly gross income of at least twenty-five hundred dollars from agricultural production.	83 84 85 86 87 88
(5) "Participant" means an individual, other than an agritourism provider, who observes or participates in an agritourism activity.	89 90 91
(6) "Risk inherent in an agritourism activity" means a danger or condition that is an integral part of an agritourism activity, including all of the following:	92 93 94
(a) The surface and subsurface conditions of land;	95
(b) The behavior or actions of wild animals not kept by or under the control of an agritourism provider;	96 97
(c) The behavior or actions of domestic animals other than vicious or dangerous dogs as defined in section 955.11 <u>955.01</u> of the Revised Code;	98 99 100
(d) The ordinary dangers associated with structures or equipment ordinarily used in farming or ranching operations;	101 102
(e) The possibility of contracting illness resulting from physical contact with animals, animal feed, animal waste, or surfaces contaminated by animal waste;	103 104 105
(f) The possibility that a participant may act in a negligent manner, including by failing to follow instructions given by the agritourism provider or by failing to exercise	106 107 108

reasonable caution while engaging in the agritourism activity 109
that may contribute to injury to that participant or another 110
participant. 111

(B) In a civil action, an agritourism provider is immune 112
from liability for any harm a participant sustains during an 113
agritourism activity if the participant is harmed as a result of 114
a risk inherent in an agritourism activity. Nothing in this 115
section requires an agritourism provider to eliminate risks 116
inherent in agritourism activities. 117

(C) An agritourism provider is not immune from civil 118
liability for harm sustained by a participant if any of the 119
following applies: 120

(1) The agritourism provider acts with a willful or wanton 121
disregard for the safety of the participant and proximately 122
causes harm to the participant. 123

(2) The agritourism provider purposefully causes harm to 124
the participant. 125

(3) The agritourism provider's actions or inactions 126
constitute criminal conduct and cause harm to the participant. 127

(4) The agritourism provider fails to post and maintain 128
signs as required by division (D) of this section. 129

(5) The agritourism provider has actual knowledge or 130
should have actual knowledge of an existing dangerous condition 131
on the land or regarding facilities or equipment on the land 132
that is not an inherent risk and does not make the dangerous 133
condition known to the participant, and the dangerous condition 134
proximately causes injury or damage to or the death of the 135
participant. 136

(D) An agritourism provider shall post and maintain signs 137
that contain the warning notice specified in this division. The 138
provider shall place a sign in a clearly visible location at or 139
near each entrance to the agritourism location or at the site of 140
each agritourism activity. The warning notice shall consist of a 141
sign in black letters with each letter to be a minimum of one 142
inch in height. The signs shall contain the following notice of 143
warning: "WARNING: Under Ohio law, there is no liability for an 144
injury to or death of a participant in an agritourism activity 145
conducted at this agritourism location if that injury or death 146
results from the inherent risks of that agritourism activity. 147
Inherent risks of agritourism activities include, but are not 148
limited to, the risk of injury inherent to land, equipment, and 149
animals as well as the potential for you as a participant to act 150
in a negligent manner that may contribute to your injury or 151
death. You are assuming the risk of participating in this 152
agritourism activity." 153

Sec. 935.03. (A) Division (A) of section 935.02 of the 154
Revised Code does not apply to any of the following: 155

(1) A person to which all of the following apply: 156

(a) The person possesses a dangerous wild animal. 157

(b) The person has been issued a license by the United 158
States department of agriculture under the federal animal 159
welfare act. 160

(c) The director of agriculture has determined that the 161
person is in the process of becoming an accredited member of the 162
association of zoos and aquariums or the zoological association 163
of America. 164

(d) The director has informed the person that the person 165

is exempt from division (A) of section 935.02 of the Revised Code.	166 167
(2) An organization to which all of the following apply:	168
(a) The organization possesses a dangerous wild animal.	169
(b) The director has determined that the organization is in the process of being accredited or verified by the global federation of animal sanctuaries as a wildlife sanctuary.	170 171 172
(c) The director has informed the organization that it is exempt from division (A) of section 935.02 of the Revised Code.	173 174
(3) A person whose possession of a dangerous wild animal is authorized by an unexpired permit issued under this chapter.	175 176
(B) Except for the purposes of divisions (A) and (B) of section 935.04 of the Revised Code, this chapter does not apply to any of the following:	177 178 179
(1) A facility that is an accredited member of the association of zoos and aquariums or the zoological association of America and that is licensed by the United States department of agriculture under the federal animal welfare act;	180 181 182 183
(2) A research facility as defined in the federal animal welfare act;	184 185
(3) A research facility that is accredited by the association for the assessment and accreditation of laboratory animal care international;	186 187 188
(4) A circus;	189
(5) A wildlife rehabilitation facility that is issued a permit by the chief of the division of wildlife in rules adopted under section 1531.08 of the Revised Code and that rehabilitates	190 191 192

dangerous wild animals or restricted snakes that are native to	193
the state for the purpose of reintroduction into the wild;	194
(6) A veterinarian that is providing temporary veterinary	195
care to a dangerous wild animal or restricted snake;	196
(7) A wildlife sanctuary;	197
(8) An individual who does not reside in this state, is	198
traveling through this state with a dangerous wild animal or	199
restricted snake, and does all of the following:	200
(a) Confines the animal or snake in a cage at all times;	201
(b) Confines the animal or snake in a cage that is not	202
accessible to the public;	203
(c) Does not exhibit the animal or snake;	204
(d) Is in the state not more than forty-eight hours unless	205
the animal or snake is receiving veterinary care.	206
(9) An educational institution that displays a single	207
dangerous wild animal as a sports mascot and that meets all of	208
the following criteria:	209
(a) An official of the educational institution has	210
submitted an affidavit attesting that the institution will care	211
for the animal as long as the animal lives and in a facility	212
that is an accredited member of the association of zoos and	213
aquariums or the zoological association of America.	214
(b) The educational institution maintains a liability	215
insurance policy with an insurer authorized or approved to write	216
such insurance in this state that covers claims for injury or	217
damage to persons or property caused by a dangerous wild animal.	218
The amount of the insurance coverage shall be not less than one	219

million dollars.	220
(c) During display and transport, the educational institution confines the dangerous wild animal in a cage that does not permit physical contact between the animal and the public.	221 222 223 224
(d) The educational institution began displaying a dangerous wild animal as a mascot prior to September 5, 2012.	225 226
(10) Any person who has been issued a permit under section 1533.08 of the Revised Code, provided that the permit lists each specimen of wild animal that is a dangerous wild animal or restricted snake in the person's possession;	227 228 229 230
(11) Any person authorized to possess a dangerous wild animal or restricted snake under section 1531.25 of the Revised Code or rules adopted under it;	231 232 233
(12) A person with a mobility impairment, as defined in section 955.011 <u>955.021</u> of the Revised Code, who possesses a dangerous wild animal specified in division (C) (20) (h) of section 935.01 of the Revised Code that has been trained by a nonprofit agency or is in such training to assist the person with a mobility impairment;	234 235 236 237 238 239
(13) A deaf or hearing-impaired person who possesses a dangerous wild animal specified in division (C) (20) (h) of section 935.01 of the Revised Code that has been trained by a nonprofit agency or is in such training to assist the deaf or hearing-impaired person;	240 241 242 243 244
(14) A person who is blind, as defined in section 955.011 <u>955.021</u> of the Revised Code, and possesses a dangerous wild animal specified in division (C) (20) (h) of section 935.01 of the Revised Code that has been trained by a nonprofit agency or is	245 246 247 248

in such training to assist the blind person. 249

Sec. ~~955.02~~ 955.01. As used in this chapter, ~~"dog kennel":~~ 250

(A) "Vicious dog" means a dog that has been designated as 251
such in accordance with section 955.23 of the Revised Code or a 252
dog that has previously engaged in a vicious dog act when 253
evidence of such engagement is presented to a court and the 254
court determines that the dog has engaged in a previous vicious 255
dog act. 256

(B) "Dangerous dog" means a dog that has been designated 257
as such in accordance with section 955.23 of the Revised Code or 258
a dog that has previously engaged in a dangerous dog act when 259
evidence of such engagement is presented to a court and the 260
court determines that the dog has engaged in a previous 261
dangerous dog act. 262

(C) "Nuisance dog" means a dog that has been designated as 263
such in accordance with section 955.23 of the Revised Code or a 264
dog that has previously engaged in a nuisance dog act when 265
evidence of such engagement is presented to a court and the 266
court determines that the dog has engaged in a previous nuisance 267
dog act. 268

(D) "Nuisance dog act," "dangerous dog act," and "vicious 269
dog act" have the same meanings as in section 955.22 of the 270
Revised Code. 271

(E) "Police dog" means a dog that has been trained, and 272
may be used, to assist one or more law enforcement officers in 273
the performance of their official duties. 274

(F) "Dog kennel" or "kennel" means an establishment that 275
keeps, houses, and maintains adult dogs, as defined in section 276
956.01 of the Revised Code, for the purpose of breeding the dogs 277

for a fee or other consideration received through a sale, 278
exchange, or lease and that is not a high volume breeder 279
licensed under Chapter 956. of the Revised Code. 280

Sec. ~~955.01~~ 955.02. (A) (1) Except as otherwise provided in 281
this section or in sections ~~955.011, 955.012~~955.021, 955.022, 282
and 955.16 of the Revised Code, every person who owns, keeps, or 283
harbors a dog more than three months of age shall file, on or 284
after the first day of the applicable December, but before the 285
thirty-first day of the applicable January, in the office of the 286
county auditor of the county in which the dog is kept or 287
harbored, an application for registration for a period of one 288
year or three years or an application for a permanent 289
registration. The board of county commissioners, by resolution, 290
may extend the period for filing the application. The 291
~~application~~applicant shall state the age, sex, color, character 292
of hair, whether short or long, and breed, if known, of the dog 293
and the name and address of the owner of the dog on the 294
application. ~~A~~Along with the application, the applicant shall 295
submit a registration fee of two dollars for each year of 296
registration for a one-year or three-year registration or twenty 297
dollars for a permanent registration for each dog ~~shall~~ 298
~~accompany the application~~. However, the fee may exceed that 299
amount if a greater fee has been established under division (A) 300
(2) of this section or under section 955.14 of the Revised Code. 301

(2) A board of county commissioners may establish a 302
registration fee higher than the one provided for in division 303
(A) (1) of this section for ~~dogs~~a dog more than nine months of 304
age that ~~have~~has not been spayed or neutered, except that the 305
higher registration fee permitted by this division ~~shall~~does 306
not apply if ~~a~~the person registering ~~a~~the dog furnishes any of 307
the following with the application ~~either a~~: 308

(a) A certificate from a licensed veterinarian verifying 309
that the dog should not be spayed or neutered because of its age 310
or medical condition ~~or~~; 311

(b) A certificate from a licensed veterinarian verifying 312
that the dog should not be spayed or neutered because the dog is 313
used or intended for use for show or breeding purposes ~~or a~~; 314

(c) A certificate from the owner of the dog declaring that 315
the owner holds a valid hunting license issued by the division 316
of wildlife of the department of natural resources and that the 317
dog is used or intended for use for hunting purposes. 318

(3) If the board establishes ~~such a~~ fee under division (A) 319
(2) of this section, the application for registration shall 320
state whether the dog is spayed or neutered, and whether a 321
licensed veterinarian has certified that the dog should not be 322
spayed or neutered or the owner has stated that the dog is used 323
or intended to be used for hunting purposes. The board may 324
require a person who is registering a spayed or neutered dog to 325
furnish with the application a certificate from a licensed 326
veterinarian verifying that the dog is spayed or neutered. 327

~~No person shall furnish a certificate under this division~~ 328
~~that the person knows to be false.~~ 329

(B) If the application for registration is not filed and 330
the registration fee paid, on or before the thirty-first day of 331
the applicable January of each year or, if the board of county 332
commissioners by resolution has extended the date to a date 333
later than the thirty-first day of January, the date established 334
by the board, the auditor shall assess a penalty in an amount 335
equal to the registration fee for one year upon the owner, 336
keeper, or harbinger, which shall be paid with the registration 337

fee. 338

(C) A person who is the owner, keeper, or harborer of a 339
dangerous dog or vicious dog shall register the dog with both 340
the county auditor under division (A) of this section and with 341
the county dog warden under division (D) of this section. 342

(D) (1) A person who is the owner, keeper, or harborer of a 343
dangerous dog or vicious dog shall apply for a dangerous dog 344
registration to the county dog warden and submit all of the 345
following to the dog warden: 346

(a) A fee of fifty dollars; 347

(b) The person's address, telephone number, and other 348
appropriate means for the dog warden to contact the person, 349
along with proof that the person is eighteen years of age or 350
older; 351

(c) With respect to the person and the dog for which the 352
dangerous dog registration is required, all of the following: 353

(i) Either satisfactory evidence of the dog's current 354
rabies vaccination or a statement from a licensed veterinarian 355
that a rabies vaccination is medically contraindicated for the 356
dog; 357

(ii) Either satisfactory evidence of the fact that the dog 358
has been neutered or spayed or a statement from a licensed 359
veterinarian that neutering or spaying of the dog is medically 360
contraindicated; 361

(iii) Satisfactory evidence of the fact that the person 362
has posted and will continue to post clearly visible signs at 363
the person's residence warning both minors and adults of the 364
presence of a dangerous dog on the property; 365

(iv) Satisfactory evidence of the fact that the dog has 366
been permanently identified by means of a microchip and the 367
dog's microchip number. 368

(2) The person shall renew the dangerous dog registration 369
annually for the same fee and in the same manner as the initial 370
registration was obtained. 371

(3) If a dangerous dog registration holder relocates to a 372
new county, the holder shall follow the procedure in division 373
(F) of this section and, upon the expiration of the registration 374
issued in the original county, shall renew the registration in 375
the new county. 376

(E) Upon submission in accordance with division (D) of 377
this section, the county dog warden shall issue a dangerous dog 378
registration to the person. The dog warden also shall provide 379
the owner with a uniformly designed tag that identifies the 380
animal as a vicious or dangerous dog. 381

(F) (1) If the owner of a vicious or dangerous dog for whom 382
a dangerous dog registration has previously been obtained 383
relocates to a new address within the same county, the owner 384
shall provide notice of the new address to the county dog warden 385
within ten days of relocating to the new address. 386

(2) If the owner of a vicious or dangerous dog for whom a 387
dangerous dog registration has previously been obtained 388
relocates to a new address within another county, the owner 389
shall do both of the following within ten days of relocating to 390
the new address: 391

(a) Provide written notice of the new address and a copy 392
of the original dangerous dog registration to the dog warden of 393
the new county; 394

<u>(b) Provide written notice of the new address to the dog</u>	395
<u>warden of the county where the owner previously resided.</u>	396
<u>(G) An animal shelter that keeps or harbors a dog more</u>	397
<u>than three months of age is exempt from paying any registration</u>	398
<u>fees imposed under division (A) or (B) of this section if it is</u>	399
<u>a nonprofit organization that is exempt from federal income</u>	400
<u>taxation under subsection 501(a) and described in subsection</u>	401
<u>501(c) (3) of the "Internal Revenue Code of 1986," 100 Stat.</u>	402
<u>2085, 26 U.S.C. 1.</u>	403
<u>(H) No owner, keeper, or harborer of any dog shall</u>	404
<u>negligently fail to file the application for registration and</u>	405
<u>pay the associated fee as required under division (A) of this</u>	406
<u>section or, if applicable, fail to pay the penalty prescribed in</u>	407
<u>division (B) of this section.</u>	408
<u>(I) No owner, keeper, or harborer of a vicious or</u>	409
<u>dangerous dog shall negligently fail to present a valid</u>	410
<u>dangerous dog registration upon request of any law enforcement</u>	411
<u>officer, dog warden, or public health official charged with</u>	412
<u>enforcing this section.</u>	413
<u>(J) No owner, keeper, or harborer of a dangerous or</u>	414
<u>vicious dog shall negligently fail to do any of the following:</u>	415
<u>(1) Obtain a dangerous dog registration from the dog</u>	416
<u>warden pursuant to this section;</u>	417
<u>(2) Affix a tag that identifies the dog as a dangerous or</u>	418
<u>vicious dog to the dog's collar;</u>	419
<u>(3) Ensure that the dog wears the collar and tag at all</u>	420
<u>times.</u>	421
<u>(K) No person shall recklessly furnish a certificate under</u>	422

division (A) (2) of this section that the person knows to be 423
false. 424

(L) (1) Whoever violates division (H) of this section shall 425
be fined not less than twenty-five dollars or more than one 426
hundred dollars on a first offense, and on each subsequent 427
offense shall be fined not less than seventy-five dollars or 428
more than two hundred fifty dollars and may be imprisoned for 429
not more than thirty days. 430

