

As Reported by the House Public Safety Committee

136th General Assembly

Regular Session

2025-2026

Sub. H. B. No. 247

Representative Miller, K.

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

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

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

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

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

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

agreement. 53

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

is exempt from division (A) of section 935.02 of the Revised Code. 167
168

(2) An organization to which all of the following apply: 169

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

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

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

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

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

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

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

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

(4) A circus; 190

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

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

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

(7) A wildlife sanctuary; 198

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

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

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

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

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

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

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

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

million dollars. 221

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

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

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

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

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

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

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

in such training to assist the blind person. 250

Sec. 955.02 955.01. As used in this chapter, ~~"dog kennel":~~ 251

(A) "Vicious dog" means a dog that has been designated as 252
such in accordance with section 955.23 of the Revised Code or a 253
dog that has previously engaged in a vicious dog act when 254
evidence of such engagement is presented to a court and the 255
court determines that the dog has engaged in a previous vicious 256
dog act. 257

(B) "Dangerous dog" means a dog that has been designated 258
as such in accordance with section 955.23 of the Revised Code or 259
a dog that has previously engaged in a dangerous dog act when 260
evidence of such engagement is presented to a court and the 261
court determines that the dog has engaged in a previous 262
dangerous dog act. 263

(C) "Nuisance dog" means a dog that has been designated as 264
such in accordance with section 955.23 of the Revised Code or a 265
dog that has previously engaged in a nuisance dog act when 266
evidence of such engagement is presented to a court and the 267
court determines that the dog has engaged in a previous nuisance 268
dog act. 269

(D) "Nuisance dog act," "dangerous dog act," and "vicious 270
dog act" have the same meanings as in section 955.22 of the 271
Revised Code. 272

(E) "Police dog" means a dog that has been trained, and 273
may be used, to assist one or more law enforcement officers in 274
the performance of their official duties. 275

(F) "Dog kennel" or "kennel" means an establishment that 276
keeps, houses, and maintains adult dogs, as defined in section 277
956.01 of the Revised Code, for the purpose of breeding the dogs 278

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

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

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

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

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

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

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

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

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

fee. 339

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

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

(a) A fee of one hundred dollars; 348

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

times. 425

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(a) A guide dog; 488

(b) A hearing dog; 489

(c) A service dog. 490

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

examining a dog wearing a tag. 721

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

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

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

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

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

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

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

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

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

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

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

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

(ii) Killed another dog;	779
(iii) Been the subject of a third or subsequent violation	780
of division (C) of section 955.22 of the Revised Code.	781
(b) "Dangerous dog" does not include a police dog that has	782
caused injury, other than killing or serious injury, to any	783
person or has killed another dog while the police dog is being	784
used to assist one or more law enforcement officers in the	785
performance of their official duties.	786
(2) "Menacing fashion" means that a dog would cause any	787
person being chased or approached to reasonably believe that the	788
dog will cause physical injury to that person.	789
(3) (a) Subject to division (A) (3) (b) of this section,	790
"nuisance dog" means a dog that without provocation and while	791
off the premises of its owner, keeper, or harborer has chased or	792
approached a person in either a menacing fashion or an apparent	793
attitude of attack or has attempted to bite or otherwise	794
endanger any person.	795
(b) "Nuisance dog" does not include a police dog that	796
while being used to assist one or more law enforcement officers	797
in the performance of official duties has chased or approached a	798
person in either a menacing fashion or an apparent attitude of	799
attack or has attempted to bite or otherwise endanger any	800
person.	801
(4) "Police dog" means a dog that has been trained, and	802
may be used, to assist one or more law enforcement officers in	803
the performance of their official duties.	804
(5) "Serious injury" means any of the following:	805
(a) Any physical harm that carries a substantial risk of	806

death; 807

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

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

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

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

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

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

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

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

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

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

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

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

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

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

In addition, the seller shall answer the following 863

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

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

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

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

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

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

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

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

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

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

misdemeanor of the fourth degree on each subsequent offense. 892

(F) Division (C) of this section does not apply to an 893
animal shelter with respect to a dog concerning which it 894
transferred ownership or possession to another person if both of 895
the following apply: 896

(1) The animal shelter did not have knowledge and could 897
not have reasonably ascertained that the dog is a dangerous or 898
vicious dog. 899

(2) Before the transfer of the dog, the animal shelter 900
checked any microchip implanted in the dog to ascertain the 901
dog's designation status and asked the following questions of 902
the dog's previous owner, keeper, or harborer, if such person is 903
known: 904

(a) "Has the dog ever chased or attempted to attack or 905
bite a person? If yes, describe the incident(s) in which the 906
behavior occurred." 907

(b) "Has the dog ever bitten a person? If yes, describe 908
the incident(s) in which the behavior occurred." 909

(c) "Has the dog ever seriously injured or killed a 910
person? If yes, describe the incident(s) in which the behavior 911
occurred." 912

As used in division (F) of this section, an "animal 913
shelter" means an animal shelter that is a nonprofit 914
organization that is exempt from federal income taxation under 915
subsection 501(a) and described in subsection 501(c)(3) of the 916
"Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C. 1. 917

Sec. 955.12. (A) Except as provided in section 955.121 of 918
Revised Code, a board of county commissioners shall appoint or 919

employ a county dog warden and deputies in such number, for such 920
periods of time, and at such compensation as the board considers 921
necessary to enforce sections 955.01 to 955.27 and 955.50 ~~to~~ 922
~~955.53~~ of the Revised Code. 923

(B) Except as otherwise provided in section 3.061 of the 924
Revised Code, the warden and deputies shall give bond in a sum 925
not less than five hundred dollars and not more than two 926
thousand dollars, as set by the board, conditioned for the 927
faithful performance of their duties. The bond or bonds may, in 928
the discretion of the board, be individual or blanket bonds. The 929
bonds shall be filed with the county auditor of their respective 930
counties. 931

(C) The warden and deputies shall make a record of all 932
dogs owned, kept, and harbored in their respective counties. 933
They shall patrol their respective counties and seize and 934
impound on sight all dogs found running at large and all dogs 935
more than three months of age found not wearing a valid 936
registration tag, except any dog that wears a valid registration 937
tag and is: on the premises of its owner, keeper, or harborer, 938
under the reasonable control of its owner or some other person, 939
hunting with its owner or its handler at a field trial, kept 940
constantly confined in a dog kennel registered under this 941
chapter or one licensed under Chapter 956. of the Revised Code, 942
or acquired by, and confined on the premises of, an institution 943
or organization of the type described in section 955.16 of the 944
Revised Code. A dog that wears a valid registration tag may be 945
seized on the premises of its owner, keeper, or harborer and 946
impounded only in the event of a natural disaster. 947

(D) If a dog warden has reason to believe that a dog is 948
being treated inhumanely on the premises of its owner, keeper, 949

or harborer, the warden shall ~~apply to the court of common pleas~~ 950
~~for the county in which the premises are located for an order to~~ 951
~~enter the premises, and if necessary, seize the dog. If the~~ 952
~~court finds probable cause to believe that the dog is being~~ 953
~~treated inhumanely, it shall issue such an order~~notify, in 954
writing, the humane society or the appropriate law enforcement 955
authority that has jurisdiction to enforce Chapter 959. of the 956
Revised Code. 957

(E) The warden and deputies shall also make weekly 958
reports, in writing, to the board in their respective counties 959
of all dogs seized, impounded, redeemed, and destroyed. 960

(F) The wardens and deputies shall have the same police 961
powers as are conferred upon sheriffs and police officers in the 962
performance of their duties as prescribed by sections 955.01 to 963
955.27 and 955.50 ~~to 955.53~~ of the Revised Code. They shall also 964
have power to summon the assistance of bystanders in performing 965
their duties and may serve writs and other legal processes 966
issued by any court in their respective counties with reference 967
to enforcing those sections. County auditors may deputize the 968
wardens or deputies to issue dog licenses as provided in 969
sections 955.01 and 955.14 of the Revised Code. 970

(G) Whenever any person files an affidavit in a court of 971
competent jurisdiction that there is a dog running at large that 972
is not kept constantly confined either in a dog kennel 973
registered under this chapter or one licensed under Chapter 956. 974
of the Revised Code or on the premises of an institution or 975
organization of the type described in section 955.16 of the 976
Revised Code or that a dog is kept or harbored in the warden's 977
jurisdiction without being registered as required by law, the 978
court shall immediately order the warden to seize and impound 979

the dog. Thereupon the warden shall immediately seize and 980
impound the dog complained of. The warden shall give immediate 981
notice by certified mail to the owner, keeper, or harborer of 982
the dog seized and impounded by the warden, if the owner, 983
keeper, or harborer can be determined from the current year's 984
registration list maintained by the warden and the county 985
auditor of the county where the dog is registered, that the dog 986
has been impounded and that, unless the dog is redeemed within 987
fourteen days of the date of the notice, it may thereafter be 988
sold or destroyed according to law. If the owner, keeper, or 989
harborer cannot be determined from the current year's 990
registration list maintained by the warden and the county 991
auditor of the county where the dog is registered, the officer 992
shall post a notice in the pound or animal shelter both 993
describing the dog and place where seized and advising the 994
unknown owner that, unless the dog is redeemed within three 995
days, it may thereafter be sold or destroyed according to law. 996

(H) No county dog warden shall knowingly fail to perform 997
the warden's duties under this section. 998

(I) Whoever violates division (H) of this section is 999
guilty of a minor misdemeanor. 1000

Sec. 955.121. (A) (1) In lieu of appointing a county dog 1001
warden and deputies under section 955.12 of the Revised Code, a 1002
board of county commissioners may appoint the county sheriff to 1003
enforce sections 955.01 to 955.27 and 955.50 ~~to 955.53~~ of the 1004
Revised Code. If a board chooses to appoint the county sheriff 1005
as the county dog warden, the board shall enter into a two-year 1006
written agreement with the sheriff for that purpose at the first 1007
meeting in a calendar year following a general election in which 1008
at least one of the members of the board was elected. 1009

(2) The agreement may authorize both of the following: 1010

(a) The sheriff to appoint sheriff's deputies or persons 1011
other than peace officers as deputy dog wardens; 1012