(2) Whoever violates division (I) of this section is 431
guilty of a minor misdemeanor. 432

(3) Whoever violates division (J) of this section is 433
guilty of a misdemeanor of the fourth degree and a misdemeanor 434
of the third degree on each subsequent offense. 435

(4) Whoever violates division (K) of this section is 436
guilty of a misdemeanor of the first degree. 437

Sec. 955.011 955.021. (A) When an application is made for 438
registration of an assistance dog and the owner can show proof 439
by certificate or other means that the dog is an assistance dog, 440
the owner of the dog shall be exempt from any fee for the 441
registration. Registration for an assistance dog shall be 442
permanent and not subject to annual renewal so long as the dog 443
is an assistance dog. Certificates and tags stamped "Ohio 444
Assistance Dog-Permanent Registration," with registration 445
number, shall be issued upon registration of such a dog. ~~Any-~~ 446
~~certificate and tag stamped "Ohio Service Dog-Permanent-~~ 447
~~Registration," with registration number, that was issued for a~~ 448
~~dog in accordance with this section as it existed on and after~~ 449
~~November 26, 2004, but prior to June 30, 2006, shall remain in-~~ 450
~~effect as valid proof of the registration of the dog on and-~~ 451

~~after November 26, 2004. Duplicate certificates and tags for a 452
dog registered in accordance with this section, upon proper 453
proof of loss, shall be issued and no fee required. Each 454
duplicate certificate and tag that is issued shall be stamped 455
"Ohio Assistance Dog Permanent Registration." 456~~

(B) As used in this section and in sections 955.16 and 457
955.43 of the Revised Code: 458

(1) "Person with a mobility impairment" means any person, 459
regardless of age, who is subject to a physiological impairment 460
regardless of its cause, nature, or extent that renders the 461
person unable to move about without the aid of crutches, a 462
wheelchair, or any other form of support, or that limits the 463
person's functional ability to ambulate, climb, descend, sit, 464
rise, or perform any related function. "Person with a mobility 465
impairment" includes a person with a neurological or 466
psychological disability that limits the person's functional 467
ability to ambulate, climb, descend, sit, rise, or perform any 468
related function. "Person with a mobility impairment" also 469
includes a person with a seizure disorder and a person who is 470
diagnosed with autism. 471

(2) "Blind" means either of the following: 472

(a) Vision twenty/two hundred or less in the better eye 473
with proper correction; 474

(b) Field defect in the better eye with proper correction 475
that contracts the peripheral field so that the diameter of the 476
visual field subtends an angle no greater than twenty degrees. 477

(3) "Assistance dog" means a dog that has been trained by 478
a nonprofit or for-profit special agency and that is one of the 479
following: 480

(a) A guide dog;	481
(b) A hearing dog;	482
(c) A service dog.	483
(4) "Guide dog" means a dog that has been trained or is in training to assist a blind person.	484 485
(5) "Hearing dog" means a dog that has been trained or is in training to assist a deaf or hearing-impaired person.	486 487
(6) "Service dog" means a dog that has been trained or is in training to assist a person with a mobility impairment.	488 489
Sec. 955.012 <u>955.022</u>. (A) As used in this section:	490
(1) "Controlled substance" has the same meaning as in section 3719.01 of the Revised Code.	491 492
(2) "Law enforcement agency" means the state highway patrol, the office of a county sheriff, the police department of a municipal corporation or township, or a township or joint police district.	493 494 495 496
(3) "Law enforcement canine" means a dog regularly utilized by a law enforcement agency for general law enforcement purposes, tracking, or detecting the presence of a controlled substance or explosive.	497 498 499 500
(B) Instead of obtaining an annual registration under section 955.01 <u>955.02</u> of the Revised Code, a law enforcement agency owning, keeping, or harboring a law enforcement canine may obtain an annual registration for the dog as a law enforcement canine under this section. The application for a law enforcement canine registration shall be submitted to the county auditor of the county in which the central office of the law	501 502 503 504 505 506 507

enforcement agency that owns, keeps, or harbors the dog is 508
located, except that for a dog owned, kept, or harbored by the 509
state highway patrol, the application shall be submitted to the 510
county auditor of the county in which is located the state 511
highway patrol post to which the dog and its handler primarily 512
are assigned. The application shall be submitted on or after the 513
first day of December immediately preceding the beginning of the 514
registration year and before the thirty-first day of January of 515
that year. If the period for filing registration applications 516
under division (A) (1) of section ~~955.01~~955.02 of the Revised 517
Code is extended in the county in which a law enforcement canine 518
is to be registered, an application for registration under this 519
section shall be submitted to the county auditor not later than 520
the registration deadline for that year, as so extended. 521

The application for registration of a law enforcement 522
canine shall state the age, sex, hair color, character of hair, 523
whether short or long, and breed, if known, of the dog, the name 524
and address of the owner of the dog, and, if the law enforcement 525
agency keeping or harboring the dog is different from the owner, 526
the name of that law enforcement agency. For a dog owned, kept, 527
or harbored by the police department of a municipal corporation 528
or township or by a township or joint police district, the 529
application shall be signed by the chief of the police 530
department or district. For a dog owned, kept, or harbored by 531
the office of a county sheriff, the application shall be signed 532
by the sheriff. For a dog owned, kept, or harbored by the state 533
highway patrol, the application shall be signed by the officer 534
in charge of the post of the state highway patrol to which the 535
dog and its handler primarily are assigned. The application 536
shall include a certification by the chief of the police 537
department or district, sheriff, or officer of the state highway 538

patrol post, as applicable, that the dog described in the 539
application has been properly trained to carry out one or more 540
of the purposes described in division (A)(3) of this section and 541
actually is used for one or more of those purposes by the law 542
enforcement agency making the application. 543

No fee is required for issuance of a law enforcement 544
canine registration. Upon proper proof of loss, a duplicate 545
certificate and tag shall be issued for a dog registered under 546
this section, and no fee shall be required. 547

If an application for registration of a law enforcement 548
canine is not filed under this section on or before the thirty- 549
first day of January of the registration year, or the extended 550
registration deadline established under division (A)(1) of 551
section ~~955.01~~955.02 of the Revised Code, as applicable, the 552
law enforcement canine shall be registered under that section, 553
and the registration fee and late registration penalty 554
applicable under divisions (A) and (B) of that section shall 555
accompany the application. 556

(C) If a law enforcement agency becomes the owner, keeper, 557
or harbinger of a law enforcement canine or brings a law 558
enforcement canine into the state after the thirty-first day of 559
January of a registration year or the extended registration 560
deadline established under division (A)(1) of section ~~955.01~~ 561
955.02 of the Revised Code, as applicable, the law enforcement 562
agency, within thirty days after becoming the owner, keeper, or 563
harbinger or bringing the dog into the state, may submit an 564
application for registration of the dog under this section. Upon 565
submission of the application, the law enforcement agency shall 566
be issued such a registration in the manner provided in division 567
(B) of this section. If such an application is not filed within 568

the thirty-day period, the dog shall be registered under section 569
955.05 of the Revised Code, and the registration fee and late 570
registration penalty applicable under that section or section 571
955.06 of the Revised Code shall accompany the application. 572

Sec. ~~955.013~~ 955.023. (A) As used in this section, 573
"financial transaction device" has the same meaning as in 574
section 301.28 of the Revised Code. 575

(B) A county auditor may establish procedures and take 576
actions that are necessary to allow for either or both of the 577
following: 578

(1) The registration of dogs and kennels under this 579
chapter via the internet; 580

(2) The payment of dog and kennel registration fees under 581
this chapter by financial transaction devices, including payment 582
by financial transaction devices via the internet. 583

Sec. 955.03. Any dog ~~which~~ that has been registered under 584
sections ~~955.01-955.02~~ and 955.04 of the Revised Code and any 585
dog not required to be registered under such sections shall be 586
considered as personal property and have all the rights and 587
privileges and be subject to like restraints as other livestock. 588

Sec. 955.04. (A) Every owner of a dog kennel ~~of dogs~~ 589
shall, in like manner as provided in division (A) of section 590
~~955.01-955.02~~ of the Revised Code, make application for the 591
registration of such kennel, and pay to the county auditor a 592
registration fee of ten dollars for each such kennel, unless a 593
greater fee has been established under section 955.14 of the 594
Revised Code. If ~~such~~ the application is not filed and the fee 595
paid, on or before the thirty-first day of January of each year, 596
the auditor shall assess a penalty in an amount equal to the 597

registration fee upon the owner of such kennel. The payment of 598
~~such the~~ kennel registration fee ~~shall entitle~~ entitles the 599
licensee to not more than five tags, to bear consecutive numbers 600
and to be issued in like manner and have like effect when worn 601
by any dog owned in good faith by such licensee as the tags 602
provided for in section ~~955.08~~ 955.07 of the Revised Code. Upon 603
application to the county auditor, additional tags, in excess of 604
the five tags, may be issued upon payment of an additional fee 605
of one dollar per tag. 606

(B) No owner of a kennel shall recklessly fail to register 607
the kennel in accordance with this section. 608

(C) Whoever violates division (B) of this section shall be 609
fined not less than twenty-five dollars or more than one hundred 610
dollars on a first offense, and on each subsequent offense shall 611
be fined not less than seventy-five dollars or more than two 612
hundred fifty dollars and may be imprisoned for not more than 613
thirty days. 614

Sec. 955.05. After the thirty-first day of January of any 615
year, except as otherwise provided in section ~~955.012~~ 955.022 or 616
955.16 of the Revised Code, every person, immediately upon 617
becoming the owner, keeper, or harbinger of any dog more than 618
three months of age or brought from outside the state during any 619
year, shall file like applications, with fees, as required by 620
section ~~955.01~~ 955.02 of the Revised Code, for registration for 621
a period of one year or three years or an application for 622
permanent registration. If the application is not filed and the 623
fee paid, within thirty days after the dog is acquired, becomes 624
three months of age, or is brought from outside the state, the 625
auditor shall assess a penalty in an amount equal to the 626
registration fee for one year upon the owner, keeper, or 627

harborer, which shall be paid with the registration fee. 628
Thereafter, the owner, keeper, or harborer shall register the 629
dog as provided in section ~~955.01~~ 955.02 of the Revised Code, as 630
applicable. 631

Every person becoming the owner of a dog kennel ~~of dogs~~ 632
after the thirty-first day of January of any year shall file 633
like applications, with fees, as required by section 955.04 of 634
the Revised Code, for the registration of such kennel for the 635
current calendar year. If such application is not filed and the 636
fee paid within thirty days after the person becomes the owner 637
of such kennel, the auditor shall assess a penalty in an amount 638
equal to the registration fee upon the owner of such kennel. 639

Sec. 955.06. (A) The owner, keeper, or harborer of a dog 640
becoming three months of age after the first day of July in a 641
calendar year and the owner, keeper, or harborer of a dog 642
purchased outside the state after the first day of July in a 643
calendar year shall register the dog in accordance with division 644
(B), (C), or (D) of this section within ninety days of the dog's 645
becoming three months of age or within ninety days of the date 646
of the purchase of the dog, as applicable. 647

(B) The owner, keeper, or harborer of a dog to which 648
division (A) of this section applies may register the dog for 649
the remainder of the current year. The fee for such a 650
registration shall be one-half of the original fee for a one- 651
year registration. Thereafter, the owner, keeper, or harborer 652
shall register the dog for a period of one year, three years, or 653
permanently as provided in section ~~955.01~~ 955.02 of the Revised 654
Code. 655

(C) The owner, keeper, or harborer of a dog to which 656
division (A) of this section applies may register the dog for a 657

period consisting of the remainder of the current year and two 658
additional years. The fee for such a registration shall be 659
eighty-three per cent of the original fee for a three-year 660
registration. Thereafter, the owner, keeper, or harborer shall 661
register the dog for a period of one year, three years, or 662
permanently as provided in section ~~955.01~~955.02 of the Revised 663
Code. 664

(D) The owner, keeper, or harborer of a dog to which 665
division (A) of this section applies may register the dog 666
permanently. The fee for such a registration shall be the same 667
as the original fee for a permanent registration. 668

Sec. 955.07. (A) Upon the filing of the application for 669
registration required by sections ~~955.01~~955.02 and 955.04 of 670
the Revised Code and upon the payment of the registration fee 671
and the administrative fee, if applicable, the county auditor 672
shall assign a distinctive number to every dog or dog kennel 673
described in the application and shall deliver a certificate of 674
registration bearing the number to the owner of the dog or dog 675
kennel. A record of all certificates of registration issued, 676
together with the applications for registration, shall be kept 677
by the auditor in a dog and kennel register until after an audit 678
performed by the auditor of state. This record shall be open to 679
the inspection of any person during reasonable business hours. 680

(B) In addition to the certificate of registration 681
provided for under division (A) of this section, the county 682
auditor shall issue to every person applying for the 683
registration of a dog and paying the required fee a metal tag 684
for each dog so registered. The form, color, character, and 685
lettering of the tag shall be prescribed by the county auditor. 686
If a tag is lost, a duplicate shall be furnished by the auditor 687

upon proper proof of loss and the payment of five dollars for 688
each duplicate tag issued. 689

Sec. ~~955.09~~ 955.08. Certificates of registration and 690
registration tags shall be valid only during the calendar year 691
or years for which they are issued. 692

Sec. ~~955.10~~ 955.09. (A) No owner of a dog, except a dog 693
constantly confined to a dog kennel registered under this 694
chapter or ~~one~~ licensed under Chapter 956. of the Revised Code, 695
shall recklessly fail to require the dog to wear, at all times, 696
a valid tag issued in connection with a certificate of 697
registration under division (A) of section 955.02 of the Revised 698
Code. A dog found not wearing at any time a valid tag ~~shall be~~ 699
is prima-facie evidence of lack of registration and shall 700
subject any dog found not wearing such a tag to impounding, 701
sale, or destruction. 702

(B) No person shall recklessly obstruct or interfere with 703
anyone lawfully engaged in capturing an unregistered dog or 704
examining a dog wearing a tag. 705

(C) No person shall recklessly own, keep, or harbor a dog 706
wearing a fictitious, altered, or invalid registration tag or a 707
registration tag not issued by the county auditor in connection 708
with the registration of such animal. 709

(D) Whoever violates division (A), (B), or (C) of this 710
section is guilty of a minor misdemeanor. 711

Sec. ~~955.221~~ 955.10. (A) For the purposes of this section, 712
ordinances or resolutions to control dogs include, but are not 713
limited to, ordinances or resolutions concerned with the 714
ownership, keeping, or harboring of dogs, the restraint of dogs, 715
dogs as public nuisances, and dogs as a threat to public health, 716

safety, and welfare, except that such ordinances or resolutions 717
as permitted in division (B) of this section shall not prohibit 718
the use of any dog which is lawfully engaged in hunting or 719
training for the purpose of hunting while accompanied by a 720
licensed hunter. However, such dogs at all other times and in 721
all other respects shall be subject to the ordinance or 722
resolution permitted by this section, unless actually in the 723
field and engaged in hunting or in legitimate training for such 724
purpose. 725

(B) (1) A board of county commissioners may adopt and 726
enforce resolutions to control dogs within the unincorporated 727
areas of the county that are not otherwise in conflict with any 728
other provision of the Revised Code. 729

(2) A board of township trustees may adopt and enforce 730
resolutions to control dogs within the township that are not 731
otherwise in conflict with any other provision of the Revised 732
Code, if the township is located in a county where the board of 733
county commissioners has not adopted resolutions to control dogs 734
within the unincorporated areas of the county under this 735
section. In the event that the board of county commissioners 736
adopts resolutions to control dogs in the county after a board 737
of township trustees has adopted resolutions to control dogs 738
within the township, the resolutions adopted by the county board 739
of commissioners prevail over the resolutions adopted by the 740
board of township trustees. 741

(3) A municipal corporation may adopt and enforce 742
ordinances to control dogs within the municipal corporation that 743
are not otherwise in conflict with any other provision of the 744
Revised Code. 745

(C) No person shall recklessly violate any resolution or 746

ordinance adopted under this section. 747

(D) Whoever violates division (C) of this section is 748
guilty of a minor misdemeanor. Each day of continued violation 749
constitutes a separate offense. Fines levied and collected for 750
violations of that division shall be distributed by the mayor or 751
clerk of the municipal or county court in accordance with 752
section 733.40, division (F) of section 1901.31, or division (C) 753
of section 1907.20 of the Revised Code to the treasury of the 754
county, township, or municipal corporation whose resolution or 755
ordinance was violated. 756

Sec. 955.11. (A) ~~As used in this section:—~~ 757

~~(1)(a) "Dangerous dog" means a dog that, without~~ 758
~~provocation, and subject to division (A) (1) (b) of this section,~~ 759
~~has done any of the following:~~ 760

~~(i) Caused injury, other than killing or serious injury,~~ 761
~~to any person;~~ 762

~~(ii) Killed another dog;~~ 763

~~(iii) Been the subject of a third or subsequent violation~~ 764
~~of division (C) of section 955.22 of the Revised Code.~~ 765

~~(b) "Dangerous dog" does not include a police dog that has~~ 766
~~caused injury, other than killing or serious injury, to any~~ 767
~~person or has killed another dog while the police dog is being~~ 768
~~used to assist one or more law enforcement officers in the~~ 769
~~performance of their official duties.~~ 770

~~(2) "Menacing fashion" means that a dog would cause any~~ 771
~~person being chased or approached to reasonably believe that the~~ 772
~~dog will cause physical injury to that person.~~ 773

~~(3)(a) Subject to division (A) (3) (b) of this section,~~ 774

~~"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.~~ 775
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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.~~ 780
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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.~~ 786
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~~(5) "Serious injury" means any of the following:~~ 789

~~(a) Any physical harm that carries a substantial risk of death;~~ 790
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~~(b) Any physical harm that involves a permanent incapacity, whether partial or total, or a temporary, substantial incapacity;~~ 792
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~~(c) Any physical harm that involves a permanent disfigurement or a temporary, serious disfigurement;~~ 795
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~~(d) Any physical harm that involves acute pain of a duration that results in substantial suffering or any degree of prolonged or intractable pain.~~ 797
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~~(6) (a) "Vicious dog" means a dog that, without provocation and subject to division (A) (6) (b) of this section, has killed or caused serious injury to any person.~~ 800
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~~(b) "Vicious dog" does not include either of the following:~~ 803
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~~(i) A police dog that has killed or caused serious injury to any person while the police dog is being used to assist one or more law enforcement officers in the performance of their official duties;~~ 805
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~~(ii) A dog that has killed or caused serious injury to any person while a person was committing or attempting to commit a trespass or other criminal offense on the property of the owner, keeper, or harbinger of the dog.~~ 809
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~~(7) "Without provocation" means that a dog was not teased, tormented, or abused by a person, or that the dog was not coming to the aid or the defense of a person who was not engaged in illegal or criminal activity and who was not using the dog as a means of carrying out such activity.~~ 813
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~~(B) Upon the transfer of ownership of any dog, the seller of the dog shall give the buyer a transfer of ownership certificate that shall be signed by the seller. The certificate shall contain the registration number of the dog, the name of the seller, and a brief description of the dog. Blank forms of the certificate may be obtained from the county auditor. A transfer of ownership shall be recorded by the auditor upon presentation of a transfer of ownership certificate that is signed by the former owner of a dog and that is accompanied by a fee of five dollars.~~ 818
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~~(C) Prior~~ (B) Except as provided in division (C) of this section, prior to the transfer of ownership or possession of ~~any~~ a dog, upon the buyer's or other transferee's request, the seller or other transferor of the dog shall give to the person a 828
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written notice relative to the behavior and propensities of the 832
dog. 833

~~(D)~~(C) Within ten days after the transfer of ownership or 834
possession of any dog, if the seller or other transferor of the 835
dog has knowledge that the dog is a dangerous dog or vicious 836
dog, the seller or other transferor shall give to the buyer or 837
other transferee, the board of health for the district in which 838
the buyer or other transferee resides, and the dog warden of the 839
county in which the buyer or other transferee resides, a 840
completed copy of a written form on which the seller shall 841
furnish the following information: 842

(1) The name and address of the buyer or other transferee 843
of the dog; 844

(2) The age, sex, color, breed, and current registration 845
number of the dog. 846

In addition, the seller shall answer the following 847
questions, which shall be specifically stated on the form as 848
follows: 849

"Has the dog ever chased or attempted to attack or bite a 850
person? If yes, describe the incident(s) in which the behavior 851
occurred." 852

"Has the dog ever bitten a person? If yes, describe the 853
incident(s) in which the behavior occurred." 854

"Has the dog ever seriously injured or killed a person? If 855
yes, describe the incident(s) in which the behavior occurred." 856

The seller or other transferor shall obtain the signature 857
of the buyer or other transferee after a statement on the form 858
that the buyer or other transferee understands that such person 859

is acquiring a dangerous or vicious dog. 860

The dog warden of the county in which the seller resides 861
shall furnish the form to the seller at no cost. 862

~~(E)~~ (D) (1) No seller or other transferor of a dog shall 863
recklessly fail to comply with the applicable requirements of 864
divisions (B) to (D) division (A) of this section. 865

(2) No seller or other transferor of a dog shall 866
recklessly fail to comply with the requirements of division (B) 867
or (C) of this section. 868

(E) (1) Whoever violates division (D) (1) of this section is 869
guilty of a minor misdemeanor. 870

(2) Whoever violates division (D) (2) of this section is 871
guilty of a minor misdemeanor on a first offense and of a 872
misdemeanor of the fourth degree on each subsequent offense. 873

Sec. 955.12. (A) Except as provided in section 955.121 of 874
Revised Code, a board of county commissioners shall appoint or 875
employ a county dog warden and deputies in such number, for such 876
periods of time, and at such compensation as the board considers 877
necessary to enforce ~~sections 955.01 to 955.27 and 955.50 to~~ 878
~~955.53 of the Revised Code~~ this chapter. 879

(B) Except as otherwise provided in section 3.061 of the 880
Revised Code, the warden and deputies shall give bond in a sum 881
not less than five hundred dollars and not more than two 882
thousand dollars, as set by the board, conditioned for the 883
faithful performance of their duties. The bond or bonds may, in 884
the discretion of the board, be individual or blanket bonds. The 885
bonds shall be filed with the county auditor of their respective 886
counties. 887

(C) The warden and deputies shall make a record of all 888
dogs owned, kept, and harbored in their respective counties. 889
They shall patrol their respective counties and seize and 890
impound on sight all dogs found running at large and all dogs 891
more than three months of age found not wearing a valid 892
registration tag, except any dog that wears a valid registration 893
tag and is: on the premises of its owner, keeper, or harborer, 894
under the reasonable control of its owner or some other person, 895
hunting with its owner or its handler at a field trial, kept 896
constantly confined in a dog kennel registered under this 897
chapter or one licensed under Chapter 956. of the Revised Code, 898
or acquired by, and confined on the premises of, an institution 899
or organization of the type described in section 955.16 of the 900
Revised Code. A dog that wears a valid registration tag may be 901
seized on the premises of its owner, keeper, or harborer and 902
impounded only in the event of a natural disaster. 903

(D) If a dog warden has reason to believe that a dog is 904
being treated inhumanely on the premises of its owner, keeper, 905
or harborer, the warden shall ~~apply to the court of common pleas~~ 906
~~for the county in which the premises are located for an order to~~ 907
~~enter the premises, and if necessary, seize the dog. If the~~ 908
~~court finds probable cause to believe that the dog is being~~ 909
~~treated inhumanely, it shall issue such an order~~notify, in 910
writing, the humane society or the appropriate law enforcement 911
authority that has jurisdiction to enforce Chapter 959. of the 912
Revised Code. 913

(E) The warden and deputies shall also make weekly 914
reports, in writing, to the board in their respective counties 915
of all dogs seized, impounded, redeemed, and destroyed. 916

(F) The wardens and deputies shall have the same police 917

powers, including the authority to make arrests, as are 918
conferred upon sheriffs and police officers in the performance 919
of their duties as prescribed by ~~sections 955.01 to 955.27 and~~ 920
~~955.50 to 955.53 of the Revised Code~~ this chapter. They shall 921
also have power to summon the assistance of bystanders in 922
performing their duties and may serve writs and other legal 923
processes issued by any court in their respective counties with 924
reference to enforcing those sections. County auditors may 925
deputize the wardens or deputies to issue dog licenses as 926
provided in sections 955.01 and 955.14 of the Revised Code. 927

(G) Whenever any person files an affidavit in a court of 928
competent jurisdiction that there is a dog running at large that 929
is not kept constantly confined either in a dog kennel 930
registered under this chapter or one licensed under Chapter 956. 931
of the Revised Code or on the premises of an institution or 932
organization of the type described in section 955.16 of the 933
Revised Code or that a dog is kept or harbored in the warden's 934
jurisdiction without being registered as required by law, the 935
court shall immediately order the warden to seize and impound 936
the dog. Thereupon the warden shall immediately seize and 937
impound the dog complained of. The warden shall give immediate 938
notice by certified mail to the owner, keeper, or harborer of 939
the dog seized and impounded by the warden, if the owner, 940
keeper, or harborer can be determined from the current year's 941
registration list maintained by the warden and the county 942
auditor of the county where the dog is registered, that the dog 943
has been impounded and that, unless the dog is redeemed within 944
fourteen days of the date of the notice, it may thereafter be 945
sold or destroyed according to law. If the owner, keeper, or 946
harborer cannot be determined from the current year's 947
registration list maintained by the warden and the county 948

auditor of the county where the dog is registered, the officer 949
shall post a notice in the pound or animal shelter both 950
describing the dog and place where seized and advising the 951
unknown owner that, unless the dog is redeemed within three 952
days, it may thereafter be sold or destroyed according to law. 953

(H) No county dog warden shall knowingly fail to perform 954
the warden's duties under this section or other legal duties 955
required of dog wardens. 956

(I) Whoever violates division (H) of this section is 957
guilty of a minor misdemeanor. 958

Sec. 955.121. (A) (1) In lieu of appointing a county dog 959
warden and deputies under section 955.12 of the Revised Code, a 960
board of county commissioners may appoint the county sheriff to 961
enforce ~~sections 955.01 to 955.27 and 955.50 to 955.53 of the~~ 962
~~Revised Code~~this chapter. If a board chooses to appoint the 963
county sheriff as the county dog warden, the board shall enter 964
into a two-year written agreement with the sheriff for that 965
purpose at the first meeting in a calendar year following a 966
general election in which at least one of the members of the 967
board was elected. 968

(2) The agreement may authorize both of the following: 969

(a) The sheriff to appoint sheriff's deputies or persons 970
other than peace officers as deputy dog wardens; 971

(b) The transfer of any benefits accrued by employees who 972
are transferred as a result of the county sheriff's being 973
appointed as the county dog warden. 974

(B) Any dog warden and deputy dog wardens appointed under 975
this section shall comply with both of the following: 976

(1) Any training requirements applicable to county dog wardens and deputy dog wardens appointed or employed under section 955.12 of the Revised Code; 977
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(2) The requirements established in that section. 980

(C) If a county sheriff or a sheriff's deputies are appointed as a dog warden or deputy dog wardens under this section, references in this chapter and in Chapters 953., 956., and 959. of the Revised Code to "dog warden" and "deputy dog warden" shall be deemed to be replaced, respectively, with references to "sheriff" and "deputy sheriff." 981
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Sec. 955.14. (A) Notwithstanding section ~~955.01~~ 955.02 of the Revised Code, a board of county commissioners by resolution may increase dog and kennel registration fees in the county. The amount of the fees shall not exceed an amount that the board, in its discretion, estimates is needed to pay all expenses for the administration of this chapter. Such a resolution shall be adopted not earlier than the first day of February and not later than the thirty-first day of August of any year and shall specify the registration period or periods to which the increased fees apply. An increase in fees adopted under this division shall be in the ratio of two dollars for each year of registration for a dog registration fee, twenty dollars for a permanent dog registration fee, and ten dollars for a kennel registration fee. 987
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(B) Notwithstanding section 955.20 of the Revised Code, if dog and kennel registration fees in any county are increased above two dollars for each year of registration and twenty dollars for a permanent registration for a dog registration fee and ten dollars for a kennel registration fee under authority of division (A) of this section, then on or before the first day of 1001
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March following each year in which the increased fees are in 1007
effect, the county auditor shall draw on the dog and kennel fund 1008
a warrant payable to the college of veterinary medicine of the 1009
Ohio state university in an amount equal to ten cents for each 1010
one-year dog registration, thirty cents for each three-year dog 1011
registration, one dollar for each permanent dog registration, 1012
and ten cents for each kennel registration fee received during 1013
the preceding year. The money received by the college of 1014
veterinary medicine of the Ohio state university under this 1015
division shall be applied for research and study of the diseases 1016
of dogs, particularly those transmittable to humans, and for 1017
research of other diseases of dogs that by their nature will 1018
provide results applicable to the prevention and treatment of 1019
both human and canine illness. 1020

(C) The Ohio state university college of veterinary 1021
medicine shall be responsible to report annually to the general 1022
assembly the progress of the research and study authorized and 1023
funded by division (B) of this section. The report shall briefly 1024
describe the research projects undertaken and assess the value 1025
of each. The report shall account for funds received pursuant to 1026
division (B) of this section and for the funds expended 1027
attributable to each research project and for other necessary 1028
expenses in conjunction with the research authorized by division 1029
(B) of this section. The report shall be filed with the general 1030
assembly by the first day of May of each year. 1031

(D) The county auditor may authorize agents to receive 1032
applications for registration of dogs and kennels and to issue 1033
certificates of registration and tags. If authorized agents are 1034
employed in a county, each applicant for a dog or kennel 1035
registration shall pay to the agent an administrative fee of 1036
seventy-five cents in addition to the registration fee. The 1037

administrative fee shall be the compensation of the agent. The 1038
county auditor shall establish rules for reporting and 1039
accounting by the agents. No administrative or similar fee shall 1040
be charged in any county except as authorized by this division 1041
or division (E) of this section. 1042

(E) For any county that accepts the payment of dog and 1043
kennel registration fees by financial transaction devices in 1044
accordance with section ~~955.013~~955.023 of the Revised Code, in 1045
addition to those registration fees, the county auditor shall 1046
collect for each registration paid by a financial transaction 1047
device one of the following: 1048

(1) An administrative fee of seventy-five cents or another 1049
amount necessary to cover actual costs designated by the county 1050
auditor; 1051

(2) If the board of county commissioners adopts a 1052
surcharge or convenience fee for making payments by a financial 1053
transaction device under division (E) of section 301.28 of the 1054
Revised Code, that surcharge or convenience fee; 1055

(3) If the county auditor contracts with a third party to 1056
provide services to enable registration via the internet as 1057
provided in section ~~955.013~~955.023 of the Revised Code, a 1058
surcharge or convenience fee as agreed to between that third 1059
party and the county for those internet registration services. 1060
Any additional expenses incurred by the county auditor that 1061
result from a contract with a third party as provided in this 1062
section and section ~~955.013~~955.023 of the Revised Code and that 1063
are not covered by a surcharge or convenience fee shall be paid 1064
out of the allowance provided to the county auditor under 1065
section 955.20 of the Revised Code. 1066

(F) The county auditor shall post conspicuously the amount 1067
of the administrative fee, surcharge, or convenience fee that is 1068
permissible under this section on the web page where the auditor 1069
accepts payments for registrations made under division (B) (1) of 1070
section ~~955.013~~955.023 of the Revised Code. If any person 1071
chooses to pay by financial transaction device, the 1072
administrative fee, surcharge, or convenience fee shall be 1073
considered voluntary and is not refundable. 1074

Sec. 955.16. (A) Dogs that have been seized by the county 1075
dog warden and impounded shall be kept, housed, and fed for 1076
three days for the purpose of redemption, as provided by section 1077
955.18 of the Revised Code, unless any of the following applies: 1078

(1) Immediate humane destruction of the dog is necessary 1079
because of obvious disease or injury. If the diseased or injured 1080
dog is registered, as determined from the current year's 1081
registration list maintained by the warden and the county 1082
auditor of the county where the dog is registered, the necessity 1083
of destroying the dog shall be certified by a licensed 1084
veterinarian or a registered veterinary technician. If the dog 1085
is not registered, the decision to destroy it shall be made by 1086
the warden. 1087

(2) The dog is currently registered on the registration 1088
list maintained by the warden and the auditor of the county 1089
where the dog is registered and the attempts to notify the 1090
owner, keeper, or harbinger under section 955.12 of the Revised 1091
Code have failed, in which case the dog shall be kept, housed, 1092
and fed for fourteen days for the purpose of redemption. 1093

(3) The warden has contacted the owner, keeper, or 1094
harbinger under section 955.12 of the Revised Code, and the 1095
owner, keeper, or harbinger has requested that the dog remain in 1096

the pound or animal shelter until the owner, harborer, or keeper 1097
redeems the dog. The time for such redemption shall be not more 1098
than forty-eight hours following the end of the appropriate 1099
redemption period. 1100

Any dog not so redeemed may be adopted out or donated to 1101
any person, including a nonprofit special agency that is engaged 1102
in the training of any type of assistance dogs or to a nonprofit 1103
teaching or research institution or organization that is 1104
certified by the director of health as being engaged in teaching 1105
or research concerning the prevention and treatment of diseases 1106
of human beings or animals. The county dog warden may charge an 1107
adoption fee for any dog that is adopted. Except as provided in 1108
division (B) of this section, no dog shall be discharged from 1109
the pound or animal shelter until the animal has been registered 1110
and furnished with a valid registration tag. 1111