(b) The transfer of any benefits accrued by employees who 1013
are transferred as a result of the county sheriff's being 1014
appointed as the county dog warden. 1015

(B) Any dog warden and deputy dog wardens appointed under 1016
this section shall comply with both of the following: 1017

(1) Any training requirements applicable to county dog 1018
wardens and deputy dog wardens appointed or employed under 1019
section 955.12 of the Revised Code; 1020

(2) The requirements established in that section. 1021

(C) If a county sheriff or a sheriff's deputies are 1022
appointed as a dog warden or deputy dog wardens under this 1023
section, references in this chapter and in Chapters 953., 956., 1024
and 959. of the Revised Code to "dog warden" and "deputy dog 1025
warden" shall be deemed to be replaced, respectively, with 1026
references to "sheriff" and "deputy sheriff." 1027

Sec. 955.14. (A) Notwithstanding section ~~955.01~~ 955.02 of 1028
the Revised Code, a board of county commissioners by resolution 1029
may increase dog and kennel registration fees in the county. The 1030
amount of the fees shall not exceed an amount that the board, in 1031
its discretion, estimates is needed to pay all expenses for the 1032
administration of this chapter. Such a resolution shall be 1033
adopted not earlier than the first day of February and not later 1034
than the thirty-first day of August of any year and shall 1035
specify the registration period or periods to which the 1036
increased fees apply. An increase in fees adopted under this 1037
division shall be in the ratio of two dollars for each year of 1038

registration for a dog registration fee, twenty dollars for a 1039
permanent dog registration fee, and ten dollars for a kennel 1040
registration fee. 1041

(B) Notwithstanding section 955.20 of the Revised Code, if 1042
dog and kennel registration fees in any county are increased 1043
above two dollars for each year of registration and twenty 1044
dollars for a permanent registration for a dog registration fee 1045
and ten dollars for a kennel registration fee under authority of 1046
division (A) of this section, then on or before the first day of 1047
March following each year in which the increased fees are in 1048
effect, the county auditor shall draw on the dog and kennel fund 1049
a warrant payable to the college of veterinary medicine of the 1050
Ohio state university in an amount equal to ten cents for each 1051
one-year dog registration, thirty cents for each three-year dog 1052
registration, one dollar for each permanent dog registration, 1053
and ten cents for each kennel registration fee received during 1054
the preceding year. The money received by the college of 1055
veterinary medicine of the Ohio state university under this 1056
division shall be applied for research and study of the diseases 1057
of dogs, particularly those transmittable to humans, and for 1058
research of other diseases of dogs that by their nature will 1059
provide results applicable to the prevention and treatment of 1060
both human and canine illness. 1061

(C) The Ohio state university college of veterinary 1062
medicine shall be responsible to report annually to the general 1063
assembly the progress of the research and study authorized and 1064
funded by division (B) of this section. The report shall briefly 1065
describe the research projects undertaken and assess the value 1066
of each. The report shall account for funds received pursuant to 1067
division (B) of this section and for the funds expended 1068
attributable to each research project and for other necessary 1069

expenses in conjunction with the research authorized by division 1070
(B) of this section. The report shall be filed with the general 1071
assembly by the first day of May of each year. 1072

(D) The county auditor may authorize agents to receive 1073
applications for registration of dogs and kennels and to issue 1074
certificates of registration and tags. If authorized agents are 1075
employed in a county, each applicant for a dog or kennel 1076
registration shall pay to the agent an administrative fee of 1077
seventy-five cents in addition to the registration fee. The 1078
administrative fee shall be the compensation of the agent. The 1079
county auditor shall establish rules for reporting and 1080
accounting by the agents. No administrative or similar fee shall 1081
be charged in any county except as authorized by this division 1082
or division (E) of this section. 1083

(E) For any county that accepts the payment of dog and 1084
kennel registration fees by financial transaction devices in 1085
accordance with section ~~955.013~~ 955.023 of the Revised Code, in 1086
addition to those registration fees, the county auditor shall 1087
collect for each registration paid by a financial transaction 1088
device one of the following: 1089

(1) An administrative fee of seventy-five cents or another 1090
amount necessary to cover actual costs designated by the county 1091
auditor; 1092

(2) If the board of county commissioners adopts a 1093
surcharge or convenience fee for making payments by a financial 1094
transaction device under division (E) of section 301.28 of the 1095
Revised Code, that surcharge or convenience fee; 1096

(3) If the county auditor contracts with a third party to 1097
provide services to enable registration via the internet as 1098

provided in section ~~955.013~~955.023 of the Revised Code, a 1099
surcharge or convenience fee as agreed to between that third 1100
party and the county for those internet registration services. 1101
Any additional expenses incurred by the county auditor that 1102
result from a contract with a third party as provided in this 1103
section and section ~~955.013~~955.023 of the Revised Code and that 1104
are not covered by a surcharge or convenience fee shall be paid 1105
out of the allowance provided to the county auditor under 1106
section 955.20 of the Revised Code. 1107

(F) The county auditor shall post conspicuously the amount 1108
of the administrative fee, surcharge, or convenience fee that is 1109
permissible under this section on the web page where the auditor 1110
accepts payments for registrations made under division (B)(1) of 1111
section ~~955.013~~955.023 of the Revised Code. If any person 1112
chooses to pay by financial transaction device, the 1113
administrative fee, surcharge, or convenience fee shall be 1114
considered voluntary and is not refundable. 1115

Sec. 955.16. (A) Dogs that have been seized by the county 1116
dog warden and impounded shall be kept, housed, and fed for 1117
three days for the purpose of redemption, as provided by section 1118
955.18 of the Revised Code, unless any of the following applies: 1119

(1) Immediate humane destruction of the dog is necessary 1120
because of obvious disease or injury. If the diseased or injured 1121
dog is registered, as determined from the current year's 1122
registration list maintained by the warden and the county 1123
auditor of the county where the dog is registered, the necessity 1124
of destroying the dog shall be certified by a licensed 1125
veterinarian or a registered veterinary technician. If the dog 1126
is not registered, the decision to destroy it shall be made by 1127
the warden. 1128

(2) The dog is currently registered on the registration 1129
list maintained by the warden and the auditor of the county 1130
where the dog is registered and the attempts to notify the 1131
owner, keeper, or harborer under section 955.12 of the Revised 1132
Code have failed, in which case the dog shall be kept, housed, 1133
and fed for fourteen days for the purpose of redemption. 1134

(3) The warden has contacted the owner, keeper, or 1135
harborer under section 955.12 of the Revised Code, and the 1136
owner, keeper, or harborer has requested that the dog remain in 1137
the pound or animal shelter until the owner, harborer, or keeper 1138
redeems the dog. The time for such redemption shall be not more 1139
than forty-eight hours following the end of the appropriate 1140
redemption period. 1141

Any dog not so redeemed may be adopted out or donated to 1142
any person, including a nonprofit special agency that is engaged 1143
in the training of any type of assistance dogs or to a nonprofit 1144
teaching or research institution or organization that is 1145
certified by the director of health as being engaged in teaching 1146
or research concerning the prevention and treatment of diseases 1147
of human beings or animals. The county dog warden may charge an 1148
adoption fee for any dog that is adopted. Except as provided in 1149
division (B) of this section, no dog shall be discharged from 1150
the pound or animal shelter until the animal has been registered 1151
and furnished with a valid registration tag. 1152

(B) Any dog that is donated to a nonprofit special agency 1153
engaged in the training of any type of assistance dogs in 1154
accordance with division (A) of this section and any dog that is 1155
sold to any nonprofit teaching or research institution or 1156
organization shall be discharged from the pound or animal 1157
shelter without registration and may be kept by the agency or by 1158

the institution or organization without registration so long as 1159
the dog is being trained, or is being used for teaching and 1160
research purposes. 1161

Any institution or organization certified by the director 1162
that obtains dogs for teaching and research purposes pursuant to 1163
this section shall, at all reasonable times, make the dogs 1164
available for inspection by humane society agents, appointed 1165
pursuant to section 1717.06 of the Revised Code, in order that 1166
the agents may prevent the perpetration of any act of cruelty, 1167
as defined in section 1717.01 of the Revised Code, to the dogs. 1168

(C) Any dog that the dog warden or poundkeeper is unable 1169
to dispose of, in the manner provided by this section and 1170
section 955.18 of the Revised Code, may be humanely destroyed, 1171
except that no dog shall be destroyed until twenty-four hours 1172
after it has been offered to a nonprofit teaching or research 1173
institution or organization, as provided in this section, that 1174
has made a request for dogs to the dog warden or poundkeeper. 1175

(D) An owner of a dog that is wearing a valid registration 1176
tag who presents the dog to the dog warden or poundkeeper may 1177
specify in writing that the dog shall not be offered to a 1178
nonprofit teaching or research institution or organization, as 1179
provided in this section. 1180

(E) A record of all dogs impounded, the disposition of the 1181
same, the owner's name and address, if known, and a statement of 1182
costs assessed against the dogs shall be kept by the 1183
poundkeeper, and the poundkeeper shall furnish a transcript 1184
thereof to the county treasurer quarterly. 1185

A record of all dogs received and the source that supplied 1186
them shall be kept, for a period of three years from the date of 1187

acquiring the dogs, by all institutions or organizations engaged 1188
in teaching or research concerning the prevention and treatment 1189
of diseases of human beings or animals. 1190

(F) No person shall recklessly destroy any dog by the use 1191
of a high altitude decompression chamber or by any method other 1192
than a method that immediately and painlessly renders the dog 1193
initially unconscious and subsequently dead. 1194

(G) Whoever violates division (F) of this section is 1195
guilty of a misdemeanor of the fourth degree. 1196