(B) Any dog that is donated to a nonprofit special agency 1112
engaged in the training of any type of assistance dogs in 1113
accordance with division (A) of this section and any dog that is 1114
sold to any nonprofit teaching or research institution or 1115
organization shall be discharged from the pound or animal 1116
shelter without registration and may be kept by the agency or by 1117
the institution or organization without registration so long as 1118
the dog is being trained, or is being used for teaching and 1119
research purposes. 1120

Any institution or organization certified by the director 1121
that obtains dogs for teaching and research purposes pursuant to 1122
this section shall, at all reasonable times, make the dogs 1123
available for inspection by humane society agents, appointed 1124
pursuant to section 1717.06 of the Revised Code, in order that 1125
the agents may prevent the perpetration of any act of cruelty, 1126

as defined in section 1717.01 of the Revised Code, to the dogs. 1127

(C) Any dog that the dog warden or poundkeeper is unable 1128
to dispose of, in the manner provided by this section and 1129
section 955.18 of the Revised Code, may be humanely destroyed, 1130
except that no dog shall be destroyed until twenty-four hours 1131
after it has been offered to a nonprofit teaching or research 1132
institution or organization, as provided in this section, that 1133
has made a request for dogs to the dog warden or poundkeeper. 1134

(D) An owner of a dog that is wearing a valid registration 1135
tag who presents the dog to the dog warden or poundkeeper may 1136
specify in writing that the dog shall not be offered to a 1137
nonprofit teaching or research institution or organization, as 1138
provided in this section. 1139

(E) A record of all dogs impounded, the disposition of the 1140
same, the owner's name and address, if known, and a statement of 1141
costs assessed against the dogs shall be kept by the 1142
poundkeeper, and the poundkeeper shall furnish a transcript 1143
thereof to the county treasurer quarterly. 1144

A record of all dogs received and the source that supplied 1145
them shall be kept, for a period of three years from the date of 1146
acquiring the dogs, by all institutions or organizations engaged 1147
in teaching or research concerning the prevention and treatment 1148
of diseases of human beings or animals. 1149

(F) No person shall recklessly destroy any dog by the use 1150
of a high altitude decompression chamber or by any method other 1151
than a method that immediately and painlessly renders the dog 1152
initially unconscious and subsequently dead. 1153

(G) Whoever violates division (F) of this section is 1154
guilty of a misdemeanor of the fourth degree. 1155

Sec. 955.20. The registration fees provided for in 1156
sections ~~955.01~~955.02 to 955.14 of the Revised Code constitute 1157
a special fund known as "the dog and kennel fund." The fees 1158
shall be deposited by the county auditor in the county treasury 1159
daily as collected. Money in the fund shall be used for the 1160
purpose of defraying the cost of furnishing all blanks, records, 1161
tags, nets, and other equipment, for the purpose of paying the 1162
compensation of county dog wardens, deputies, poundkeepers, and 1163
other employees necessary to carry out and enforce sections 1164
~~955.01~~955.02 to 955.261 of the Revised Code, and in accordance 1165
with section 955.27 of the Revised Code. The board of county 1166
commissioners, by resolution, shall appropriate sufficient funds 1167
out of the dog and kennel fund, not more than fifteen per cent 1168
of which shall be expended by the auditor for registration tags, 1169
blanks, records, and clerk hire, for the purpose of defraying 1170
the necessary expenses of registering, seizing, impounding, and 1171
destroying dogs in accordance with sections 955.01 to 955.27 of 1172
the Revised Code, and for the purpose of covering any additional 1173
expenses incurred by the county auditor as authorized by 1174
division (E) (3) of section 955.14 of the Revised Code. 1175

If the funds so appropriated in any calendar year are 1176
found by the board to be insufficient to defray the necessary 1177
cost and expense of the county dog warden in enforcing sections 1178
~~955.01~~955.02 to 955.27 of the Revised Code, the board, by 1179
resolution so provided, may appropriate further funds for the 1180
use and purpose of the county dog warden in administering those 1181
sections. 1182

Sec. 955.21. (A) Except when a dog is lawfully engaged in 1183
hunting and accompanied by the owner, keeper, harborer, or 1184
handler of the dog, no owner, keeper, or harborer of any dog 1185
shall recklessly fail at any time to do either of the following: 1186

(1) Keep the dog physically confined or restrained upon 1187
the premises of the owner, keeper, or harborer by a leash, 1188
tether, adequate fence, supervision, or secure enclosure to 1189
prevent escape; 1190

(2) Keep the dog under the reasonable control of some 1191
person. 1192

(B) Whoever commits a violation of this section that 1193
involves a dog that is not a nuisance dog, dangerous dog, or 1194
vicious dog shall be fined not less than twenty-five dollars or 1195
more than one hundred dollars on a first offense, and on each 1196
subsequent offense shall be fined not less than seventy-five 1197
dollars or more than two hundred fifty dollars and may be 1198
imprisoned for not more than thirty days. Additionally, the 1199
court may order the offender to personally supervise the dog 1200
that the offender owns, keeps, or harbors, to cause that dog to 1201
complete dog obedience training, or to do both. 1202

(C) Whoever commits a violation of this section that 1203
involves a nuisance dog is guilty of a minor misdemeanor on the 1204
first offense and of a misdemeanor of the fourth degree on each 1205
subsequent offense involving the same dog. Additionally, the 1206
court may order the offender to personally supervise the 1207
nuisance dog that the offender owns, keeps, or harbors, to cause 1208
that dog to complete dog obedience training, or to do both. 1209

(D) Whoever commits a violation of this section that 1210
involves a dangerous dog is guilty of a misdemeanor of the third 1211
degree on a first offense and of a misdemeanor of the second 1212
degree on each subsequent offense. Additionally, the court may 1213
order the offender to do any of the following: 1214

(1) Personally supervise the dangerous dog that the 1215

<u>offender owns, keeps, or harbors;</u>	1216
<u>(2) Cause that dog to complete dog obedience training;</u>	1217
<u>(3) Obtain liability insurance in an amount, exclusive of</u>	1218
<u>interest and costs, that equals or exceeds one hundred thousand</u>	1219
<u>dollars.</u>	1220
<u>The court, in the alternative, may order the dangerous dog</u>	1221
<u>to be humanely destroyed by a licensed veterinarian, the county</u>	1222
<u>dog warden, or the county humane society at the owner's expense.</u>	1223
<u>Until the court makes a final determination and during the</u>	1224
<u>pendency of any appeal and at the discretion of the dog warden,</u>	1225
<u>the dog shall be confined or restrained in accordance with</u>	1226
<u>division (A) of section 955.24 of the Revised Code or at the</u>	1227
<u>county dog pound at the owner's expense.</u>	1228
<u>(E) Whoever commits a violation of this section that</u>	1229
<u>involves a vicious dog is guilty of a misdemeanor of the second</u>	1230
<u>degree on a first offense and of a misdemeanor of the first</u>	1231
<u>degree on each subsequent offense. Additionally, the court shall</u>	1232
<u>order the offender to do all of the following:</u>	1233
<u>(1) Personally supervise the vicious dog that the offender</u>	1234
<u>owns, keeps, or harbors;</u>	1235
<u>(2) Cause that dog to complete dog obedience training;</u>	1236
<u>(3) Obtain liability insurance in an amount, exclusive of</u>	1237
<u>interest and costs, that equals or exceeds one hundred thousand</u>	1238
<u>dollars.</u>	1239
<u>The court, in the alternative, may order the vicious dog</u>	1240
<u>to be humanely destroyed by a licensed veterinarian, the county</u>	1241
<u>dog warden, or the county humane society at the owner's expense.</u>	1242

Until the court makes a final determination and during the 1243
pendency of any appeal and at the discretion of the dog warden, 1244
the dog shall be confined or restrained in accordance with 1245
division (A) of section 955.24 of the Revised Code or at the 1246
county dog pound at the owner's expense. 1247

Sec. 955.22. (A) As used in this section and section 1248
955.23 of the Revised Code: 1249

(1) "Vicious dog act" means one of the following actions 1250
committed by a dog without provocation, other than by a police 1251
dog that is being used to assist one or more law enforcement 1252
officers in the performance of their official duties: 1253

(a) The killing of any person; 1254

(b) Causing serious injury to any person by physical 1255
contact; 1256

(c) Engaging in a dangerous dog act after the dog has been 1257
designated as a dangerous dog under section 955.23 of the 1258
Revised Code. 1259

(2) "Dangerous dog act" means one of the following actions 1260
committed by a dog without provocation, other than by a police 1261
dog that is being used to assist one or more law enforcement 1262
officers in the performance of their official duties: 1263

(a) Causing injury by physical contact, other than killing 1264
or serious injury, to any person; 1265

(b) The killing of another dog or livestock; 1266

(c) Causing serious injury to another dog or livestock 1267
that results in euthanasia of the animal by a person authorized 1268
to perform euthanasia under Ohio law. 1269

- (3) "Nuisance dog act" means one of the following actions 1270
committed by a dog without provocation and while off the 1271
premises of its owner, keeper, or harbinger, other than by a 1272
police dog that is being used to assist one or more law 1273
enforcement officers in the performance of their official 1274
duties: 1275
- (a) Chasing or approaching a person in either a menacing 1276
fashion or an apparent attitude of attack; 1277
- (b) Attempting to bite or otherwise endanger any person; 1278
- (c) Causing injury without making physical contact; 1279
- (d) Chasing, threatening, harassing, or injuring another 1280
dog or livestock; 1281
- (e) Having been the subject of a third or subsequent 1282
violation of section 955.21 of the Revised Code. 1283
- (4) "Serious injury" means any of the following: 1284
- (a) Any physical harm that carries a substantial risk of 1285
death; 1286
- (b) Any physical harm that involves a permanent 1287
incapacity, whether partial or total, or a temporary, 1288
substantial incapacity; 1289
- (c) Any physical harm that involves a permanent 1290
disfigurement or a temporary, serious disfigurement; 1291
- (d) Any physical harm that involves acute pain of a 1292
duration that results in substantial suffering or any degree of 1293
prolonged or intractable pain. 1294
- (5) "Without provocation" means that a dog was not teased, 1295
tormented, or abused by a person, or that the dog was not coming 1296

to the aid or the defense of a person who was not engaged in 1297
illegal or criminal activity and who was not using the dog as a 1298
means of carrying out such activity. 1299

(B) (1) No owner, keeper, or harborer of a dog shall 1300
negligently fail to prevent the dog from committing a vicious 1301
dog act. Whoever violates this division is guilty of a 1302
misdemeanor of the third degree on a first offense and a 1303
misdemeanor of the second degree on each subsequent offense. 1304

(2) No owner, keeper, or harborer of a dangerous or 1305
vicious dog shall negligently fail to prevent the dog from 1306
committing a vicious dog act that involves injuring or killing a 1307
person. Whoever violates this division is guilty of a felony of 1308
the third degree. 1309

(C) (1) No owner, keeper, or harborer of a dog shall 1310
negligently fail to prevent the dog from committing a dangerous 1311
dog act. Whoever violates this division is guilty of a 1312
misdemeanor of the fourth degree on a first offense and a 1313
misdemeanor of the third degree on each subsequent offense. 1314

(2) No owner, keeper, or harborer of a dangerous or 1315
vicious dog shall negligently fail to prevent the dog from 1316
committing a dangerous dog act that involves injuring a person. 1317
Whoever violates this division is guilty of a felony of the 1318
fifth degree. 1319

(D) No owner, keeper, or harborer of a dog shall 1320
negligently fail to prevent the dog from committing a nuisance 1321
dog act. Whoever violates this division is guilty a minor 1322
misdemeanor on a first offense and a misdemeanor of the fourth 1323
degree on each subsequent offense. 1324

(E) In addition to any other penalty described under this 1325

section, and except as provided in division (F) of this section, 1326
the court may order the dog that is the subject of an offense 1327
under this section to be humanely destroyed by a licensed 1328
veterinarian, the county dog warden, or the county humane 1329
society at the owner's expense. 1330

(F) In addition to any other penalty described under this 1331
section, the court shall order the dog that is the subject of an 1332
offense under this section to be humanely destroyed by a 1333
licensed veterinarian, the county dog warden, or the county 1334
humane society at the owner's expense if, as a result of the 1335
offense, the dog kills or causes serious injury to a person. 1336

Sec. ~~955.222~~ 955.23. ~~(A) The municipal court or county~~ 1337
~~court that has territorial jurisdiction over the residence of~~ 1338
~~the owner, keeper, or harborer of a dog shall conduct any~~ 1339
~~hearing concerning the designation of the dog as a nuisance dog,~~ 1340
~~dangerous dog, or vicious dog.~~ 1341

~~(B)~~ (A) (1) If a person who is authorized to enforce this 1342
chapter has ~~reasonable~~ probable cause to believe that a dog in 1343
the person's jurisdiction ~~is a nuisance dog, dangerous dog, or~~ 1344
~~vicious dog~~ has committed a dangerous dog act or vicious dog act, 1345
the person shall ~~notify the owner, keeper, or harborer of that~~ 1346
~~dog, by certified mail or in person, of both of the following:~~ 1347

~~(1) That the person has designated the dog a nuisance dog,~~ 1348
~~dangerous dog, or vicious dog, as applicable;~~ 1349

~~(2) That the owner, keeper, or harborer of the dog may~~ 1350
~~request a hearing regarding the designation in accordance with~~ 1351
~~this section. The notice shall include instructions for filing a~~ 1352
~~request for a hearing in the county in which the dog's owner,~~ 1353
~~keeper, or harborer resides~~ petition the municipal court or 1354

county court that has territorial jurisdiction over the location 1355
where the alleged act occurred to hold a hearing to determine 1356
whether the court shall issue an order designating the dog as a 1357
dangerous or vicious dog, as applicable, in accordance with this 1358
section. 1359

(2) If a person who is authorized to enforce this chapter 1360
has probable cause to believe that a dog in the person's 1361
jurisdiction has committed a nuisance dog act, the person may 1362
petition the municipal court or county court that has 1363
territorial jurisdiction over the location where the alleged act 1364
occurred to hold a hearing to determine whether the court shall 1365
issue an order designating the dog as a nuisance dog in 1366
accordance with this section. 1367

(B) Probable cause may be supported by one or more written 1368
statements of a witness describing the incident or incidents in 1369
which the witness saw the dog engage in a nuisance dog act, a 1370
dangerous dog act, or a vicious dog act. 1371

~~(C) If the owner, keeper, or harborer of the dog disagrees~~ 1372
~~with the designation of the dog as a nuisance dog, dangerous~~ 1373
~~dog, or vicious dog, as applicable, the owner, keeper, or~~ 1374
~~harborer~~The court, not later than ten days after receiving 1375
notification of the designation~~the petition described in~~ 1376
division (A) of this section, may request a hearing regarding 1377
the determination. The request for a hearing shall be in writing 1378
and shall be filed with the municipal court or county court that 1379
has territorial jurisdiction over the residence of the dog's 1380
owner, keeper, or harborersshall hold the hearing and, at the 1381
conclusion of the hearing, issue a final determination 1382
concerning whether the dog shall be designated a nuisance, 1383
dangerous, or vicious dog. At the hearing, the person who 1384

~~designated the dog as a nuisance dog, dangerous dog, or vicious dog~~ 1385
~~dog~~ petitioned the court has the burden of proving, by clear and 1386
convincing evidence, that the dog ~~is a nuisance dog, dangerous~~ 1387
~~dog, or vicious dog~~ committed a nuisance dog act, dangerous dog 1388
act, or vicious dog act. 1389

(D) The owner, keeper, or harborer of the dog or the 1390
person who ~~designated the dog as a nuisance dog, dangerous dog,~~ 1391
~~or vicious dog~~ petitioned the court may appeal the court's final 1392
determination as in any other case filed in that court. 1393

~~(D) A court, upon motion of an owner, keeper, or harborer~~ 1394
~~or an attorney representing the owner, keeper, or harborer, may~~ 1395
~~order that the dog designated as a nuisance dog, dangerous dog,~~ 1396
~~or vicious dog~~ (E) (1) If the dog warden determines that it is 1397
safe to have the dog remain in the custody of the dog's owner, 1398
keeper, or harborer, the dog shall be held in the possession of 1399
the owner, keeper, or harborer until the court makes a final 1400
determination under this section or during the pendency of an 1401
appeal, as applicable. Until the court makes a final 1402
determination and during the pendency of any appeal, the dog 1403
shall be confined or restrained in accordance with the 1404
provisions of division ~~(D)~~ (A) of section ~~955.22-955.24~~ of the 1405
Revised Code ~~that apply to dangerous dogs regardless of whether~~ 1406
~~the dog has been designated as a vicious dog or a nuisance dog~~ 1407
~~rather than a dangerous dog.~~ The owner, keeper, or harborer of 1408
the dog shall not be required to comply with any other 1409
requirements established in the Revised Code that concern a 1410
nuisance dog, dangerous dog, or vicious dog, as applicable, 1411
until the court makes a final determination and during the 1412
pendency of any appeal. 1413

(2) If the dog warden determines that it is not safe to 1414

have the dog remain in the custody of the dog's owner, keeper, 1415
or harborer after the commission of the alleged nuisance dog 1416
act, dangerous dog act, or vicious dog act and during the 1417
pendency of a court's determination or appeal under this 1418
section, the dog shall be held in the custody of the dog warden. 1419
While the dog is being so held, the cost of the holding is the 1420
responsibility of the dog's owner, keeper, or harborer. However, 1421
the dog's owner, keeper, or harborer shall not be responsible 1422
for such costs if the court does not determine that the dog be 1423
designated as a nuisance, dangerous, or vicious dog. 1424

~~(E) If a dog is finally determined under this section, or~~ 1425
~~on appeal as described in this section, to be a vicious dog,~~ 1426
~~division (D) of section 955.11 and divisions (D) to (I) of~~ 1427
~~section 955.22 of the Revised Code apply with respect to the dog~~ 1428
~~and the owner, keeper, or harborer of the dog as if the dog were~~ 1429
~~a dangerous dog, and section 955.54 of the Revised Code applies~~ 1430
~~with respect to the dog as if it were a dangerous dog, and the~~ 1431
~~court shall issue an order that specifies that those provisions~~ 1432
~~apply with respect to the dog and the owner, keeper, or harborer~~ 1433
~~in that manner. As part of the order, the court shall require~~ 1434
~~the owner, keeper, or harborer to obtain the liability insurance~~ 1435
~~required under division (E) (1) of section 955.22 of the Revised~~ 1436
~~Code in an amount described in division (H) (2) of section 955.99~~ 1437
~~of the Revised Code.~~ 1438

~~(F) As used in this section, "nuisance dog," "dangerous~~ 1439
~~dog," and "vicious dog" have the same meanings as in section~~ 1440
~~955.11 of the Revised Code.~~ 1441

(F) (1) Except as provided in division (F) (2) of this 1442
section, the court may order a dog that is designated in 1443
accordance with this section to be humanely destroyed by a 1444

licensed veterinarian, the county dog warden, or the county humane society at the owner's expense. 1445
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(2) The court shall order a dog that is designated in accordance with this section to be humanely destroyed by a licensed veterinarian, the county dog warden, or the county humane society at the owner's expense if the court determines that the dog killed or caused serious injury to a person. 1447
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(G) If the dog that is the subject of a hearing 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 court shall conduct the hearing under this section and the criminal proceeding concurrently. 1452
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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.~~ 1457
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~~(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.~~ 1460
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~~(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:~~ 1464
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~~(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;~~ 1468
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~~(2) Keep the dog under the reasonable control of some person.~~ 1472
1473

~~(D) Except when a dangerous dog is lawfully engaged in~~ 1474
~~hunting or training for the purpose of hunting and is~~ 1475
~~accompanied by the owner, keeper, harborer, or handler of the~~ 1476
~~dog, no~~ No owner, keeper, or harborer of a vicious or dangerous 1477
dog shall recklessly fail to do either of the following: 1478

(1) While that dog is on the premises of the owner, 1479
keeper, or harborer, securely confine it at all times in a 1480
locked pen that has a top, locked fenced yard with fencing that 1481
is sufficiently constructed to prevent escape, or other locked 1482
enclosure that has a top; 1483

(2) While that dog is off the premises of the owner, 1484
keeper, or harborer, keep that dog on a chain-link leash or 1485
tether that is not more than six feet in length and additionally 1486
do at least one of the following: 1487

(a) Keep that dog in a locked pen that has a top, locked 1488
fenced yard with fencing that is sufficiently constructed to 1489
prevent escape, or other locked enclosure that has a top; 1490

(b) Have the leash or tether controlled by a person who is 1491
of suitable age and discretion or securely attach, tie, or affix 1492
the leash or tether to the ground or a stationary object or 1493
fixture so that the dog is adequately restrained and station 1494
such a person in close enough proximity to that dog so as to 1495
prevent it from causing injury to any person; 1496

(c) Muzzle that dog. 1497

~~(E)~~ (B) No ~~person who has been convicted of or pleaded~~ 1498
~~guilty to three or more violations of division (C) of this~~ 1499
~~section involving the same dog and no~~ owner, keeper, or harborer 1500
of a vicious or dangerous dog shall recklessly fail to do any of 1501
the following: 1502

(1) Obtain liability insurance with an insurer authorized 1503
to write liability insurance in this state providing coverage in 1504
each occurrence because of damage or bodily injury to or death 1505
of a person caused by the vicious or dangerous dog if so ordered 1506
by a court and provide proof of that liability insurance upon 1507
request to any law enforcement officer, county dog warden, or 1508
public health official charged with enforcing this section; 1509

~~(2) Obtain a dangerous dog registration certificate from 1510
the county auditor pursuant to division (I) of this section, 1511
affix a tag that identifies the dog as a dangerous dog to the 1512
dog's collar, and ensure that the dog wears the collar and tag 1513
at all times; 1514~~

~~(3)~~ Notify the local dog warden immediately if any of the 1515
following occurs: 1516

(a) The dog is loose or unconfined. 1517

(b) The dog bites a person, unless the dog is on the 1518
property of the owner of the dog, and the person who is bitten 1519
is unlawfully trespassing or committing a criminal act within 1520
the boundaries of that property. 1521

(c) The dog attacks another animal while the dog is off 1522
the property of the owner of the dog. 1523

~~(4)~~ (3) If the dog is sold, given to another person, or 1524
dies, notify the county auditor and the dog warden within ten 1525
days of the sale, transfer, or death. 1526

~~(F)~~ (C) No person shall recklessly do any of the following: 1527

(1) Debark or surgically silence a dog that the person 1528
knows or has reason to believe is a vicious or dangerous dog; 1529

(2) Possess a vicious or dangerous dog if the person knows 1530

or has reason to believe that the dog has been debarked or 1531
surgically silenced; 1532

(3) Falsely attest on a waiver form provided by the 1533
veterinarian ~~under division (C) of this section~~ that the 1534
person's dog is not a vicious or dangerous dog or otherwise 1535
provide false information on that written waiver form. 1536

~~(G)~~(D) Before a veterinarian debarks or surgically 1537
silences a dog, the veterinarian may give the owner of the dog a 1538
written waiver form that attests that the dog is not a vicious 1539
or dangerous dog. The written waiver form shall include all of 1540
the following: 1541

(1) The veterinarian's license number and current business 1542
address; 1543

(2) The number of the license of the dog if the dog is 1544
licensed; 1545

(3) A reasonable description of the age, coloring, and 1546
gender of the dog as well as any notable markings on the dog; 1547

(4) The signature of the owner of the dog attesting that 1548
the owner's dog is not a dangerous dog; 1549

(5) A statement that ~~division (F) of section 955.22 of the~~ 1550
~~Revised Code~~ Ohio law prohibits any person from doing any of the 1551
following: 1552

(a) Debarking or surgically silencing a dog that the 1553
person knows or has reason to believe is a vicious or dangerous 1554
dog; 1555

(b) Possessing a vicious or dangerous dog if the person 1556
knows or has reason to believe that the dog has been debarked or 1557
surgically silenced; 1558

(c) Falsely attesting on a waiver form provided by the 1559
veterinarian ~~under division (C) of section 955.22 of the Revised~~ 1560
~~Code~~ that the person's dog is not a vicious or dangerous dog or 1561
otherwise provide false information on that written waiver form. 1562

~~(H)~~ (E) It is an affirmative defense to a charge of a 1563
violation of division ~~(F)~~ (C) of this section that the 1564
veterinarian who is charged with the violation obtained, prior 1565
to debarking or surgically silencing the dog, a written waiver 1566
form that complies with ~~division (G) of this section~~ and that 1567
attests that the dog is not a vicious or dangerous dog. 1568

~~(I) (1) The county auditor shall issue a dangerous dog~~ 1569
~~registration certificate to a person who is the owner of a dog,~~ 1570
~~who is eighteen years of age or older, and who provides the~~ 1571
~~following to the county auditor:~~ 1572

~~(a) A fee of fifty dollars;~~ 1573

~~(b) The person's address, phone number, and other~~ 1574
~~appropriate means for the local dog warden or county auditor to~~ 1575
~~contact the person;~~ 1576

~~(c) With respect to the person and the dog for which the~~ 1577
~~registration is sought, all of the following:~~ 1578

~~(i) Either satisfactory evidence of the dog's current~~ 1579
~~rabies vaccination or a statement from a licensed veterinarian~~ 1580
~~that a rabies vaccination is medically contraindicated for the~~ 1581
~~dog;~~ 1582

~~(ii) Either satisfactory evidence of the fact that the dog~~ 1583
~~has been neutered or spayed or a statement from a licensed~~ 1584
~~veterinarian that neutering or spaying of the dog is medically~~ 1585
~~contraindicated;~~ 1586

~~(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;~~ 1587
1588
1589
1590

~~(iv) Satisfactory evidence of the fact that the dog has been permanently identified by means of a microchip and the dog's microchip number.~~ 1591
1592
1593

~~(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, shall renew the certificate in the new county.~~ 1594
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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.~~ 1604
1605
1606
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1608

~~(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:~~ 1609
1610
1611
1612
1613

~~(i) Provide written notice of the new address and a copy of the original dangerous dog registration certificate to the~~ 1614
1615

~~county auditor of the new county;~~ 1616

~~(ii) Provide written notice of the new address to the
county auditor of the county where the owner previously resided.~~ 1617
1618

~~(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.~~ 1619
1620
1621
1622

~~(5) The fees collected pursuant to this division shall be
deposited in the dog and kennel fund of the county.~~ 1623
1624

(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
any of the following: 1625
1626
1627
1628
1629

(a) Personally supervise the vicious or dangerous dog that
the offender owns, keeps, or harbors; 1630
1631

(b) Cause the dog to complete dog obedience training; 1632

(c) Order the offender to obtain liability insurance
pursuant to this section. 1633
1634

(2) The court, in the alternative, may order the vicious
or dangerous dog to be humanely destroyed by a licensed
veterinarian, the county dog warden, or the county humane
society at the owner's expense. 1635
1636
1637
1638

(G) Whoever violates division (B) of this section is
guilty of a minor misdemeanor. 1639
1640

(H) Whoever violates division (C) (1), (2), or (3) of this
section is guilty of a felony of the fourth degree. 1641
1642

Additionally, the court shall order that the dog involved in the 1643
violation be humanely destroyed by a licensed veterinarian, the 1644
county dog warden, or the county humane society. Until the court 1645
makes a final determination and during the pendency of any 1646
appeal of a violation of division (C) (1), (2), or (3) of this 1647
section and at the discretion of the dog warden, the dog shall 1648
be confined or restrained in accordance with the provisions of 1649
division (A) of this section or at the county dog pound at the 1650
owner's expense. 1651

Sec. 955.26. (A) Whenever, in the judgment of the director 1652
of health, any city or general health district board of health, 1653
or persons performing the duties of a board of health, rabies is 1654
prevalent, the director of health, the board, or those persons 1655
shall declare a quarantine of all dogs in the health district or 1656
in a part of it. During the quarantine, the owner, keeper, or 1657
harborer of any dog shall keep it confined on the premises of 1658
the owner, keeper, or harborer, or in a pound, kennel, or other 1659
suitable place, at the expense of the owner, keeper, or 1660
harborer, except that a dog may be permitted to leave the 1661
premises of its owner, keeper, or harborer if it is under leash 1662
or under the control of a responsible person. The quarantine 1663
order shall be considered an emergency and need not be 1664
published. 1665

(B) When the quarantine has been declared, the director of 1666
health, the board, or those persons may require vaccination for 1667
rabies of all dogs within the health district or part of it. 1668
Proof of rabies vaccination within a satisfactory period shall 1669
be demonstrated to the county auditor before any registration is 1670
issued under section ~~955.01~~955.02 of the Revised Code for any 1671
dog that is required to be vaccinated. 1672

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

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

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

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

(G) Whoever violates division (F) of this section is guilty of a minor misdemeanor on a first offense and of a misdemeanor of the fourth degree on each subsequent offense.

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

(2) (a) Subject to division (A) (2) (b) of this section, no

person shall kill a dog that has bitten any person until a 1702
quarantine period as specified in division (B) of this section 1703
has been completed. 1704

(b) Division (A)(2)(a) of this section does not apply to 1705
the killing of a dog in order to prevent further injury or death 1706
or if the dog is diseased or seriously injured. 1707

(3) No person who has killed a dog that has bitten any 1708
person in order to prevent further injury or death or if the dog 1709
is diseased or seriously injured shall fail to do both of the 1710
following: 1711

(a) Immediately after the killing of the dog, notify the 1712
board of health for the district in which the bite occurred of 1713
the facts relative to the bite and the killing; 1714

(b) Hold the body of the dog until that board of health 1715
claims it to perform tests for rabies. 1716

(B) The quarantine period for a dog that has bitten any 1717
person shall be ten days or another period that the board of 1718
health for the district in which the bite occurred determines is 1719
necessary to observe the dog for rabies. 1720

(C)(1) To enable persons to comply with the quarantine 1721
requirements specified in divisions (A) and (B) of this section, 1722
boards of health shall make provision for the quarantine of 1723
individual dogs under the circumstances described in those 1724
divisions. 1725

(2) Upon the receipt of a notification pursuant to 1726
division (A)(3) of this section that a dog that has bitten any 1727
person has been killed, the board of health for the district in 1728
which the bite occurred shall claim the body of the dog from its 1729
killer and then perform tests on the body for rabies. 1730

(D) This section does not apply to a police dog that has 1731
bitten a person while the police dog is under the care of a 1732
licensed veterinarian or has bitten a person while the police 1733
dog is being used for law enforcement, corrections, prison or 1734
jail security, or investigative purposes. If, after biting a 1735
person, a police dog exhibits any abnormal behavior, the law 1736
enforcement agency and the law enforcement officer the police 1737
dog assists, within a reasonable time after the person is 1738
bitten, shall make the police dog available for the board of 1739
health for the district in which the bite occurred to perform 1740
tests for rabies. 1741

(E) ~~As used in this section, "police dog" has the same~~ 1742
~~meaning as in section 2921.321 of the Revised Code~~Whoever 1743
recklessly violates this section is guilty of a minor 1744
misdemeanor on a first offense and of a misdemeanor of the 1745
fourth degree on each subsequent offense. 1746

Sec. ~~955.40~~ 955.262. Any corporation which violates 1747
section ~~955.39~~955.26 of the Revised Code shall forfeit and pay 1748
to the municipal corporation a sum not to exceed three hundred 1749
dollars, to be collected in a civil action brought in the name 1750
of the municipal corporation. 1751

The judgment authorized in this section being in the 1752
nature of a penalty, or exemplary damages, no proof of actual 1753
damages shall be required, but the court or jury, finding other 1754
facts to justify recovery, shall determine the amount by 1755
reference to all the facts, culpatory, exculpatory, or 1756
extenuating, adduced at the trial. 1757

Sec. 955.43. (A) As used in this section, "institutions of 1758
education" means any of the following: 1759

<u>(1) Any state university or college as defined in section</u>	1760
<u>3345.32 of the Revised Code;</u>	1761
<u>(2) Any private college or university that holds a</u>	1762
<u>certificate of authorization issued by the Ohio board of regents</u>	1763
<u>pursuant to Chapter 1713. of the Revised Code;</u>	1764
<u>(3) Any elementary or secondary school operated by a board</u>	1765
<u>of education;</u>	1766
<u>(4) Any chartered or nonchartered nonpublic elementary or</u>	1767
<u>secondary school;</u>	1768
<u>(5) Any school issued a certificate of registration by the</u>	1769
<u>state board of career colleges and schools.</u>	1770
<u>(B) When a person who is blind, deaf, or hearing impaired,</u>	1771
a person with a mobility impairment, or a trainer of an	1772
assistance dog is accompanied by an assistance dog, the person	1773
or trainer, as applicable, is entitled to the full and equal	1774
accommodations, advantages, facilities, and privileges of all	1775
public conveyances, hotels, lodging places, all places of public	1776
accommodation, amusement, or resort, all institutions of	1777
education, and other places to which the general public is	1778
invited, and may take the dog into such conveyances and places,	1779
subject only to the conditions and limitations applicable to all	1780
persons not so accompanied, except that:	1781
(1) The dog shall not occupy a seat in any public	1782
conveyance.	1783
(2) The dog shall be upon a leash while using the	1784
facilities of a common carrier.	1785
(3) Any dog in training to become an assistance dog shall	1786
be covered by a liability insurance policy provided by the	1787

nonprofit special agency engaged in such work protecting members 1788
of the public against personal injury or property damage caused 1789
by the dog. 1790