Sec. 955.20. The registration fees provided for in 1197
sections ~~955.01~~955.02 to 955.14 of the Revised Code constitute 1198
a special fund known as "the dog and kennel fund." The fees 1199
shall be deposited by the county auditor in the county treasury 1200
daily as collected. Money in the fund shall be used for the 1201
purpose of defraying the cost of furnishing all blanks, records, 1202
tags, nets, and other equipment, for the purpose of paying the 1203
compensation of county dog wardens, deputies, poundkeepers, and 1204
other employees necessary to carry out and enforce sections 1205
~~955.01~~955.02 to 955.261 of the Revised Code, and in accordance 1206
with section 955.27 of the Revised Code. The board of county 1207
commissioners, by resolution, shall appropriate sufficient funds 1208
out of the dog and kennel fund, not more than fifteen per cent 1209
of which shall be expended by the auditor for registration tags, 1210
blanks, records, and clerk hire, for the purpose of defraying 1211
the necessary expenses of registering, seizing, impounding, and 1212
destroying dogs in accordance with sections 955.01 to 955.27 of 1213
the Revised Code, and for the purpose of covering any additional 1214
expenses incurred by the county auditor as authorized by 1215
division (E) (3) of section 955.14 of the Revised Code. 1216

If the funds so appropriated in any calendar year are 1217

found by the board to be insufficient to defray the necessary 1218
cost and expense of the county dog warden in enforcing sections 1219
~~955.01-955.02~~ to 955.27 of the Revised Code, the board, by 1220
resolution so provided, may appropriate further funds for the 1221
use and purpose of the county dog warden in administering those 1222
sections. 1223

Sec. 955.21. (A) Except as provided in division (F) of 1224
this section, no owner, keeper, or harborer of any dog shall 1225
fail at any time to do either of the following: 1226

(1) Keep the dog physically confined or restrained upon 1227
the premises of the owner, keeper, or harborer by a leash, 1228
tether, adequate fence, supervision, or secure enclosure to 1229
prevent escape; 1230

(2) Keep the dog under the reasonable control of some 1231
person. 1232

A violation of division (A) of this section is a strict 1233
liability offense and section 2901.20 of the Revised Code does 1234
not apply. 1235

(B) Whoever commits a violation of this section that 1236
involves a dog that is not a nuisance dog, dangerous dog, or 1237
vicious dog shall be fined not less than twenty-five dollars or 1238
more than one hundred dollars on a first offense, and on each 1239
subsequent offense shall be fined not less than seventy-five 1240
dollars or more than two hundred fifty dollars and may be 1241
imprisoned for not more than thirty days. Additionally, the 1242
court may order the offender to personally supervise the dog 1243
that the offender owns, keeps, or harbors, to cause that dog to 1244
complete dog obedience training, or to do both. 1245

(C) Whoever commits a violation of this section that 1246

involves a nuisance dog is guilty of a misdemeanor of the fourth 1247
degree on the first offense and of a misdemeanor of the third 1248
degree on each subsequent offense involving the same dog. 1249
Additionally, the court may order the offender to personally 1250
supervise the nuisance dog that the offender owns, keeps, or 1251
harbors, to cause that dog to complete dog obedience training, 1252
or to do both. 1253

(D) Whoever commits a violation of this section that 1254
involves a dangerous dog is guilty of a misdemeanor of the third 1255
degree on a first offense and of a misdemeanor of the second 1256
degree on each subsequent offense. Additionally, the court may 1257
order the offender to do either or both of the following: 1258

(1) Personally supervise the dangerous dog that the 1259
offender owns, keeps, or harbors; 1260

(2) Cause that dog to complete dog obedience training. 1261

The court, in the alternative, may order the dangerous dog 1262
to be humanely destroyed by a licensed veterinarian or the 1263
county dog warden at the owner's expense. 1264

Until the court makes a final determination and during the 1265
pendency of any appeal and at the discretion of the dog warden, 1266
the dog shall be confined or restrained in accordance with 1267
division (A) of section 955.24 of the Revised Code or at the 1268
county dog pound at the owner's expense. 1269

(E) Whoever commits a violation of this section that 1270
involves a vicious dog is guilty of a misdemeanor of the second 1271
degree on a first offense and of a misdemeanor of the first 1272
degree on each subsequent offense. Additionally, the court shall 1273
order the offender to do both of the following: 1274

(1) Personally supervise the vicious dog that the offender 1275

owns, keeps, or harbors; 1276

(2) Cause that dog to complete dog obedience training. 1277

The court, in the alternative, may order the vicious dog 1278
to be humanely destroyed by a licensed veterinarian or the 1279
county dog warden at the owner's expense. 1280

Until the court makes a final determination and during the 1281
pendency of any appeal and at the discretion of the dog warden, 1282
the dog shall be confined or restrained in accordance with 1283
division (A) of section 955.24 of the Revised Code or at the 1284
county dog pound at the owner's expense. 1285

(F) Division (A) of this section does not apply when a dog 1286
that has not been designated as a dangerous or vicious dog is 1287
lawfully engaged in either of the following: 1288

(1) Hunting, provided the dog is accompanied by the owner, 1289
keeper, harborer, or handler of the dog; 1290

(2) Field trials. 1291

Sec. 955.22. (A) As used in this section and section 1292
955.23 of the Revised Code: 1293

(1) "Vicious dog act" means one of the following actions 1294
committed by a dog without provocation, other than by a police 1295
dog that is being used to assist one or more law enforcement 1296
officers in the performance of their official duties: 1297

(a) The killing of any person; 1298

(b) Causing serious injury to any person by physical 1299
contact; 1300

(c) Engaging in a dangerous dog act after the dog has been 1301
designated as a dangerous dog under section 955.23 of the 1302

Revised Code. 1303

(2) "Dangerous dog act" means one of the following actions 1304
committed by a dog without provocation, other than by a police 1305
dog that is being used to assist one or more law enforcement 1306
officers in the performance of their official duties: 1307

(a) Causing injury by physical contact, other than killing 1308
or serious injury, to any person in either a menacing fashion or 1309
an apparent attitude of attack; 1310

(b) Causing serious injury to any person without making 1311
physical contact in either a menacing fashion or an apparent 1312
attitude of attack; 1313

(c) The killing of another dog or livestock; 1314

(d) Causing serious injury to another dog or livestock 1315
that results in euthanasia of the animal by a person authorized 1316
to perform euthanasia under Ohio law. 1317

(3) "Nuisance dog act" means one of the following actions 1318
committed by a dog without provocation and while off the 1319
premises of its owner, keeper, or harbinger, other than by a 1320
police dog that is being used to assist one or more law 1321
enforcement officers in the performance of their official 1322
duties: 1323

(a) Chasing or approaching a person in either a menacing 1324
fashion or an apparent attitude of attack; 1325

(b) Attempting to bite or otherwise endanger any person in 1326
either a menacing fashion or an apparent attitude of attack; 1327

(c) Causing injury to any person without making physical 1328
contact in either a menacing fashion or an apparent attitude of 1329
attack; 1330

(d) Chasing, threatening, harassing, or injuring another 1331
dog or livestock in either a menacing fashion or an apparent 1332
attitude of attack; 1333

(e) Having been the subject of a third or subsequent 1334
violation of section 955.21 of the Revised Code. 1335

(4) "Injury" means any physical harm to a person, another 1336
dog, or livestock, but does not include physical harm resulting 1337
from a situation where the dog behaves in a playful, 1338
nonaggressive, or age-appropriate manner. 1339

(5) "Serious injury" means any of the following: 1340

(a) Any physical harm that carries a substantial risk of 1341
death; 1342

(b) Any physical harm that involves a permanent 1343
incapacity, whether partial or total, or a temporary, 1344
substantial incapacity; 1345

(c) Any physical harm that involves a permanent 1346
disfigurement or a temporary, serious disfigurement; 1347

(d) Any physical harm that involves acute pain of a 1348
duration that results in substantial suffering or any degree of 1349
prolonged or intractable pain. 1350

(6) "Without provocation" means either of the following, 1351
as applicable: 1352

(a) That a dog was not teased, tormented, or abused by a 1353
person, or that the dog was not coming to the aid or the defense 1354
of a person who was not engaged in illegal or criminal activity 1355
and who was not using the dog as a means of carrying out such 1356
activity; 1357

(b) That a dog was not attacked by another dog or 1358
livestock. 1359

(B) (1) No owner, keeper, or harborer of a dog shall 1360
negligently fail to prevent the dog from committing a vicious 1361
dog act. Whoever violates this division is guilty of a 1362
misdemeanor of the third degree on a first offense and a 1363
misdemeanor of the second degree on each subsequent offense. 1364

(2) No owner, keeper, or harborer of a dangerous or 1365
vicious dog shall negligently fail to prevent the dog from 1366
committing a vicious dog act that involves injuring or killing a 1367
person. Whoever violates this division is guilty of a felony of 1368
the third degree. 1369

(C) (1) No owner, keeper, or harborer of a dog shall 1370
negligently fail to prevent the dog from committing a dangerous 1371
dog act. Whoever violates this division is guilty of a 1372
misdemeanor of the fourth degree on a first offense and a 1373
misdemeanor of the third degree on each subsequent offense. 1374

(2) No owner, keeper, or harborer of a dangerous or 1375
vicious dog shall negligently fail to prevent the dog from 1376
committing a dangerous dog act that involves injuring a person. 1377
Whoever violates this division is guilty of a felony of the 1378
fifth degree. 1379

(D) No owner, keeper, or harborer of a dog shall 1380
negligently fail to prevent the dog from committing a nuisance 1381
dog act. Whoever violates this division is guilty a minor 1382
misdemeanor on a first offense and a misdemeanor of the fourth 1383
degree on each subsequent offense. 1384

(E) In addition to any other penalty described under this 1385
section, and except as provided in division (F) of this section, 1386

the court may order the dog that is the subject of an offense 1387
under this section to be humanely destroyed by a licensed 1388
veterinarian or the county dog warden at the owner's expense. 1389

(F) In addition to any other penalty described under this 1390
section, the court shall order the dog that is the subject of an 1391
offense under this section to be humanely destroyed by a 1392
licensed veterinarian or the county dog warden at the owner's 1393
expense if, as a result of the offense, the dog kills or causes 1394
serious injury to a person. 1395

Sec. ~~955.222~~ 955.23. ~~(A) The municipal court or county~~ 1396
~~court that has territorial jurisdiction over the residence of~~ 1397
~~the owner, keeper, or harborer of a dog shall conduct any~~ 1398
~~hearing concerning the designation of the dog as a nuisance dog,~~ 1399
~~dangerous dog, or vicious dog.~~ As used in this section, 1400
"authorized person" means a person who is authorized to enforce 1401
this chapter. 1402

(B) If a dog warden or other authorized person ~~who is~~ 1403
~~authorized to enforce this chapter~~ has reasonable probable cause 1404
to believe that a dog in the person's jurisdiction ~~is committed~~ 1405
a nuisance dog ~~act~~, dangerous dog ~~act~~, or vicious dog ~~act~~, the 1406
person shall proceed as follows: 1407

(1) (a) If the dog warden or other authorized person 1408
determines that it is safe to have that dog remain in the 1409
custody of the dog's owner, keeper, or harborer and the dog's 1410
act did not result in the killing of a person or serious injury 1411
to a person, the dog warden or authorized person may designate 1412
the dog as a nuisance dog, dangerous dog, or vicious dog. Upon 1413
such designation, the dog warden or other authorized person 1414
shall notify the owner, keeper, or harborer of that dog, by 1415
certified mail or in person, of both of the following: 1416

~~(1)(i)~~ That the dog warden or other authorized person has 1417
designated the dog a nuisance dog, dangerous dog, or vicious 1418
dog, as applicable; 1419

~~(2)(ii)~~ That the owner, keeper, or harborer of the dog may 1420
request a hearing regarding the designation in accordance with 1421
this section. The notice shall include instructions for filing a 1422
request for a hearing in the ~~county in which the dog's owner,~~ 1423
~~keeper, or harborer resides~~ court that has territorial 1424
jurisdiction over the location where the alleged act occurred. 1425

~~(C)(b)~~ If the owner, keeper, or harborer of the dog 1426
disagrees with the designation ~~of the dog as a nuisance dog,~~ 1427
~~dangerous dog, or vicious dog, as applicable,~~ the owner, keeper, 1428
or harborer, not later than ten calendar days after receiving 1429
notification of the designation, may request a hearing regarding 1430
the determination. The request for a hearing shall be in writing 1431
and shall be filed with the ~~municipal court or county court that~~ 1432
~~has territorial jurisdiction over the residence of the dog's~~ 1433
~~owner, keeper, or harborers~~ specified in the notice. 1434

(2) If the dog warden or other authorized person holds or 1435
intends to hold the dog in custody in accordance with division 1436
(F) (2) of this section, the dog warden or other authorized 1437
person shall petition the court that has territorial 1438
jurisdiction over the location where the alleged act occurred to 1439
hold a hearing to determine whether the court shall issue an 1440
order designating the dog in accordance with this section and 1441
determine the disposition of the dog. 1442

(C) The court, not later than ten calendar days after 1443
receiving the hearing request described in division (B) (1) (b) of 1444
this section or the petition described in division (B) (2) of 1445
this section shall hold the hearing and, at the conclusion of 1446

the hearing, issue a final determination concerning whether the 1447
dog shall be designated a nuisance, dangerous, or vicious dog 1448
and the disposition of the dog. At the hearing, the person who 1449
petitioned the court or designated the dog, as a ~~nuisance dog,~~ 1450
~~dangerous dog, or vicious dog~~ applicable, has the burden of 1451
proving, by clear and convincing evidence, that the dog ~~is~~ 1452
committed a nuisance dog act, dangerous dog act, or vicious dog 1453
act. 1454

(D) For purposes of this section, probable cause may be 1455
supported by one or more written statements of a witness 1456
describing the incident or incidents in which the witness saw 1457
the dog engage in a nuisance dog act, a dangerous dog act, or a 1458
vicious dog act. 1459

(E) The owner, keeper, or harborer of the dog or the 1460
person who designated the dog as a nuisance dog, dangerous dog, 1461
or vicious dog may appeal the court's final determination as in 1462
any other case filed in that court. 1463

~~(D) A court, upon motion of an owner, keeper, or harborer~~ 1464
~~or an attorney representing the owner, keeper, or harborer, may~~ 1465
~~order that the dog designated as a nuisance dog, dangerous dog,~~ 1466
~~or vicious dog be held in the possession of the owner, keeper,~~ 1467
~~or harborer until the court makes a final determination under~~ 1468
~~this section or during the pendency of an appeal, as applicable.~~ 1469

(F) (1) If the dog warden or other authorized person has 1470
probable cause to believe that a dog in the person's 1471
jurisdiction committed a nuisance dog act, dangerous dog act, or 1472
vicious dog act and the dog warden or authorized person 1473
determines that it is safe to have the dog remain in the custody 1474
of the dog's owner, keeper, or harborer, the dog shall be held 1475
in the possession of the owner, keeper, or harborer during the 1476

pendency of any hearing conducted under this section or during
the pendency of an appeal.

Until the court makes a final determination and during the
pendency of any appeal, the dog shall be confined or restrained
in accordance with the provisions of division ~~(D)~~ (A) of section
~~955.22-955.24~~ of the Revised Code ~~that apply to dangerous dogs~~
~~regardless of whether the dog has been designated as a vicious~~
~~dog or a nuisance dog rather than a dangerous dog.~~ The owner,
keeper, or harborer of the dog shall not be required to comply
with any other requirements established in the Revised Code that
concern a nuisance dog, dangerous dog, or vicious dog, as
applicable, until the court makes a final determination and
during the pendency of any appeal.

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

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

(2) If the dog warden or other authorized person has 1507
probable cause to believe that a dog in the person's 1508
jurisdiction committed a nuisance dog act, dangerous dog act, or 1509
vicious dog act, during the pendency of a court's determination 1510
or appeal under this section, the dog shall be held in the 1511
custody of the dog warden or authorized person if one or both of 1512
the following occurs: 1513

(a) The dog warden or authorized person determines that it 1514
is not safe to have the dog remain in the custody of the dog's 1515
owner, keeper, or harborer after the commission of the alleged 1516
act. 1517

(b) The dog's act killed a person or caused serious injury 1518
to a person. 1519

While the dog is being so held, the cost of the holding is 1520
the responsibility of the dog's owner, keeper, or harborer. 1521
However, the dog's owner, keeper, or harborer shall not be 1522
responsible for such costs if the court does not determine that 1523
the dog be designated as a nuisance, dangerous, or vicious dog. 1524

(G) (1) Except as provided in division (G) (2) of this 1525
section, the court may order a dog that is designated in 1526
accordance with this section to be humanely destroyed by a 1527
licensed veterinarian or the county dog warden at the owner's 1528
expense. 1529

(2) The court shall order a dog that is designated in 1530
accordance with this section to be humanely destroyed by a 1531
licensed veterinarian or the county dog warden at the owner's 1532
expense if the court determines that the dog killed or caused 1533
serious injury to a person. 1534

Sec. ~~955.22~~ 955.24. (A) ~~As used in this section,~~ 1535

~~"dangerous dog" has the same meaning as in section 955.11 of the~~ 1536
~~Revised Code.~~ 1537

~~(B) No owner, keeper, or harborer of any female dog shall~~ 1538
~~permit it to go beyond the premises of the owner, keeper, or~~ 1539
~~harborer at any time the dog is in heat unless the dog is~~ 1540
~~properly in leash.~~ 1541

~~(C) Except when a dog is lawfully engaged in hunting and~~ 1542
~~accompanied by the owner, keeper, harborer, or handler of the~~ 1543
~~dog, no owner, keeper, or harborer of any dog shall fail at any~~ 1544
~~time to do either of the following:~~ 1545

~~(1) Keep the dog physically confined or restrained upon~~ 1546
~~the premises of the owner, keeper, or harborer by a leash,~~ 1547
~~tether, adequate fence, supervision, or secure enclosure to~~ 1548
~~prevent escape;~~ 1549

~~(2) Keep the dog under the reasonable control of some~~ 1550
~~person.~~ 1551

~~(D) Except when a dangerous dog is lawfully engaged in~~ 1552
~~hunting or training for the purpose of hunting and is~~ 1553
~~accompanied by the owner, keeper, harborer, or handler of the~~ 1554
~~dog, no~~ No owner, keeper, or harborer of a vicious or dangerous 1555
dog shall fail to do ~~either~~ any of the following: 1556

(1) While that dog is outdoors, but on the premises of the 1557
owner, keeper, or harborer, securely confine ~~it~~ the dog at all 1558
times in a locked pen that has a top, locked fenced yard with 1559
fencing that is sufficiently constructed to prevent escape, or 1560
other locked enclosure that has a top; 1561

(2) While that dog is inside a residential dwelling or 1562
other building on the premises of the owner, keeper, or 1563
harborer, and there is an invitee inside the dwelling or 1564

building, securely confine the dog at all times inside the 1565
dwelling or building so that there is no reasonable probability 1566
that the dog comes into contact with the invitee; 1567

(3) While that dog is off the premises of the owner, 1568
keeper, or harborer, keep that dog on a chain-link leash or 1569
tether that is not more than six feet in length and additionally 1570
do at least one of the following: 1571

(a) Keep that dog in a locked pen that has a top, locked 1572
fenced yard with fencing that is sufficiently constructed to 1573
prevent escape, or other locked enclosure that has a top; 1574

(b) Have the leash or tether controlled by a person who is 1575
of suitable age and discretion or securely attach, tie, or affix 1576
the leash or tether to the ground or a stationary object or 1577
fixture so that the dog is adequately restrained and station 1578
such a person in close enough proximity to that dog so as to 1579
prevent it from causing injury to any person; 1580

(c) Muzzle that dog. 1581

A violation of division (A) of this section is a strict 1582
liability offense and section 2901.20 of the Revised Code does 1583
not apply. 1584

~~(E) (B) No person who has been convicted of or pleaded~~ 1585
~~guilty to three or more violations of division (C) of this~~ 1586
~~section involving the same dog and no owner, keeper, or harborer~~ 1587
of a vicious or dangerous dog shall fail to do any of the 1588
following: 1589

(1) Obtain liability insurance in an amount, exclusive of 1590
interest and costs, that equals or exceeds one hundred thousand 1591
dollars, with an insurer authorized to write liability insurance 1592
in this state providing coverage in each occurrence because of 1593

damage or bodily injury to or death of a person caused by the 1594
vicious or dangerous dog if so ordered by a court and provide; 1595

(2) Provide proof of that liability insurance upon request 1596
to any law enforcement officer, county dog warden, or public 1597
health official charged with enforcing this section; 1598