~~(B)~~ (C) No person shall recklessly deprive a person who is 1791
blind, deaf, or hearing impaired, a person who has a mobility 1792
impairment, or a trainer of an assistance dog when the person or 1793
trainer, as applicable, is accompanied by an assistance dog of 1794
any of the advantages, facilities, or privileges provided in 1795
division ~~(A)~~ (B) of this section, and no person shall charge the 1796
person or trainer a fee or charge for the dog. 1797

(D) Whoever violates division (C) of this section is 1798
guilty of a misdemeanor of the fourth degree. 1799

~~(C) As used in this section, "institutions of education"~~ 1800
~~means:~~ 1801

~~(1) Any state university or college as defined in section~~ 1802
~~3345.32 of the Revised Code;~~ 1803

~~(2) Any private college or university that holds a~~ 1804
~~certificate of authorization issued by the Ohio board of regents~~ 1805
~~pursuant to Chapter 1713. of the Revised Code;~~ 1806

~~(3) Any elementary or secondary school operated by a board~~ 1807
~~of education;~~ 1808

~~(4) Any chartered or nonchartered nonpublic elementary or~~ 1809
~~secondary school;~~ 1810

~~(5) Any school issued a certificate of registration by the~~ 1811
~~state board of career colleges and schools.~~ 1812

Sec. 955.44. All fines collected for violations of 1813
sections 955.02, 955.09, 955.10, 955.11, 955.12, 1814
955.21, 955.24, 955.23, 955.25, and 955.261 of the Revised 1815

Code shall be deposited in the county treasury to the credit of 1816
the dog and kennel fund. 1817

Sec. 955.50. (A) No person shall sell, offer to sell, or 1818
expose for sale, for the purpose of resale or receive for 1819
delivery within this state, or ship from any point within this 1820
state to any point outside this state, for sale to the general 1821
public at retail, any dog under the age of eight weeks. 1822

(B) No person shall receive from outside this state, or 1823
ship from any point within this state to any point outside this 1824
state, for sale to the general public at retail, any dog that is 1825
not accompanied by a certificate, issued by a licensed 1826
veterinarian who is accredited by the United States department 1827
of agriculture and authorized to issue health certificates for 1828
animals in interstate commerce, certifying that the dog is 1829
sufficiently sound and healthy to be reasonably expected to 1830
withstand the intended transportation without adverse effect. 1831

(C) This section does not apply to the transportation of 1832
dogs in interstate commerce by common carrier, provided that 1833
neither the point of shipment nor the point of receiving is 1834
within this state. 1835

(D) No person responsible for the transportation of a 1836
pregnant dog to any point within this state or from any point 1837
within this state to any point outside this state shall be 1838
liable in damages for any injury to or illness of, or the death 1839
of, the dog or any puppies, ~~whenever~~ whenever the injury, 1840
illness, or death results from the birth of such puppies during 1841
the time the dog is being transported. 1842

(E) Whoever recklessly violates this section is guilty of 1843
a minor misdemeanor on a first offense and of a misdemeanor of 1844

the fourth degree on each subsequent offense. 1845

Sec. 955.54. (A) No person who is convicted of or pleads 1846
guilty to a felony offense of violence committed on or after ~~the~~ 1847
~~effective date of this section~~ May 22, 2012, or a felony 1848
violation of any provision of Chapter 959., 2923., or 2925. of 1849
the Revised Code committed on or after ~~the effective date of~~ 1850
~~this section~~ May 22, 2012, shall knowingly own, possess, have 1851
custody of, or reside in a residence with ~~either~~ any of the 1852
following for a period of three years commencing either upon the 1853
date of release of the person from any period of incarceration 1854
imposed for the offense or violation or, if the person is not 1855
incarcerated for the offense or violation, upon the date ~~of that~~ 1856
~~the person's final release from the other sanctions imposed for~~ 1857
person plead guilty to or was convicted of the offense or 1858
violation: 1859

(1) An unspayed or unneutered dog older than twelve weeks 1860
of age; 1861

(2) Any dog that has been determined to be a dangerous dog 1862
or vicious dog under Chapter 955. of the Revised Code; 1863

(3) Any dog that does not have a permanently implanted 1864
microchip that has an identification number that is unique to 1865
the microchip. 1866

~~(B) A person described in division (A) of this section~~ 1867
~~shall microchip for permanent identification any dog owned,~~ 1868
~~possessed by, or in the custody of the person.~~ 1869

~~(C)(1)~~ Division (A) of this section does not apply to any 1870
person who is confined in a correctional institution of the 1871
department of rehabilitation and correction. 1872

(2) Division (A) of this section does not apply to any 1873

person with respect to any dog that the person owned, possessed, 1874
had custody of, or resided in a residence with prior to ~~the~~ 1875
~~effective date of this section~~ May 22, 2012. 1876

(C) Whoever recklessly violates this section is guilty of 1877
a misdemeanor of the first degree. 1878

Sec. 955.60. (A) Any person authorized to enforce this 1879
chapter shall investigate any complaint that indicates a 1880
possible violation of any provision of this chapter involving a 1881
dog. 1882

(B) If, after investigating an alleged violation of this 1883
chapter under division (A) of this section, an authorized person 1884
does not cite a person for or charge a person with a violation, 1885
the authorized person shall notify, in accordance with division 1886
(C) of this section, the owner, keeper, or harbinger of the dog 1887
that there has been a complaint regarding the dog and that the 1888
authorized person investigated a possible violation. The notice 1889
shall specify both of the following: 1890

(1) A citation to the applicable provision or provisions 1891
of law at issue; 1892

(2) Contact information for the authorized person. 1893

(C) The authorized person shall post the notice on the 1894
door of the dwelling at which the dog resides within twenty-four 1895
hours after the authorized person concludes the investigation. 1896

Sec. 959.132. (A) As used in this section: 1897

"Companion animal" has the same meaning as in section 1898
959.131 of the Revised Code. 1899

"Impounding agency" means a county humane society 1900
organized under section 1717.05 of the Revised Code, an animal 1901

shelter, or a law enforcement agency that has impounded a 1902
companion animal in accordance with this section. 1903

"Offense" means a violation of Chapter 959. of the Revised 1904
Code or an attempt, in violation of section 2923.02 of the 1905
Revised Code, to violate Chapter 959. of the Revised Code. 1906

"Officer" means any law enforcement officer, humane 1907
society agent, or other person appointed to act as an animal 1908
control officer for a municipal corporation or township in 1909
accordance with state law, an ordinance, or a resolution. 1910

(B) An officer may seize and cause to be impounded at an 1911
impounding agency an animal that the officer has probable cause 1912
to believe is the subject of an offense. No officer or 1913
impounding agency shall impound an animal that is the subject of 1914
an offense in a shelter owned, operated, or controlled by a 1915
board of county commissioners pursuant to Chapter 955. of the 1916
Revised Code unless the board, by resolution, authorizes the 1917
impoundment of such an animal in a shelter owned, operated, or 1918
controlled by that board and has executed, in the case when the 1919
officer is other than a dog warden or assistant dog warden, a 1920
contract specifying the terms and conditions of the impoundment. 1921

(C) The officer shall give written notice of the seizure 1922
and impoundment to the owner, keeper, or harbinger of the animal 1923
not later than twenty-four hours after the animal was seized and 1924
impounded. If the officer is unable to give the notice to the 1925
owner, keeper, or harbinger of the animal, the officer shall post 1926
the notice on the door of the residence or in another 1927
conspicuous place on the premises at which the animal was 1928
seized. The notice shall include a statement that a hearing will 1929
be held not later than ten days after the notice is provided or 1930
at the next available court date to determine whether the 1931

officer had probable cause to seize the animal and, if 1932
applicable, to determine the amount of a bond or cash deposit 1933
that is needed to provide for the animal's care and keeping for 1934
not less than thirty days beginning on the date on which the 1935
animal was impounded. 1936

(D) An animal that is seized under this section may be 1937
humanely destroyed immediately or at any time during impoundment 1938
if a licensed veterinarian determines it to be necessary because 1939
the animal is suffering. 1940

(E) (1) Not later than ten days after notice is provided or 1941
at the next available court date, the court shall hold a hearing 1942
to determine whether the officer impounding an animal had 1943
probable cause to seize the animal. If the court determines that 1944
probable cause exists, the court shall determine the amount of a 1945
bond or cash deposit that is necessary and reasonable to provide 1946
for the animal's care and keeping for not less than thirty days 1947
beginning on the date on which the animal was impounded. 1948

(2) If the court determines that probable cause does not 1949
exist, the court immediately shall order the impounding agency 1950
to return the animal to its owner if possible. If the animal 1951
cannot be returned because it has died as a result of neglect or 1952
other misconduct by the impounding agency or if the animal is 1953
injured as a result of neglect or other misconduct by the 1954
impounding agency, the court shall order the impounding agency 1955
to pay the owner an amount determined by the court to be equal 1956
to the reasonable market value of the animal at the time that it 1957
was impounded plus statutory interest as defined in section 1958
1343.03 of the Revised Code from the date of the impoundment or 1959
an amount determined by the court to be equal to the reasonable 1960
cost of treatment of the injury to the animal, as applicable. 1961

The requirement established in division (E) (2) of this section 1962
regarding the payment of the reasonable market value of the 1963
animal shall not apply in the case of a dog that, in violation 1964
of section ~~955.01~~955.02 of the Revised Code, was not registered 1965
at the time it was seized and impounded. 1966

(3) If the court determines that probable cause exists and 1967
determines the amount of a bond or cash deposit, the case shall 1968
continue and the owner shall post a bond or cash deposit to 1969
provide for the animal's care and keeping for not less than 1970
thirty days beginning on the date on which the animal was 1971
impounded. The owner may renew a bond or cash deposit by 1972
posting, not later than ten days following the expiration of the 1973
period for which a previous bond or cash deposit was posted, a 1974
new bond or cash deposit in an amount that the court, in 1975
consultation with the impounding agency, determines is necessary 1976
and reasonable to provide for the animal's care and keeping for 1977
not less than thirty days beginning on the date on which the 1978
previous period expired. If no bond or cash deposit is posted or 1979
if a bond or cash deposit expires and is not renewed, the 1980
impounding agency may determine the disposition of the animal 1981
unless the court issues an order that specifies otherwise. 1982

(F) If a person is convicted of committing an offense, the 1983
court may impose the following additional penalties against the 1984
person: 1985

(1) A requirement that the person pay for the costs 1986
incurred by the impounding agency in caring for an animal 1987
involved in the applicable offense, provided that the costs were 1988
incurred during the animal's impoundment. A bond or cash deposit 1989
posted under this section may be applied to the costs. 1990

(2) An order permanently terminating the person's right to 1991

possession, title, custody, or care of the animal that was 1992
involved in the offense. If the court issues such an order, the 1993
court shall order the disposition of the animal. 1994

(G) If a person is found not guilty of committing an 1995
offense, the court immediately shall order the impounding agency 1996
to return the animal to its owner if possible and to return the 1997
entire amount of any bond or cash deposit posted under division 1998
(E) of this section. If the animal cannot be returned because it 1999
has died as a result of neglect or other misconduct by the 2000
impounding agency or if the animal is injured as a result of 2001
neglect or other misconduct by the impounding agency, the court 2002
shall order the impounding agency to pay the owner an amount 2003
determined by the court to be equal to the reasonable market 2004
value of the animal at the time that it was impounded plus 2005
statutory interest as defined in section 1343.03 of the Revised 2006
Code from the date of the impoundment or an amount determined by 2007
the court to be equal to the reasonable cost of treatment of the 2008
injury to the animal, as applicable. The requirements 2009
established in this division regarding the return of a bond or 2010
cash deposit and the payment of the reasonable market value of 2011
the animal shall not apply in the case of a dog that, in 2012
violation of section ~~955.01~~955.02 of the Revised Code, was not 2013
registered at the time it was seized and impounded. 2014

(H) If charges are filed under section 959.131 of the 2015
Revised Code against the custodian or caretaker of a companion 2016
animal, but the companion animal that is the subject of the 2017
charges is not impounded, the court in which the charges are 2018
pending may order the owner or person having custody of the 2019
companion animal to provide to the companion animal the 2020
necessities described in division (D) (2), (D) (3), (E) (2), (E) 2021
(3), (F) (2), or (F) (3) of section 959.131 of the Revised Code 2022

until the final disposition of the charges. If the court issues 2023
an order of that nature, the court also may authorize an officer 2024
or another person to visit the place where the companion animal 2025
is being kept, at the times and under the conditions that the 2026
court may set, to determine whether the companion animal is 2027
receiving those necessities and to remove and impound the 2028
companion animal if the companion animal is not receiving those 2029
necessities. 2030

Sec. 1533.12. (A) (1) Except as otherwise provided in 2031
division (A) (2) of this section, every person on active duty in 2032
the armed forces of the United States who is stationed in this 2033
state and who wishes to engage in an activity for which a 2034
license, permit, or stamp is required under this chapter first 2035
shall obtain the requisite license, permit, or stamp. Such a 2036
person is eligible to obtain a resident hunting or fishing 2037
license regardless of whether the person qualifies as a resident 2038
of this state. To obtain a resident hunting or fishing license, 2039
the person shall present a card or other evidence identifying 2040
the person as being on active duty in the armed forces of the 2041
United States and as being stationed in this state. 2042

(2) Every person on active duty in the armed forces of the 2043
United States, while on leave or furlough, may take or catch 2044
fish of the kind lawfully permitted to be taken or caught within 2045
the state, may hunt any wild bird or wild quadruped lawfully 2046
permitted to be hunted within the state, and may trap fur- 2047
bearing animals lawfully permitted to be trapped within the 2048
state, without procuring a fishing license, a hunting license, a 2049
fur taker permit, or a wetlands habitat stamp required by this 2050
chapter, provided that the person shall carry on the person when 2051
fishing, hunting, or trapping, a card or other evidence 2052
identifying the person as being on active duty in the armed 2053

forces of the United States, and provided that the person is not 2054
otherwise violating any of the hunting, fishing, and trapping 2055
laws of this state. 2056

In order to hunt deer or wild turkey, any such person 2057
shall obtain a deer or wild turkey permit, as applicable, under 2058
section 1533.11 of the Revised Code. Such a person is eligible 2059
to obtain a deer or wild turkey permit at the resident rate, 2060
regardless of whether the person is a resident of this state. 2061
However, the person need not obtain a hunting license in order 2062
to obtain such a permit. 2063

(B) The chief of the division of wildlife shall provide by 2064
rule adopted under section 1531.10 of the Revised Code all of 2065
the following: 2066

(1) Every resident of this state with a disability that 2067
has been determined by the veterans administration to be 2068
permanently and totally disabling, who receives a pension or 2069
compensation from the veterans administration, and who received 2070
an honorable discharge from the armed forces of the United 2071
States, and every veteran to whom the registrar of motor 2072
vehicles has issued a set of license plates under section 2073
4503.41 of the Revised Code, shall be issued a fishing license, 2074
hunting license, fur taker permit, deer or wild turkey permit, 2075
or wetlands habitat stamp, or any combination of those licenses, 2076
permits, and stamp, free of charge on an annual, multi-year, or 2077
lifetime basis as determined appropriate by the chief when 2078
application is made to the chief in the manner prescribed by and 2079
on forms provided by the chief. 2080

(2) Every resident of the state who was born on or before 2081
December 31, 1937, shall be issued an annual fishing license, 2082
hunting license, fur taker permit, deer or wild turkey permit, 2083

or wetlands habitat stamp, or any combination of those licenses, 2084
permits, and stamp, free of charge when application is made to 2085
the chief in the manner prescribed by and on forms provided by 2086
the chief. 2087

(3) Every resident of state or county institutions, 2088
charitable institutions, and military homes in this state shall 2089
be issued an annual fishing license free of charge when 2090
application is made to the chief in the manner prescribed by and 2091
on forms provided by the chief. 2092

(4) As used in division (B)(4) of this section, "blind" 2093
and "person with a mobility impairment" have the same meanings 2094
as in section ~~955.011~~955.021 of the Revised Code. 2095

Any person with a mobility impairment or blind person who 2096
is a resident of this state and who is unable to engage in 2097
fishing without the assistance of another person shall be issued 2098
an annual fishing license free of charge when application is 2099
made to the chief in the manner prescribed by and on forms 2100
provided by the chief. The person who is assisting the person 2101
with a mobility impairment or blind person may assist in taking 2102
or catching fish of the kind permitted to be taken or caught 2103
without procuring the license required under section 1533.32 of 2104
the Revised Code, provided that only one line is used by both 2105
persons. 2106