~~(2) Obtain a dangerous dog registration certificate from~~ 1599
~~the county auditor pursuant to division (I) of this section,~~ 1600
~~affix a tag that identifies the dog as a dangerous dog to the~~ 1601
~~dog's collar, and ensure that the dog wears the collar and tag~~ 1602
~~at all times;~~ 1603

(3) Notify the local dog warden immediately if any of the 1604
following occurs: 1605

(a) The dog is loose or unconfined. 1606

(b) The dog bites a person, unless the dog is on the 1607
property of the owner of the dog, and the person who is bitten 1608
is unlawfully trespassing or committing a criminal act within 1609
the boundaries of that property. 1610

(c) The dog attacks another animal while the dog is off 1611
the property of the owner of the dog. 1612

(4) If the dog is sold, given to another person, or dies, 1613
notify the county auditor and the dog warden within ten days of 1614
the sale, transfer, or death; 1615

(5) Prior to any training or veterinary care provided to 1616
the dog by a trainer or licensed veterinarian, disclose to the 1617
trainer or licensed veterinarian, as applicable, that the dog is 1618
a vicious or dangerous dog. 1619

A violation of division (B) of this section is a strict 1620
liability offense and section 2901.20 of the Revised Code does 1621

not apply. 1622

~~(F)~~(C) No person shall recklessly do any of the following: 1623

(1) Debark or surgically silence a dog that the person 1624
knows or has reason to believe is a vicious or dangerous dog; 1625

(2) Possess a vicious or dangerous dog if the person knows 1626
or has reason to believe that the dog has been debarked or 1627
surgically silenced; 1628

(3) Falsely attest on a waiver form provided by the 1629
veterinarian ~~under division (G) of this section~~ that the 1630
person's dog is not a vicious or dangerous dog or otherwise 1631
provide false information on that written waiver form. 1632

~~(G)~~(D) Before a veterinarian debarks or surgically 1633
silences a dog, the veterinarian may give the owner of the dog a 1634
written waiver form that attests that the dog is not a vicious 1635
or dangerous dog. The written waiver form shall include all of 1636
the following: 1637

(1) The veterinarian's license number and current business 1638
address; 1639

(2) The number of the license of the dog if the dog is 1640
licensed; 1641

(3) A reasonable description of the age, coloring, and 1642
gender of the dog as well as any notable markings on the dog; 1643

(4) The signature of the owner of the dog attesting that 1644
the owner's dog is not a dangerous dog; 1645

(5) A statement that ~~division (F) of section 955.22 of the~~ 1646
~~Revised Code~~ Ohio law prohibits any person from doing any of the 1647
following: 1648

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

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

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

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

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

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

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

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

~~(i) Either satisfactory evidence of the dog's current rabies vaccination or a statement from a licensed veterinarian~~

~~that a rabies vaccination is medically contraindicated for the~~ 1677
~~dog;~~ 1678

~~(ii) Either satisfactory evidence of the fact that the dog~~ 1679
~~has been neutered or spayed or a statement from a licensed~~ 1680
~~veterinarian that neutering or spaying of the dog is medically~~ 1681
~~contraindicated;~~ 1682

~~(iii) Satisfactory evidence of the fact that the person~~ 1683
~~has posted and will continue to post clearly visible signs at~~ 1684
~~the person's residence warning both minors and adults of the~~ 1685
~~presence of a dangerous dog on the property;~~ 1686

~~(iv) Satisfactory evidence of the fact that the dog has~~ 1687
~~been permanently identified by means of a microchip and the~~ 1688
~~dog's microchip number.~~ 1689

~~(2) Upon the issuance of a dangerous dog registration~~ 1690
~~certificate to the owner of a dog, the county auditor shall~~ 1691
~~provide the owner with a uniformly designed tag that identifies~~ 1692
~~the animal as a dangerous dog. The owner shall renew the~~ 1693
~~certificate annually for the same fee and in the same manner as~~ 1694
~~the initial certificate was obtained. If a certificate holder~~ 1695
~~relocates to a new county, the certificate holder shall follow~~ 1696
~~the procedure in division (I) (3) (b) of this section and, upon~~ 1697
~~the expiration of the certificate issued in the original county,~~ 1698
~~shall renew the certificate in the new county.~~ 1699

~~(3) (a) If the owner of a dangerous dog for whom a~~ 1700
~~registration certificate has previously been obtained relocates~~ 1701
~~to a new address within the same county, the owner shall provide~~ 1702
~~notice of the new address to the county auditor within ten days~~ 1703
~~of relocating to the new address.~~ 1704

~~(b) If the owner of a dangerous dog for whom a~~ 1705

~~registration certificate has previously been obtained relocates-~~ 1706
~~to a new address within another county, the owner shall do both-~~ 1707
~~of the following within ten days of relocating to the new-~~ 1708
~~address:~~ 1709

~~(i) Provide written notice of the new address and a copy-~~ 1710
~~of the original dangerous dog registration certificate to the-~~ 1711
~~county auditor of the new county;~~ 1712

~~(ii) Provide written notice of the new address to the-~~ 1713
~~county auditor of the county where the owner previously resided.~~ 1714

~~(4) The owner of a dangerous dog shall present the-~~ 1715
~~dangerous dog registration certificate upon being requested to-~~ 1716
~~do so by any law enforcement officer, dog warden, or public-~~ 1717
~~health official charged with enforcing this section.~~ 1718

~~(5) The fees collected pursuant to this division shall be-~~ 1719
~~deposited in the dog and kennel fund of the county.~~ 1720

(F) (1) Whoever violates division (A) of this section is 1721
guilty of a misdemeanor of the fourth degree on a first offense 1722
and of a misdemeanor of the third degree on each subsequent 1723
offense. Additionally, the court may order the offender to do 1724
either or both of the following: 1725

(a) Personally supervise the vicious or dangerous dog that 1726
the offender owns, keeps, or harbors; 1727

(b) Cause the dog to complete dog obedience training. 1728

(2) The court, in the alternative, may order the vicious 1729
or dangerous dog to be humanely destroyed by a licensed 1730
veterinarian or the county dog warden at the owner's expense. 1731

(G) (1) Whoever violates division (B) (1) of this section is 1732
guilty of a misdemeanor of the fourth degree. 1733

(2) Whoever violates division (B) (2), (3), (4), or (5) of 1734
this section is guilty of a minor misdemeanor. 1735

(H) Whoever violates division (C) (1), (2), or (3) of this 1736
section is guilty of a felony of the fourth degree. 1737
Additionally, the court shall order that the dog involved in the 1738
violation be humanely destroyed by a licensed veterinarian or 1739
the county dog warden. Until the court makes a final 1740
determination and during the pendency of any appeal of a 1741
violation of division (C) (1), (2), or (3) of this section and at 1742
the discretion of the dog warden, the dog shall be confined or 1743
restrained in accordance with the provisions of division (A) of 1744
this section or at the county dog pound at the owner's expense. 1745

(I) Divisions (A) and (B) of this section do not apply to 1746
an animal shelter with respect to a dog that it keeps or harbors 1747
if both of the following apply: 1748

(1) The animal shelter did not have knowledge and could 1749
not have reasonably ascertained that the dog is a dangerous or 1750
vicious dog. 1751

(2) Before taking possession of the dog, the animal 1752
shelter checked any microchip implanted in the dog to ascertain 1753
the dog's designation status and asked the following questions 1754
of the dog's previous owner, keeper, or harborer, if such person 1755
is known: 1756

(a) "Has the dog ever chased or attempted to attack or 1757
bite a person? If yes, describe the incident(s) in which the 1758
behavior occurred." 1759

(b) "Has the dog ever bitten a person? If yes, describe 1760
the incident(s) in which the behavior occurred." 1761

(c) "Has the dog ever seriously injured or killed a 1762

person? If yes, describe the incident(s) in which the behavior
occurred." 1763
1764

As used in division (I) of this section, an "animal
shelter" means an animal shelter that is a nonprofit
organization that is exempt from federal income taxation under
subsection 501(a) and described in subsection 501(c)(3) of the
"Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C. 1. 1765
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Sec. 955.26. (A) Whenever, in the judgment of the director
of health, any city or general health district board of health,
or persons performing the duties of a board of health, rabies is
prevalent, the director of health, the board, or those persons
shall declare a quarantine of all dogs in the health district or
in a part of it. During the quarantine, the owner, keeper, or
harborer of any dog shall keep it confined on the premises of
the owner, keeper, or harborer, or in a pound, kennel, or other
suitable place, at the expense of the owner, keeper, or
harborer, except that a dog may be permitted to leave the
premises of its owner, keeper, or harborer if it is under leash
or under the control of a responsible person. The quarantine
order shall be considered an emergency and need not be
published. 1770
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(B) When the quarantine has been declared, the director of
health, the board, or those persons may require vaccination for
rabies of all dogs within the health district or part of it.
Proof of rabies vaccination within a satisfactory period shall
be demonstrated to the county auditor before any registration is
issued under section ~~955.01~~ 955.02 of the Revised Code for any
dog that is required to be vaccinated. 1784
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(C) The director shall determine appropriate methods of
rabies vaccination and satisfactory periods for purposes of 1791
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quarantines under this section. 1793

(D) When a quarantine of dogs has been declared in any 1794
health district or part of a health district, the county dog 1795
warden and all other persons having the authority of police 1796
officers shall assist the health authorities in enforcing the 1797
quarantine order. When rabies vaccination has been declared 1798
compulsory in any health district or part of a health district, 1799
the dog warden shall assist the health authorities in enforcing 1800
the vaccination order. 1801

(E) Notwithstanding this section, a city or general health 1802
district board of health may make orders pursuant to sections 1803
3709.20 and 3709.21 of the Revised Code requiring the 1804
vaccination of dogs. 1805

(F) No person shall recklessly violate a rabies quarantine 1806
order issued under this section. 1807

(G) Whoever violates division (F) of this section is 1808
guilty of a minor misdemeanor on a first offense and of a 1809
misdemeanor of the fourth degree on each subsequent offense. 1810

Sec. 955.261. (A) (1) No person shall remove a dog that has 1811
bitten any person from the county in which the bite occurred 1812
until a quarantine period as specified in division (B) of this 1813
section has been completed. No person shall transfer a dog that 1814
has bitten any person until a quarantine period as specified in 1815
division (B) of this section has been completed, except that a 1816
person may transfer the dog to the county dog warden or to any 1817
other animal control authority. 1818

(2) (a) Subject to division (A) (2) (b) of this section, no 1819
person shall kill a dog that has bitten any person until a 1820
quarantine period as specified in division (B) of this section 1821

has been completed. 1822

(b) Division (A) (2) (a) of this section does not apply to 1823
the killing of a dog in order to prevent further injury or death 1824
or if the dog is diseased or seriously injured. 1825

(3) No person who has killed a dog that has bitten any 1826
person in order to prevent further injury or death or if the dog 1827
is diseased or seriously injured shall fail to do both of the 1828
following: 1829

(a) Immediately after the killing of the dog, notify the 1830
board of health for the district in which the bite occurred of 1831
the facts relative to the bite and the killing; 1832

(b) Hold the body of the dog until that board of health 1833
claims it to perform tests for rabies. 1834

(B) The quarantine period for a dog that has bitten any 1835
person shall be ten days or another period that the board of 1836
health for the district in which the bite occurred determines is 1837
necessary to observe the dog for rabies. 1838

(C) (1) To enable persons to comply with the quarantine 1839
requirements specified in divisions (A) and (B) of this section, 1840
boards of health shall make provision for the quarantine of 1841
individual dogs under the circumstances described in those 1842
divisions. 1843

(2) Upon the receipt of a notification pursuant to 1844
division (A) (3) of this section that a dog that has bitten any 1845
person has been killed, the board of health for the district in 1846
which the bite occurred shall claim the body of the dog from its 1847
killer and then perform tests on the body for rabies. 1848

(D) This section does not apply to a police dog that has 1849

bitten a person while the police dog is under the care of a 1850
licensed veterinarian or has bitten a person while the police 1851
dog is being used for law enforcement, corrections, prison or 1852
jail security, or investigative purposes. If, after biting a 1853
person, a police dog exhibits any abnormal behavior, the law 1854
enforcement agency and the law enforcement officer the police 1855
dog assists, within a reasonable time after the person is 1856
bitten, shall make the police dog available for the board of 1857
health for the district in which the bite occurred to perform 1858
tests for rabies. 1859

(E) ~~As used in this section, "police dog" has the same~~ 1860
~~meaning as in section 2921.321 of the Revised Code~~Whoever 1861
recklessly violates this section is guilty of a minor 1862
misdemeanor on a first offense and of a misdemeanor of the 1863
fourth degree on each subsequent offense. 1864

Sec. 955.40 955.262. Any corporation which violates 1865
section ~~955.39~~ 955.26 of the Revised Code shall forfeit and pay 1866
to the municipal corporation a sum not to exceed three hundred 1867
dollars, to be collected in a civil action brought in the name 1868
of the municipal corporation. 1869

The judgment authorized in this section being in the 1870
nature of a penalty, or exemplary damages, no proof of actual 1871
damages shall be required, but the court or jury, finding other 1872
facts to justify recovery, shall determine the amount by 1873
reference to all the facts, culpatory, exculpatory, or 1874
extenuating, adduced at the trial. 1875

Sec. 955.43. (A) As used in this section, "institutions of 1876
education" means any of the following: 1877

(1) Any state university or college as defined in section 1878

<u>3345.32 of the Revised Code;</u>	1879
<u>(2) Any private college or university that holds a</u>	1880
<u>certificate of authorization issued by the Ohio board of regents</u>	1881
<u>pursuant to Chapter 1713. of the Revised Code;</u>	1882
<u>(3) Any elementary or secondary school operated by a board</u>	1883
<u>of education;</u>	1884
<u>(4) Any chartered or nonchartered nonpublic elementary or</u>	1885
<u>secondary school;</u>	1886
<u>(5) Any school issued a certificate of registration by the</u>	1887
<u>state board of career colleges and schools.</u>	1888
<u>(B) When a person who is blind, deaf, or hearing impaired,</u>	1889
a person with a mobility impairment, or a trainer of an	1890
assistance dog is accompanied by an assistance dog, the person	1891
or trainer, as applicable, is entitled to the full and equal	1892
accommodations, advantages, facilities, and privileges of all	1893
public conveyances, hotels, lodging places, all places of public	1894
accommodation, amusement, or resort, all institutions of	1895
education, and other places to which the general public is	1896
invited, and may take the dog into such conveyances and places,	1897
subject only to the conditions and limitations applicable to all	1898
persons not so accompanied, except that:	1899
(1) The dog shall not occupy a seat in any public	1900
conveyance.	1901
(2) The dog shall be upon a leash while using the	1902
facilities of a common carrier.	1903
(3) Any dog in training to become an assistance dog shall	1904
be covered by a liability insurance policy provided by the	1905
nonprofit special agency engaged in such work protecting members	1906

of the public against personal injury or property damage caused 1907
by the dog. 1908

~~(B)~~ (C) No person shall recklessly deprive a person who is 1909
blind, deaf, or hearing impaired, a person who has a mobility 1910
impairment, or a trainer of an assistance dog when the person or 1911
trainer, as applicable, is accompanied by an assistance dog of 1912
any of the advantages, facilities, or privileges provided in 1913
division ~~(A)~~ (B) of this section, and no person shall charge the 1914
person or trainer a fee or charge for the dog. 1915

(D) Whoever violates division (C) of this section is 1916
guilty of a misdemeanor of the fourth degree. 1917

~~(C) As used in this section, "institutions of education"~~ 1918
~~means:~~ 1919

~~(1) Any state university or college as defined in section~~ 1920
~~3345.32 of the Revised Code;~~ 1921

~~(2) Any private college or university that holds a~~ 1922
~~certificate of authorization issued by the Ohio board of regents~~ 1923
~~pursuant to Chapter 1713. of the Revised Code;~~ 1924

~~(3) Any elementary or secondary school operated by a board~~ 1925
~~of education;~~ 1926

~~(4) Any chartered or nonchartered nonpublic elementary or~~ 1927
~~secondary school;~~ 1928

~~(5) Any school issued a certificate of registration by the~~ 1929
~~state board of career colleges and schools.~~ 1930

Sec. 955.44. All fines collected for violations of 1931
sections 955.02, 955.09, 955.10, 955.11, 955.21~~955.12,~~ 1932
~~955.22~~955.21, 955.24, 955.23, 955.25, and 955.261 of the Revised 1933
Code shall be deposited in the county treasury to the credit of 1934

the dog and kennel fund. 1935

Sec. 955.50. (A) No person shall sell, offer to sell, or 1936
expose for sale, for the purpose of resale or receive for 1937
delivery within this state, or ship from any point within this 1938
state to any point outside this state, for sale to the general 1939
public at retail, any dog under the age of eight weeks. 1940

(B) No person shall receive from outside this state, or 1941
ship from any point within this state to any point outside this 1942
state, for sale to the general public at retail, any dog that is 1943
not accompanied by a certificate, issued by a licensed 1944
veterinarian who is accredited by the United States department 1945
of agriculture and authorized to issue health certificates for 1946
animals in interstate commerce, certifying that the dog is 1947
sufficiently sound and healthy to be reasonably expected to 1948
withstand the intended transportation without adverse effect. 1949

(C) This section does not apply to the transportation of 1950
dogs in interstate commerce by common carrier, provided that 1951
neither the point of shipment nor the point of receiving is 1952
within this state. 1953

(D) No person responsible for the transportation of a 1954
pregnant dog to any point within this state or from any point 1955
within this state to any point outside this state shall be 1956
liable in damages for any injury to or illness of, or the death 1957
of, the dog or any puppies, ~~whenever~~ whenever the injury, 1958
illness, or death results from the birth of such puppies during 1959
the time the dog is being transported. 1960

(E) Whoever recklessly violates this section is guilty of 1961
a minor misdemeanor on a first offense and of a misdemeanor of 1962
the fourth degree on each subsequent offense. 1963

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

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

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

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

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

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

(2) Division (A) of this section does not apply to any
person with respect to any dog that the person owned, possessed,

had custody of, or resided in a residence with prior to ~~the~~ 1993
~~effective date of this section~~ May 22, 2012. 1994

(C) Whoever recklessly violates this section is guilty of 1995
a misdemeanor of the first degree. 1996

Sec. 955.60. (A) Any person authorized to enforce this 1997
chapter shall investigate any complaint that indicates a 1998
possible violation of any provision of this chapter involving a 1999
dog. 2000

(B) If, after investigating an alleged violation of this 2001
chapter under division (A) of this section, an authorized person 2002
does not cite a person for or charge a person with a violation, 2003
the authorized person shall notify, in accordance with division 2004
(C) of this section, the owner, keeper, or harborer of the dog 2005
that there has been a complaint regarding the dog and that the 2006
authorized person investigated a possible violation. The notice 2007
shall specify both of the following: 2008

(1) A citation to the applicable provision or provisions 2009
of law at issue; 2010

(2) Contact information for the authorized person. 2011

(C) The authorized person shall post the notice on the 2012
door of the dwelling at which the dog resides within twenty-four 2013
hours after the authorized person concludes the investigation. 2014

Sec. 955.61. (A) (1) If a health care provider or a 2015
licensed veterinarian has knowledge of a person being bitten or 2016
injured as a result of an attack by a dog or other non-human 2017
mammal, the provider or veterinarian shall report the bite or 2018
injury, not later than twenty-four hours after obtaining such 2019
knowledge, to the health commissioner of the health district in 2020
which the bite occurred. 2021

(2) A person who is bitten or injured as a result of an 2022
attack by a dog or other non-human mammal may report the bite or 2023
injury to the health commissioner of the health district in 2024
which the bite occurred. 2025

(B) A city or general health district board of health 2026
shall annually submit a report regarding non-human mammalian 2027
bites and injuries occurring in its district to the department 2028
of health not later than the first day of March of each year. 2029
The report shall include information about the bites and 2030
injuries that occurred in the previous calendar year. 2031

Sec. 959.132. (A) As used in this section: 2032

"Companion animal" has the same meaning as in section 2033
959.131 of the Revised Code. 2034