(5) As used in division (B)(5) of this section, "prisoner 2107
of war" means any regularly appointed, enrolled, enlisted, or 2108
inducted member of the military forces of the United States who 2109
was captured, separated, and incarcerated by an enemy of the 2110
United States. 2111

Any person who has been a prisoner of war, was honorably 2112

discharged from the military forces, and is a resident of this 2113
state shall be issued a fishing license, hunting license, fur 2114
taker permit, or wetlands habitat stamp, or any combination of 2115
those licenses, permits, and stamp, free of charge on an annual, 2116
multi-year, or lifetime basis as determined appropriate by the 2117
chief when application is made to the chief in the manner 2118
prescribed by and on forms provided by the chief. 2119

(C) The chief shall adopt rules pursuant to section 2120
1531.08 of the Revised Code designating not more than two days, 2121
which need not be consecutive, in each year as "free sport 2122
fishing days" on which any resident may exercise the privileges 2123
accorded the holder of a fishing license issued under section 2124
1533.32 of the Revised Code without procuring such a license, 2125
provided that the person is not otherwise violating any of the 2126
fishing laws of this state. 2127

Sec. 1901.18. (A) Except as otherwise provided in this 2128
division or section 1901.181 of the Revised Code, subject to the 2129
monetary jurisdiction of municipal courts as set forth in 2130
section 1901.17 of the Revised Code, a municipal court has 2131
original jurisdiction within its territory in all of the 2132
following actions or proceedings and to perform all of the 2133
following functions: 2134

(1) In any civil action, of whatever nature or remedy, of 2135
which judges of county courts have jurisdiction; 2136

(2) In any action or proceeding at law for the recovery of 2137
money or personal property of which the court of common pleas 2138
has jurisdiction; 2139

(3) In any action at law based on contract, to determine, 2140
preserve, and enforce all legal and equitable rights involved in 2141

the contract, to decree an accounting, reformation, or 2142
cancellation of the contract, and to hear and determine all 2143
legal and equitable remedies necessary or proper for a complete 2144
determination of the rights of the parties to the contract; 2145

(4) In any action or proceeding for the sale of personal 2146
property under chattel mortgage, lien, encumbrance, or other 2147
charge, for the foreclosure and marshalling of liens on personal 2148
property of that nature, and for the rendering of personal 2149
judgment in the action or proceeding; 2150

(5) In any action or proceeding to enforce the collection 2151
of its own judgments or the judgments rendered by any court 2152
within the territory to which the municipal court has succeeded, 2153
and to subject the interest of a judgment debtor in personal 2154
property to satisfy judgments enforceable by the municipal 2155
court; 2156

(6) In any action or proceeding in the nature of 2157
interpleader; 2158

(7) In any action of replevin; 2159

(8) In any action of forcible entry and detainer; 2160

(9) In any action concerning the issuance and enforcement 2161
of temporary protection orders pursuant to section 2919.26 of 2162
the Revised Code or protection orders pursuant to section 2163
2903.213 of the Revised Code or the enforcement of protection 2164
orders issued by courts of another state, as defined in section 2165
2919.27 of the Revised Code; 2166

(10) If the municipal court has a housing or environmental 2167
division, in any action over which the division is given 2168
jurisdiction by section 1901.181 of the Revised Code, provided 2169
that, except as specified in division (B) of that section, no 2170

judge of the court other than the judge of the division shall 2171
hear or determine any action over which the division has 2172
jurisdiction; 2173

(11) In any action brought pursuant to division (I) of 2174
section 4781.40 of the Revised Code, if the residential premises 2175
that are the subject of the action are located within the 2176
territorial jurisdiction of the court; 2177

(12) In any civil action as described in division (B) (1) 2178
of section 3767.41 of the Revised Code that relates to a public 2179
nuisance, and, to the extent any provision of this chapter 2180
conflicts or is inconsistent with a provision of that section, 2181
the provision of that section shall control in the civil action; 2182

(13) In a proceeding brought pursuant to section ~~955.222~~ 2183
955.23 of the Revised Code by the owner of a dog that has been 2184
designated as a nuisance dog, dangerous dog, or vicious dog; 2185

(14) In every civil action concerning a violation of a 2186
state traffic law or a municipal traffic ordinance. 2187

(B) The Cleveland municipal court also shall have 2188
jurisdiction within its territory in all of the following 2189
actions or proceedings and to perform all of the following 2190
functions: 2191

(1) In all actions and proceedings for the sale of real 2192
property under lien of a judgment of the municipal court or a 2193
lien for machinery, material, or fuel furnished or labor 2194
performed, irrespective of amount, and, in those actions and 2195
proceedings, the court may proceed to foreclose and marshal all 2196
liens and all vested or contingent rights, to appoint a 2197
receiver, and to render personal judgment irrespective of amount 2198
in favor of any party. 2199

(2) In all actions for the foreclosure of a mortgage on 2200
real property given to secure the payment of money or the 2201
enforcement of a specific lien for money or other encumbrance or 2202
charge on real property, when the amount claimed by the 2203
plaintiff does not exceed fifteen thousand dollars and the real 2204
property is situated within the territory, and, in those 2205
actions, the court may proceed to foreclose all liens and all 2206
vested and contingent rights and may proceed to render judgments 2207
and make findings and orders between the parties in the same 2208
manner and to the same extent as in similar actions in the court 2209
of common pleas. 2210

(3) In all actions for the recovery of real property 2211
situated within the territory to the same extent as courts of 2212
common pleas have jurisdiction; 2213

(4) In all actions for injunction to prevent or terminate 2214
violations of the ordinances and regulations of the city of 2215
Cleveland enacted or promulgated under the police power of the 2216
city of Cleveland, pursuant to Section 3 of Article XVIII, Ohio 2217
Constitution, over which the court of common pleas has or may 2218
have jurisdiction, and, in those actions, the court may proceed 2219
to render judgments and make findings and orders in the same 2220
manner and to the same extent as in similar actions in the court 2221
of common pleas. 2222

(C) As used in this section, "violation of a state traffic 2223
law or a municipal traffic ordinance" has the same meaning as in 2224
section 1901.20 of the Revised Code. 2225

Sec. 1907.031. (A) Except as otherwise provided in section 2226
1907.03 of the Revised Code and in addition to the jurisdiction 2227
authorized in other sections of this chapter and in section 2228
1909.11 of the Revised Code, a county court has original 2229

jurisdiction within its district in all of the following actions	2230
or proceedings and to perform all of the following functions:	2231
(1) In an action or proceeding at law for the recovery of	2232
money or personal property of which the court of common pleas	2233
has jurisdiction;	2234
(2) In an action at law based on contract, to determine,	2235
preserve, and enforce all legal and equitable rights involved in	2236
the contract, to decree an accounting, reformation, or	2237
cancellation of the contract, and to hear and determine all	2238
legal and equitable remedies necessary or proper for a complete	2239
determination of the rights of the parties to the contract;	2240
(3) In an action or proceeding for the sale of personal	2241
property under chattel mortgage, lien, encumbrance, or other	2242
charge, for the foreclosure and marshalling of liens on the	2243
personal property, and for the rendering of personal judgment in	2244
the action or proceeding;	2245
(4) In an action or proceeding to enforce the collection	2246
of its own judgments and to subject the interest of a judgment	2247
debtor in personal property to satisfy judgments enforceable by	2248
the county court;	2249
(5) In an action or proceeding in the nature of	2250
interpleader;	2251
(6) In an action of forcible entry and detainer;	2252
(7) In a proceeding brought pursuant to section 955.222	2253
<u>955.23</u> of the Revised Code by the owner of a dog that has been	2254
designated as a nuisance dog, dangerous dog, or vicious dog;	2255
(8) In every civil action or proceeding concerning a	2256
violation of a state traffic law or a municipal traffic	2257

ordinance. 2258

(B) A county court has original jurisdiction in civil 2259
actions as described in division (B) (1) of section 3767.41 of 2260
the Revised Code that relate to a public nuisance. To the extent 2261
any provision of this chapter conflicts or is inconsistent with 2262
a provision of that section, the provision of that section shall 2263
control in such a civil action. 2264

(C) As used in this section, "violation of a state traffic 2265
law or a municipal traffic ordinance" has the same meaning as in 2266
section 1901.20 of the Revised Code. 2267

Sec. 2913.01. As used in this chapter, unless the context 2268
requires that a term be given a different meaning: 2269

(A) "Deception" means knowingly deceiving another or 2270
causing another to be deceived by any false or misleading 2271
representation, by withholding information, by preventing 2272
another from acquiring information, or by any other conduct, 2273
act, or omission that creates, confirms, or perpetuates a false 2274
impression in another, including a false impression as to law, 2275
value, state of mind, or other objective or subjective fact. 2276

(B) "Defraud" means to knowingly obtain, by deception, 2277
some benefit for oneself or another, or to knowingly cause, by 2278
deception, some detriment to another. 2279

(C) "Deprive" means to do any of the following: 2280

(1) Withhold property of another permanently, or for a 2281
period that appropriates a substantial portion of its value or 2282
use, or with purpose to restore it only upon payment of a reward 2283
or other consideration; 2284

(2) Dispose of property so as to make it unlikely that the 2285

owner will recover it; 2286

(3) Accept, use, or appropriate money, property, or 2287
services, with purpose not to give proper consideration in 2288
return for the money, property, or services, and without 2289
reasonable justification or excuse for not giving proper 2290
consideration. 2291

(D) "Owner" means, unless the context requires a different 2292
meaning, any person, other than the actor, who is the owner of, 2293
who has possession or control of, or who has any license or 2294
interest in property or services, even though the ownership, 2295
possession, control, license, or interest is unlawful. 2296

(E) "Services" include labor, personal services, 2297
professional services, rental services, public utility services 2298
including wireless service as defined in division (F) (1) of 2299
section 128.01 of the Revised Code, common carrier services, and 2300
food, drink, transportation, entertainment, and cable television 2301
services and, for purposes of section 2913.04 of the Revised 2302
Code, include cable services as defined in that section. 2303

(F) "Writing" means any computer software, document, 2304
letter, memorandum, note, paper, plate, data, film, or other 2305
thing having in or upon it any written, typewritten, or printed 2306
matter, and any token, stamp, seal, credit card, badge, 2307
trademark, label, or other symbol of value, right, privilege, 2308
license, or identification. 2309

(G) "Forge" means to fabricate or create, in whole or in 2310
part and by any means, any spurious writing, or to make, 2311
execute, alter, complete, reproduce, or otherwise purport to 2312
authenticate any writing, when the writing in fact is not 2313
authenticated by that conduct. 2314

(H) "Utter" means to issue, publish, transfer, use, put or send into circulation, deliver, or display.	2315 2316
(I) "Coin machine" means any mechanical or electronic device designed to do both of the following:	2317 2318
(1) Receive a coin, bill, or token made for that purpose;	2319
(2) In return for the insertion or deposit of a coin, bill, or token, automatically dispense property, provide a service, or grant a license.	2320 2321 2322
(J) "Slug" means an object that, by virtue of its size, shape, composition, or other quality, is capable of being inserted or deposited in a coin machine as an improper substitute for a genuine coin, bill, or token made for that purpose.	2323 2324 2325 2326 2327
(K) "Theft offense" means any of the following:	2328
(1) A violation of section 2911.01, 2911.02, 2911.11, 2911.12, 2911.13, 2911.31, 2911.32, 2913.02, 2913.03, 2913.04, 2913.041, 2913.05, 2913.06, 2913.08, 2913.11, 2913.21, 2913.31, 2913.32, 2913.33, 2913.34, 2913.40, 2913.42, 2913.43, 2913.44, 2913.45, 2913.47, 2913.48, former section 2913.47 or 2913.48, or section 2913.51, 2915.05, or 2921.41 of the Revised Code;	2329 2330 2331 2332 2333 2334
(2) A violation of an existing or former municipal ordinance or law of this or any other state, or of the United States, substantially equivalent to any section listed in division (K) (1) of this section or a violation of section 2913.41, 2913.81, or 2915.06 of the Revised Code as it existed prior to July 1, 1996;	2335 2336 2337 2338 2339 2340
(3) An offense under an existing or former municipal ordinance or law of this or any other state, or of the United	2341 2342

States, involving robbery, burglary, breaking and entering, 2343
theft, embezzlement, wrongful conversion, forgery, 2344
counterfeiting, deceit, or fraud; 2345

(4) A conspiracy or attempt to commit, or complicity in 2346
committing, any offense under division (K) (1), (2), or (3) of 2347
this section. 2348

(L) "Computer services" includes, but is not limited to, 2349
the use of a computer system, computer network, computer 2350
program, data that is prepared for computer use, or data that is 2351
contained within a computer system or computer network. 2352

(M) "Computer" means an electronic device that performs 2353
logical, arithmetic, and memory functions by the manipulation of 2354
electronic or magnetic impulses. "Computer" includes, but is not 2355
limited to, all input, output, processing, storage, computer 2356
program, or communication facilities that are connected, or 2357
related, in a computer system or network to an electronic device 2358
of that nature. 2359

(N) "Computer system" means a computer and related 2360
devices, whether connected or unconnected, including, but not 2361
limited to, data input, output, and storage devices, data 2362
communications links, and computer programs and data that make 2363
the system capable of performing specified special purpose data 2364
processing tasks. 2365

(O) "Computer network" means a set of related and remotely 2366
connected computers and communication facilities that includes 2367
more than one computer system that has the capability to 2368
transmit among the connected computers and communication 2369
facilities through the use of computer facilities. 2370

(P) "Computer program" means an ordered set of data 2371

representing coded instructions or statements that, when 2372
executed by a computer, cause the computer to process data. 2373

(Q) "Computer software" means computer programs, 2374
procedures, and other documentation associated with the 2375
operation of a computer system. 2376

(R) "Data" means a representation of information, 2377
knowledge, facts, concepts, or instructions that are being or 2378
have been prepared in a formalized manner and that are intended 2379
for use in a computer, computer system, or computer network. For 2380
purposes of section 2913.47 of the Revised Code, "data" has the 2381
additional meaning set forth in division (A) of that section. 2382

(S) "Cable television service" means any services provided 2383
by or through the facilities of any cable television system or 2384
other similar closed circuit coaxial cable communications 2385
system, or any microwave or similar transmission service used in 2386
connection with any cable television system or other similar 2387
closed circuit coaxial cable communications system. 2388

(T) "Gain access" means to approach, instruct, communicate 2389
with, store data in, retrieve data from, or otherwise make use 2390
of any resources of a computer, computer system, or computer 2391
network, or any cable service or cable system both as defined in 2392
section 2913.04 of the Revised Code. 2393

(U) "Credit card" includes, but is not limited to, a card, 2394
code, device, or other means of access to a customer's account 2395
for the purpose of obtaining money, property, labor, or services 2396
on credit, or for initiating an electronic fund transfer at a 2397
point-of-sale terminal, an automated teller machine, or a cash 2398
dispensing machine. It also includes a county procurement card 2399
issued under section 301.29 of the Revised Code. 2400

(V) "Electronic fund transfer" has the same meaning as in 2401
92 Stat. 3728, 15 U.S.C.A. 1693a, as amended. 2402

(W) "Rented property" means personal property in which the 2403
right of possession and use of the property is for a short and 2404
possibly indeterminate term in return for consideration; the 2405
rentee generally controls the duration of possession of the 2406
property, within any applicable minimum or maximum term; and the 2407
amount of consideration generally is determined by the duration 2408
of possession of the property. 2409

(X) "Telecommunication" means the origination, emission, 2410
dissemination, transmission, or reception of data, images, 2411
signals, sounds, or other intelligence or equivalence of 2412
intelligence of any nature over any communications system by any 2413
method, including, but not limited to, a fiber optic, 2414
electronic, magnetic, optical, digital, or analog method. 2415

(Y) "Telecommunications device" means any instrument, 2416
equipment, machine, or other device that facilitates 2417
telecommunication, including, but not limited to, a computer, 2418
computer network, computer chip, computer circuit, scanner, 2419
telephone, cellular telephone, pager, personal communications 2420
device, transponder, receiver, radio, modem, or device that 2421
enables the use of a modem. 2422

(Z) "Telecommunications service" means the providing, 2423
allowing, facilitating, or generating of any form of 2424
telecommunication through the use of a telecommunications device 2425
over a telecommunications system. 2426

(AA) "Counterfeit telecommunications device" means a 2427
telecommunications device that, alone or with another 2428
telecommunications device, has been altered, constructed, 2429

manufactured, or programmed to acquire, intercept, receive, or 2430
otherwise facilitate the use of a telecommunications service or 2431
information service without the authority or consent of the 2432
provider of the telecommunications service or information 2433
service. "Counterfeit telecommunications device" includes, but 2434
is not limited to, a clone telephone, clone microchip, tumbler 2435
telephone, or tumbler microchip; a wireless scanning device 2436
capable of acquiring, intercepting, receiving, or otherwise 2437
facilitating the use of telecommunications service or 2438
information service without immediate detection; or a device, 2439
equipment, hardware, or software designed for, or capable of, 2440
altering or changing the electronic serial number in a wireless 2441
telephone. 2442

(BB) (1) "Information service" means, subject to division 2443
(BB) (2) of this section, the offering of a capability for 2444
generating, acquiring, storing, transforming, processing, 2445
retrieving, utilizing, or making available information via 2446
telecommunications, including, but not limited to, electronic 2447
publishing. 2448

(2) "Information service" does not include any use of a 2449
capability of a type described in division (BB) (1) of this 2450
section for the management, control, or operation of a 2451
telecommunications system or the management of a 2452
telecommunications service. 2453

(CC) "Elderly person" means a person who is sixty-five 2454
years of age or older. 2455

(DD) "Disabled adult" means a person who is eighteen years 2456
of age or older and has some impairment of body or mind that 2457
makes the person unable to work at any substantially 2458
remunerative employment that the person otherwise would be able 2459

to perform and that will, with reasonable probability, continue 2460
for a period of at least twelve months without any present 2461
indication of recovery from the impairment, or who is eighteen 2462
years of age or older and has been certified as permanently and 2463
totally disabled by an agency of this state or the United States 2464
that has the function of so classifying persons. 2465

(EE) "Firearm" and "dangerous ordnance" have the same 2466
meanings as in section 2923.11 of the Revised Code. 2467

(FF) "Motor vehicle" has the same meaning as in section 2468
4501.01 of the Revised Code. 2469

(GG) "Dangerous drug" has the same meaning as in section 2470
4729.01 of the Revised Code. 2471

(HH) "Drug abuse offense" has the same meaning as in 2472
section 2925.01 of the Revised Code. 2473

(II) (1) "Computer hacking" means any of the following: 2474

(a) Gaining access or attempting to gain access to all or 2475
part of a computer, computer system, or a computer network 2476
without express or implied authorization with the intent to 2477
defraud or with intent to commit a crime; 2478

(b) Misusing computer or network services including, but 2479
not limited to, mail transfer programs, file transfer programs, 2480
proxy servers, and web servers by performing functions not 2481
authorized by the owner of the computer, computer system, or 2482
computer network or other person authorized to give consent. As 2483
used in this division, "misuse of computer and network services" 2484
includes, but is not limited to, the unauthorized use of any of 2485
the following: 2486

(i) Mail transfer programs to send mail to persons other 2487

than the authorized users of that computer or computer network; 2488

(ii) File transfer program proxy services or proxy servers 2489
to access other computers, computer systems, or computer 2490
networks; 2491

(iii) Web servers to redirect users to other web pages or 2492
web servers. 2493

(c) (i) Subject to division (II) (1) (c) (ii) of this section, 2494
using a group of computer programs commonly known as "port 2495
scanners" or "probes" to intentionally access any computer, 2496
computer system, or computer network without the permission of 2497
the owner of the computer, computer system, or computer network 2498
or other person authorized to give consent. The group of 2499
computer programs referred to in this division includes, but is 2500
not limited to, those computer programs that use a computer 2501
network to access a computer, computer system, or another 2502
computer network to determine any of the following: the presence 2503
or types of computers or computer systems on a network; the 2504
computer network's facilities and capabilities; the availability 2505
of computer or network services; the presence or versions of 2506
computer software including, but not limited to, operating 2507
systems, computer services, or computer contaminants; the 2508
presence of a known computer software deficiency that can be 2509
used to gain unauthorized access to a computer, computer system, 2510
or computer network; or any other information about a computer, 2511
computer system, or computer network not necessary for the 2512
normal and lawful operation of the computer initiating the 2513
access. 2514

(ii) The group of computer programs referred to in 2515
division (II) (1) (c) (i) of this section does not include standard 2516
computer software used for the normal operation, administration, 2517

management, and test of a computer, computer system, or computer 2518
network including, but not limited to, domain name services, 2519
mail transfer services, and other operating system services, 2520
computer programs commonly called "ping," "tcpdump," and 2521
"traceroute" and other network monitoring and management 2522
computer software, and computer programs commonly known as 2523
"nslookup" and "whois" and other systems administration computer 2524
software. 2525

(d) The intentional use of a computer, computer system, or 2526
a computer network in a manner that exceeds any right or 2527
permission granted by the owner of the computer, computer 2528
system, or computer network or other person authorized to give 2529
consent. 2530

(2) "Computer hacking" does not include the introduction 2531
of a computer contaminant, as defined in section 2909.01 of the 2532
Revised Code, into a computer, computer system, computer 2533
program, or computer network. 2534

(JJ) "Police dog or horse" has the same meaning as in 2535
section 2921.321 of the Revised Code. 2536

(KK) "Anhydrous ammonia" is a compound formed by the 2537
combination of two gaseous elements, nitrogen and hydrogen, in 2538
the manner described in this division. Anhydrous ammonia is one 2539
part nitrogen to three parts hydrogen (NH₃). Anhydrous ammonia 2540
by weight is fourteen parts nitrogen to three parts hydrogen, 2541
which is approximately eighty-two per cent nitrogen to eighteen 2542
per cent hydrogen. 2543

(LL) "Assistance dog" has the same meaning as in section 2544
~~955.011~~955.021 of the Revised Code. 2545

(MM) "Federally licensed firearms dealer" has the same 2546

meaning as in section 5502.63 of the Revised Code. 2547

(NN) "Active duty service member" means any member of the 2548
armed forces of the United States performing active duty under 2549
title 10 of the United States Code. 2550

Sec. 2921.321. (A) No person shall knowingly cause, or 2551
attempt to cause, physical harm to a police dog or horse in 2552
either of the following circumstances: 2553

(1) The police dog or horse is assisting a law enforcement 2554
officer in the performance of the officer's official duties at 2555
the time the physical harm is caused or attempted. 2556

(2) The police dog or horse is not assisting a law 2557
enforcement officer in the performance of the officer's official 2558
duties at the time the physical harm is caused or attempted, but 2559
the offender has actual knowledge that the dog or horse is a 2560
police dog or horse. 2561

(B) No person shall recklessly do any of the following: 2562

(1) Taunt, torment, or strike a police dog or horse; 2563

(2) Throw an object or substance at a police dog or horse; 2564

(3) Interfere with or obstruct a police dog or horse, or 2565
interfere with or obstruct a law enforcement officer who is 2566
being assisted by a police dog or horse, in a manner that does 2567
any of the following: 2568

(a) Inhibits or restricts the law enforcement officer's 2569
control of the police dog or horse; 2570

(b) Deprives the law enforcement officer of control of the 2571
police dog or horse; 2572

(c) Releases the police dog or horse from its area of 2573

control;	2574
(d) Enters the area of control of the police dog or horse without the consent of the law enforcement officer, including placing food or any other object or substance into that area;	2575 2576 2577
(e) Inhibits or restricts the ability of the police dog or horse to assist a law enforcement officer.	2578 2579
(4) Engage in any conduct that is likely to cause serious physical injury or death to a police dog or horse;	2580 2581
(5) If the person is the owner, keeper, or harbinger of a dog, fail to reasonably restrain the dog from taunting, tormenting, chasing, approaching in a menacing fashion or apparent attitude of attack, or attempting to bite or otherwise endanger a police dog or horse that at the time of the conduct, the police dog or horse is assisting a law enforcement officer in the performance of the officer's duties or that the person knows is a police dog or horse.	2582 2583 2584 2585 2586 2587 2588 2589
(C) No person shall knowingly cause, or attempt to cause, physical harm to an assistance dog in either of the following circumstances:	2590 2591 2592
(1) The dog, at the time the physical harm is caused or attempted, is assisting or serving a person who is blind, deaf, or hearing impaired or a person with a mobility impairment.	2593 2594 2595
(2) The dog, at the time the physical harm is caused or attempted, is not assisting or serving a person who is blind, deaf, or hearing impaired or a person with a mobility impairment, but the offender has actual knowledge that the dog is an assistance dog.	2596 2597 2598 2599 2600
(D) No person shall recklessly do any of the following:	2601

(1) Taunt, torment, or strike an assistance dog;	2602
(2) Throw an object or substance at an assistance dog;	2603
(3) Interfere with or obstruct an assistance dog, or interfere with or obstruct a person who is blind, deaf, or hearing impaired or a person with a mobility impairment who is being assisted or served by an assistance dog, in a manner that does any of the following:	2604 2605 2606 2607 2608
(a) Inhibits or restricts the assisted or served person's control of the dog;	2609 2610
(b) Deprives the assisted or served person of control of the dog;	2611 2612
(c) Releases the dog from its area of control;	2613
(d) Enters the area of control of the dog without the consent of the assisted or served person, including placing food or any other object or substance into that area;	2614 2615 2616
(e) Inhibits or restricts the ability of the dog to assist the assisted or served person.	2617 2618
(4) Engage in any conduct that is likely to cause serious physical injury or death to an assistance dog;	2619 2620
(5) If the person is the owner, keeper, or harbinger of a dog, fail to reasonably restrain the dog from taunting, tormenting, chasing, approaching in a menacing fashion or apparent attitude of attack, or attempting to bite or otherwise endanger an assistance dog that at the time of the conduct is assisting or serving a person who is blind, deaf, or hearing impaired or a person with a mobility impairment or that the person knows is an assistance dog.	2621 2622 2623 2624 2625 2626 2627 2628

(E) (1) Whoever violates division (A) of this section is 2629
guilty of assaulting a police dog or horse, and shall be 2630
punished as provided in divisions (E) (1) (a) and (b) of this 2631
section. 2632

(a) Except as otherwise provided in this division, 2633
assaulting a police dog or horse is a misdemeanor of the second 2634
degree. If the violation results in the death of the police dog 2635
or horse, assaulting a police dog or horse is a felony of the 2636
third degree and the court shall impose as a mandatory prison 2637
term one of the definite prison terms prescribed in division (A) 2638
(3) (b) of section 2929.14 of the Revised Code for a felony of 2639
the third degree. If the violation results in serious physical 2640
harm to the police dog or horse other than its death, assaulting 2641
a police dog or horse is a felony of the fourth degree. If the 2642
violation results in physical harm to the police dog or horse 2643
other than death or serious physical harm, assaulting a police 2644
dog or horse is a misdemeanor of the first degree. 2645

(b) In addition to any other sanction imposed for 2646
assaulting a police dog or horse, if the violation of division 2647
(A) of this section results in the death of the police dog or 2648
horse, the sentencing court shall impose as a financial sanction 2649
a mandatory fine under division (B) (10) of section 2929.18 of 2650
the Revised Code. The fine shall be paid to the law enforcement 2651
agency that was served by the police dog or horse that was 2652
killed, and shall be used by that agency only for one or more of 2653
the following purposes: 2654

(i) If the dog or horse was not owned by the agency, the 2655
payment to the owner of the dog or horse of the cost of the dog 2656
or horse and the cost of the training of the dog or horse to 2657
qualify it as a police dog or horse, if that cost has not 2658

previously been paid by the agency; 2659

(ii) After payment of the costs described in division (E) 2660
(1)(b)(i) of this section, if applicable, payment of the cost of 2661
replacing the dog or horse that was killed; 2662

(iii) After payment of the costs described in division (E) 2663
(1)(b)(i) of this section, if applicable, payment of the cost of 2664
training the replacement dog or horse to qualify it as a police 2665
dog or horse; 2666

(iv) After payment of the costs described in division (E) 2667
(1)(b)(i) of this section, if applicable, payment of the cost of 2668
further training of the replacement dog or horse that is needed 2669
to train it to the level of training that had been achieved by 2670
the dog or horse that was killed. 2671

(2) Whoever violates division (B) of this section is 2672
guilty of harassing a police dog or horse. Except as otherwise 2673
provided in this division, harassing a police dog or horse is a 2674
misdemeanor of the second degree. If the violation results in 2675
the death of the police dog or horse, harassing a police dog or 2676
horse is a felony of the third degree. If the violation results 2677
in serious physical harm to the police dog or horse, but does 2678
not result in its death, harassing a police dog or horse, is a 2679
felony of the fourth degree. If the violation results in 2680
physical harm to the police dog or horse, but does not result in 2681
its death or in serious physical harm to it, harassing a police 2682
dog or horse is a misdemeanor of the first degree. 2683

(3) Whoever violates division (C) of this section is 2684
guilty of assaulting an assistance dog. Except as otherwise 2685
provided in this division, assaulting an assistance dog is a 2686
misdemeanor of the second degree. If the violation results in 2687

the death of the assistance dog, assaulting an assistance dog is 2688
a felony of the third degree. If the violation results in 2689
serious physical harm to the assistance dog other than its 2690
death, assaulting an assistance dog is a felony of the fourth 2691
degree. If the violation results in physical harm to the 2692
assistance dog other than death or serious physical harm, 2693
assaulting an assistance dog is a misdemeanor of the first 2694
degree. 2695

(4) Whoever violates division (D) of this section is 2696
guilty of harassing an assistance dog. Except as otherwise 2697
provided in this division, harassing an assistance dog is a 2698
misdemeanor of the second degree. If the violation results in 2699
the death of the assistance dog, harassing an assistance dog is 2700
a felony of the third degree. If the violation results in 2701
serious physical harm to the assistance dog, but does not result 2702
in its death, harassing an assistance dog is a felony of the 2703
fourth degree. If the violation results in physical harm to the 2704
assistance dog, but does not result in its death or in serious 2705
physical harm to it, harassing an assistance dog is a 2706
misdemeanor of the first degree. 2707

(5) In addition to any other sanction or penalty imposed 2708
for the offense under this section, Chapter 2929., or any other 2709
provision of the Revised Code, whoever violates division (A), 2710
(B), (C), or (D) of this section is responsible for the payment 2711
of all of the following: 2712

(a) Any veterinary bill or bill for medication incurred as 2713
a result of the violation by the police department regarding a 2714
violation of division (A) or (B) of this section or by the 2715
person who is blind, deaf, or hearing impaired or the person 2716
with a mobility impairment assisted or served by the assistance 2717

dog regarding a violation of division (C) or (D) of this 2718
section; 2719

(b) The cost of any damaged equipment that results from 2720
the violation; 2721

(c) If the violation did not result in the death of the 2722
police dog or horse or the assistance dog that was the subject 2723
of the violation and if, as a result of that dog or horse being 2724
the subject of the violation, the dog or horse needs further 2725
training or retraining to be able to continue in the capacity of 2726
a police dog or horse or an assistance dog, the cost of any 2727
further training or retraining of that dog or horse by a law 2728
enforcement officer or by the person who is blind, deaf, or 2729
hearing impaired or the person with a mobility impairment 2730
assisted or served by the assistance dog; 2731

(d) If the violation resulted in the death of the 2732
assistance dog that was the subject of the violation or resulted 2733
in serious physical harm to the police dog or horse or the 2734
assistance dog or horse that was the subject of the violation to 2735
the extent that the dog or horse needs to be replaced on either 2736
a temporary or a permanent basis, the cost of replacing that dog 2737
or horse and of any further training of a new police dog or 2738
horse or a new assistance dog by a law enforcement officer or by 2739
the person who is blind, deaf, or hearing impaired or the person 2740
with a mobility impairment assisted or served by the assistance 2741
dog, which replacement or training is required because of the 2742
death of or the serious physical harm to the dog or horse that 2743
was the subject of the violation. 2744

(F) This section does not apply to a licensed veterinarian 2745
whose conduct is in accordance with Chapter 4741. of the Revised 2746
Code. 2747

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

(H) As used in this section:

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

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

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

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

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

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

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

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

Section 3. That sections 955.08, 955.21, 955.23, 955.24, 2775
955.25, 955.39, 955.51, 955.52, 955.53, and 955.99 of the 2776
Revised Code are hereby repealed. 2777

Section 4. The owner of a dog who holds a valid dangerous 2778
dog registration certificate for the dog that was issued under 2779
division (I) of section 955.22 of the Revised Code as that 2780
section existed prior to its amendment by this act shall renew 2781
the certificate beginning on the first day of December of the 2782
year in which this section takes effect, but not later than the 2783
thirty-first day of January of the subsequent year regardless of 2784
when the owner would have been required to renew the certificate 2785
under former law. Except as otherwise provided in this section, 2786
the owner shall file the application in accordance with section 2787
955.02 of the Revised Code as amended by this act. 2788

If the renewal required by this section results in a 2789
reduction of the registration period for which the owner paid 2790
fifty dollars under former law, the owner shall pay a 2791
registration fee for the renewal required by this section in an 2792
amount that is prorated as determined by the county auditor of 2793
the county in which the owner resides. Thereafter, the owner 2794
shall renew the dangerous dog registration certificate in 2795
accordance with section 955.02 of the Revised Code as amended by 2796
this act. 2797