"Impounding agency" means a county humane society 2035
organized under section 1717.05 of the Revised Code, an animal 2036
shelter, or a law enforcement agency that has impounded a 2037
companion animal in accordance with this section. 2038

"Offense" means a violation of Chapter 959. of the Revised 2039
Code or an attempt, in violation of section 2923.02 of the 2040
Revised Code, to violate Chapter 959. of the Revised Code. 2041

"Officer" means any law enforcement officer, humane 2042
society agent, or other person appointed to act as an animal 2043
control officer for a municipal corporation or township in 2044
accordance with state law, an ordinance, or a resolution. 2045

(B) An officer may seize and cause to be impounded at an 2046
impounding agency an animal that the officer has probable cause 2047
to believe is the subject of an offense. No officer or 2048
impounding agency shall impound an animal that is the subject of 2049
an offense in a shelter owned, operated, or controlled by a 2050

board of county commissioners pursuant to Chapter 955. of the 2051
Revised Code unless the board, by resolution, authorizes the 2052
impoundment of such an animal in a shelter owned, operated, or 2053
controlled by that board and has executed, in the case when the 2054
officer is other than a dog warden or assistant dog warden, a 2055
contract specifying the terms and conditions of the impoundment. 2056

(C) The officer shall give written notice of the seizure 2057
and impoundment to the owner, keeper, or harbinger of the animal 2058
not later than twenty-four hours after the animal was seized and 2059
impounded. If the officer is unable to give the notice to the 2060
owner, keeper, or harbinger of the animal, the officer shall post 2061
the notice on the door of the residence or in another 2062
conspicuous place on the premises at which the animal was 2063
seized. The notice shall include a statement that a hearing will 2064
be held not later than ten days after the notice is provided or 2065
at the next available court date to determine whether the 2066
officer had probable cause to seize the animal and, if 2067
applicable, to determine the amount of a bond or cash deposit 2068
that is needed to provide for the animal's care and keeping for 2069
not less than thirty days beginning on the date on which the 2070
animal was impounded. 2071

(D) An animal that is seized under this section may be 2072
humanely destroyed immediately or at any time during impoundment 2073
if a licensed veterinarian determines it to be necessary because 2074
the animal is suffering. 2075

(E) (1) Not later than ten days after notice is provided or 2076
at the next available court date, the court shall hold a hearing 2077
to determine whether the officer impounding an animal had 2078
probable cause to seize the animal. If the court determines that 2079
probable cause exists, the court shall determine the amount of a 2080

bond or cash deposit that is necessary and reasonable to provide 2081
for the animal's care and keeping for not less than thirty days 2082
beginning on the date on which the animal was impounded. 2083

(2) If the court determines that probable cause does not 2084
exist, the court immediately shall order the impounding agency 2085
to return the animal to its owner if possible. If the animal 2086
cannot be returned because it has died as a result of neglect or 2087
other misconduct by the impounding agency or if the animal is 2088
injured as a result of neglect or other misconduct by the 2089
impounding agency, the court shall order the impounding agency 2090
to pay the owner an amount determined by the court to be equal 2091
to the reasonable market value of the animal at the time that it 2092
was impounded plus statutory interest as defined in section 2093
1343.03 of the Revised Code from the date of the impoundment or 2094
an amount determined by the court to be equal to the reasonable 2095
cost of treatment of the injury to the animal, as applicable. 2096
The requirement established in division (E) (2) of this section 2097
regarding the payment of the reasonable market value of the 2098
animal shall not apply in the case of a dog that, in violation 2099
of section ~~955.01~~955.02 of the Revised Code, was not registered 2100
at the time it was seized and impounded. 2101

(3) If the court determines that probable cause exists and 2102
determines the amount of a bond or cash deposit, the case shall 2103
continue and the owner shall post a bond or cash deposit to 2104
provide for the animal's care and keeping for not less than 2105
thirty days beginning on the date on which the animal was 2106
impounded. The owner may renew a bond or cash deposit by 2107
posting, not later than ten days following the expiration of the 2108
period for which a previous bond or cash deposit was posted, a 2109
new bond or cash deposit in an amount that the court, in 2110
consultation with the impounding agency, determines is necessary 2111

and reasonable to provide for the animal's care and keeping for 2112
not less than thirty days beginning on the date on which the 2113
previous period expired. If no bond or cash deposit is posted or 2114
if a bond or cash deposit expires and is not renewed, the 2115
impounding agency may determine the disposition of the animal 2116
unless the court issues an order that specifies otherwise. 2117

(F) If a person is convicted of committing an offense, the 2118
court may impose the following additional penalties against the 2119
person: 2120

(1) A requirement that the person pay for the costs 2121
incurred by the impounding agency in caring for an animal 2122
involved in the applicable offense, provided that the costs were 2123
incurred during the animal's impoundment. A bond or cash deposit 2124
posted under this section may be applied to the costs. 2125

(2) An order permanently terminating the person's right to 2126
possession, title, custody, or care of the animal that was 2127
involved in the offense. If the court issues such an order, the 2128
court shall order the disposition of the animal. 2129

(G) If a person is found not guilty of committing an 2130
offense, the court immediately shall order the impounding agency 2131
to return the animal to its owner if possible and to return the 2132
entire amount of any bond or cash deposit posted under division 2133
(E) of this section. If the animal cannot be returned because it 2134
has died as a result of neglect or other misconduct by the 2135
impounding agency or if the animal is injured as a result of 2136
neglect or other misconduct by the impounding agency, the court 2137
shall order the impounding agency to pay the owner an amount 2138
determined by the court to be equal to the reasonable market 2139
value of the animal at the time that it was impounded plus 2140
statutory interest as defined in section 1343.03 of the Revised 2141

Code from the date of the impoundment or an amount determined by 2142
the court to be equal to the reasonable cost of treatment of the 2143
injury to the animal, as applicable. The requirements 2144
established in this division regarding the return of a bond or 2145
cash deposit and the payment of the reasonable market value of 2146
the animal shall not apply in the case of a dog that, in 2147
violation of section ~~955.01~~955.02 of the Revised Code, was not 2148
registered at the time it was seized and impounded. 2149

(H) If charges are filed under section 959.131 of the 2150
Revised Code against the custodian or caretaker of a companion 2151
animal, but the companion animal that is the subject of the 2152
charges is not impounded, the court in which the charges are 2153
pending may order the owner or person having custody of the 2154
companion animal to provide to the companion animal the 2155
necessities described in division (D)(2), (D)(3), (E)(2), (E) 2156
(3), (F)(2), or (F)(3) of section 959.131 of the Revised Code 2157
until the final disposition of the charges. If the court issues 2158
an order of that nature, the court also may authorize an officer 2159
or another person to visit the place where the companion animal 2160
is being kept, at the times and under the conditions that the 2161
court may set, to determine whether the companion animal is 2162
receiving those necessities and to remove and impound the 2163
companion animal if the companion animal is not receiving those 2164
necessities. 2165

Sec. 1533.12. (A)(1) Except as otherwise provided in 2166
division (A)(2) of this section, every person on active duty in 2167
the armed forces of the United States who is stationed in this 2168
state and who wishes to engage in an activity for which a 2169
license, permit, or stamp is required under this chapter first 2170
shall obtain the requisite license, permit, or stamp. Such a 2171
person is eligible to obtain a resident hunting or fishing 2172

license regardless of whether the person qualifies as a resident 2173
of this state. To obtain a resident hunting or fishing license, 2174
the person shall present a card or other evidence identifying 2175
the person as being on active duty in the armed forces of the 2176
United States and as being stationed in this state. 2177

(2) Every person on active duty in the armed forces of the 2178
United States, while on leave or furlough, may take or catch 2179
fish of the kind lawfully permitted to be taken or caught within 2180
the state, may hunt any wild bird or wild quadruped lawfully 2181
permitted to be hunted within the state, and may trap fur- 2182
bearing animals lawfully permitted to be trapped within the 2183
state, without procuring a fishing license, a hunting license, a 2184
fur taker permit, or a wetlands habitat stamp required by this 2185
chapter, provided that the person shall carry on the person when 2186
fishing, hunting, or trapping, a card or other evidence 2187
identifying the person as being on active duty in the armed 2188
forces of the United States, and provided that the person is not 2189
otherwise violating any of the hunting, fishing, and trapping 2190
laws of this state. 2191

In order to hunt deer or wild turkey, any such person 2192
shall obtain a deer or wild turkey permit, as applicable, under 2193
section 1533.11 of the Revised Code. Such a person is eligible 2194
to obtain a deer or wild turkey permit at the resident rate, 2195
regardless of whether the person is a resident of this state. 2196
However, the person need not obtain a hunting license in order 2197
to obtain such a permit. 2198

(B) The chief of the division of wildlife shall provide by 2199
rule adopted under section 1531.10 of the Revised Code all of 2200
the following: 2201

(1) Every resident of this state with a disability that 2202

has been determined by the veterans administration to be 2203
permanently and totally disabling, who receives a pension or 2204
compensation from the veterans administration, and who received 2205
an honorable discharge from the armed forces of the United 2206
States, and every veteran to whom the registrar of motor 2207
vehicles has issued a set of license plates under section 2208
4503.41 of the Revised Code, shall be issued a fishing license, 2209
hunting license, fur taker permit, deer or wild turkey permit, 2210
or wetlands habitat stamp, or any combination of those licenses, 2211
permits, and stamp, free of charge on an annual, multi-year, or 2212
lifetime basis as determined appropriate by the chief when 2213
application is made to the chief in the manner prescribed by and 2214
on forms provided by the chief. 2215

(2) Every resident of the state who was born on or before 2216
December 31, 1937, shall be issued an annual fishing license, 2217
hunting license, fur taker permit, deer or wild turkey permit, 2218
or wetlands habitat stamp, or any combination of those licenses, 2219
permits, and stamp, free of charge when application is made to 2220
the chief in the manner prescribed by and on forms provided by 2221
the chief. 2222

(3) Every resident of state or county institutions, 2223
charitable institutions, and military homes in this state shall 2224
be issued an annual fishing license free of charge when 2225
application is made to the chief in the manner prescribed by and 2226
on forms provided by the chief. 2227

(4) As used in division (B)(4) of this section, "blind" 2228
and "person with a mobility impairment" have the same meanings 2229
as in section ~~955.011~~955.021 of the Revised Code. 2230

Any person with a mobility impairment or blind person who 2231
is a resident of this state and who is unable to engage in 2232

fishing without the assistance of another person shall be issued 2233
an annual fishing license free of charge when application is 2234
made to the chief in the manner prescribed by and on forms 2235
provided by the chief. The person who is assisting the person 2236
with a mobility impairment or blind person may assist in taking 2237
or catching fish of the kind permitted to be taken or caught 2238
without procuring the license required under section 1533.32 of 2239
the Revised Code, provided that only one line is used by both 2240
persons. 2241

(5) As used in division (B) (5) of this section, "prisoner 2242
of war" means any regularly appointed, enrolled, enlisted, or 2243
inducted member of the military forces of the United States who 2244
was captured, separated, and incarcerated by an enemy of the 2245
United States. 2246

Any person who has been a prisoner of war, was honorably 2247
discharged from the military forces, and is a resident of this 2248
state shall be issued a fishing license, hunting license, fur 2249
taker permit, or wetlands habitat stamp, or any combination of 2250
those licenses, permits, and stamp, free of charge on an annual, 2251
multi-year, or lifetime basis as determined appropriate by the 2252
chief when application is made to the chief in the manner 2253
prescribed by and on forms provided by the chief. 2254

(C) The chief shall adopt rules pursuant to section 2255
1531.08 of the Revised Code designating not more than two days, 2256
which need not be consecutive, in each year as "free sport 2257
fishing days" on which any resident may exercise the privileges 2258
accorded the holder of a fishing license issued under section 2259
1533.32 of the Revised Code without procuring such a license, 2260
provided that the person is not otherwise violating any of the 2261
fishing laws of this state. 2262

Sec. 1901.18. (A) Except as otherwise provided in this 2263
division or section 1901.181 of the Revised Code, subject to the 2264
monetary jurisdiction of municipal courts as set forth in 2265
section 1901.17 of the Revised Code, a municipal court has 2266
original jurisdiction within its territory in all of the 2267
following actions or proceedings and to perform all of the 2268
following functions: 2269

(1) In any civil action, of whatever nature or remedy, of 2270
which judges of county courts have jurisdiction; 2271

(2) In any action or proceeding at law for the recovery of 2272
money or personal property of which the court of common pleas 2273
has jurisdiction; 2274

(3) In any action at law based on contract, to determine, 2275
preserve, and enforce all legal and equitable rights involved in 2276
the contract, to decree an accounting, reformation, or 2277
cancellation of the contract, and to hear and determine all 2278
legal and equitable remedies necessary or proper for a complete 2279
determination of the rights of the parties to the contract; 2280

(4) In any action or proceeding for the sale of personal 2281
property under chattel mortgage, lien, encumbrance, or other 2282
charge, for the foreclosure and marshalling of liens on personal 2283
property of that nature, and for the rendering of personal 2284
judgment in the action or proceeding; 2285

(5) In any action or proceeding to enforce the collection 2286
of its own judgments or the judgments rendered by any court 2287
within the territory to which the municipal court has succeeded, 2288
and to subject the interest of a judgment debtor in personal 2289
property to satisfy judgments enforceable by the municipal 2290
court; 2291

(6) In any action or proceeding in the nature of	2292
interpleader;	2293
(7) In any action of replevin;	2294
(8) In any action of forcible entry and detainer;	2295
(9) In any action concerning the issuance and enforcement	2296
of temporary protection orders pursuant to section 2919.26 of	2297
the Revised Code or protection orders pursuant to section	2298
2903.213 of the Revised Code or the enforcement of protection	2299
orders issued by courts of another state, as defined in section	2300
2919.27 of the Revised Code;	2301
(10) If the municipal court has a housing or environmental	2302
division, in any action over which the division is given	2303
jurisdiction by section 1901.181 of the Revised Code, provided	2304
that, except as specified in division (B) of that section, no	2305
judge of the court other than the judge of the division shall	2306
hear or determine any action over which the division has	2307
jurisdiction;	2308
(11) In any action brought pursuant to division (I) of	2309
section 4781.40 of the Revised Code, if the residential premises	2310
that are the subject of the action are located within the	2311
territorial jurisdiction of the court;	2312
(12) In any civil action as described in division (B) (1)	2313
of section 3767.41 of the Revised Code that relates to a public	2314
nuisance, and, to the extent any provision of this chapter	2315
conflicts or is inconsistent with a provision of that section,	2316
the provision of that section shall control in the civil action;	2317
(13) In a proceeding brought pursuant to section 955.222	2318
<u>955.23</u> of the Revised Code by the owner of a dog that has been	2319
designated as a nuisance dog, dangerous dog, or vicious dog;	2320

(14) In every civil action concerning a violation of a 2321
state traffic law or a municipal traffic ordinance. 2322

(B) The Cleveland municipal court also shall have 2323
jurisdiction within its territory in all of the following 2324
actions or proceedings and to perform all of the following 2325
functions: 2326

(1) In all actions and proceedings for the sale of real 2327
property under lien of a judgment of the municipal court or a 2328
lien for machinery, material, or fuel furnished or labor 2329
performed, irrespective of amount, and, in those actions and 2330
proceedings, the court may proceed to foreclose and marshal all 2331
liens and all vested or contingent rights, to appoint a 2332
receiver, and to render personal judgment irrespective of amount 2333
in favor of any party. 2334

(2) In all actions for the foreclosure of a mortgage on 2335
real property given to secure the payment of money or the 2336
enforcement of a specific lien for money or other encumbrance or 2337
charge on real property, when the amount claimed by the 2338
plaintiff does not exceed fifteen thousand dollars and the real 2339
property is situated within the territory, and, in those 2340
actions, the court may proceed to foreclose all liens and all 2341
vested and contingent rights and may proceed to render judgments 2342
and make findings and orders between the parties in the same 2343
manner and to the same extent as in similar actions in the court 2344
of common pleas. 2345

(3) In all actions for the recovery of real property 2346
situated within the territory to the same extent as courts of 2347
common pleas have jurisdiction; 2348

(4) In all actions for injunction to prevent or terminate 2349

violations of the ordinances and regulations of the city of 2350
Cleveland enacted or promulgated under the police power of the 2351
city of Cleveland, pursuant to Section 3 of Article XVIII, Ohio 2352
Constitution, over which the court of common pleas has or may 2353
have jurisdiction, and, in those actions, the court may proceed 2354
to render judgments and make findings and orders in the same 2355
manner and to the same extent as in similar actions in the court 2356
of common pleas. 2357

(C) As used in this section, "violation of a state traffic 2358
law or a municipal traffic ordinance" has the same meaning as in 2359
section 1901.20 of the Revised Code. 2360

Sec. 1907.031. (A) Except as otherwise provided in section 2361
1907.03 of the Revised Code and in addition to the jurisdiction 2362
authorized in other sections of this chapter and in section 2363
1909.11 of the Revised Code, a county court has original 2364
jurisdiction within its district in all of the following actions 2365
or proceedings and to perform all of the following functions: 2366

(1) In an action or proceeding at law for the recovery of 2367
money or personal property of which the court of common pleas 2368
has jurisdiction; 2369

(2) In an action at law based on contract, to determine, 2370
preserve, and enforce all legal and equitable rights involved in 2371
the contract, to decree an accounting, reformation, or 2372
cancellation of the contract, and to hear and determine all 2373
legal and equitable remedies necessary or proper for a complete 2374
determination of the rights of the parties to the contract; 2375

(3) In an action or proceeding for the sale of personal 2376
property under chattel mortgage, lien, encumbrance, or other 2377
charge, for the foreclosure and marshalling of liens on the 2378

personal property, and for the rendering of personal judgment in 2379
the action or proceeding; 2380

(4) In an action or proceeding to enforce the collection 2381
of its own judgments and to subject the interest of a judgment 2382
debtor in personal property to satisfy judgments enforceable by 2383
the county court; 2384

(5) In an action or proceeding in the nature of 2385
interpleader; 2386

(6) In an action of forcible entry and detainer; 2387

(7) In a proceeding brought pursuant to section ~~955.222~~ 2388
955.23 of the Revised Code by the owner of a dog that has been 2389
designated as a nuisance dog, dangerous dog, or vicious dog; 2390

(8) In every civil action or proceeding concerning a 2391
violation of a state traffic law or a municipal traffic 2392
ordinance. 2393

(B) A county court has original jurisdiction in civil 2394
actions as described in division (B)(1) of section 3767.41 of 2395
the Revised Code that relate to a public nuisance. To the extent 2396
any provision of this chapter conflicts or is inconsistent with 2397
a provision of that section, the provision of that section shall 2398
control in such a civil action. 2399

(C) As used in this section, "violation of a state traffic 2400
law or a municipal traffic ordinance" has the same meaning as in 2401
section 1901.20 of the Revised Code. 2402

Sec. 2913.01. As used in this chapter, unless the context 2403
requires that a term be given a different meaning: 2404

(A) "Deception" means knowingly deceiving another or 2405
causing another to be deceived by any false or misleading 2406

representation, by withholding information, by preventing 2407
another from acquiring information, or by any other conduct, 2408
act, or omission that creates, confirms, or perpetuates a false 2409
impression in another, including a false impression as to law, 2410
value, state of mind, or other objective or subjective fact. 2411

(B) "Defraud" means to knowingly obtain, by deception, 2412
some benefit for oneself or another, or to knowingly cause, by 2413
deception, some detriment to another. 2414

(C) "Deprive" means to do any of the following: 2415

(1) Withhold property of another permanently, or for a 2416
period that appropriates a substantial portion of its value or 2417
use, or with purpose to restore it only upon payment of a reward 2418
or other consideration; 2419

(2) Dispose of property so as to make it unlikely that the 2420
owner will recover it; 2421

(3) Accept, use, or appropriate money, property, or 2422
services, with purpose not to give proper consideration in 2423
return for the money, property, or services, and without 2424
reasonable justification or excuse for not giving proper 2425
consideration. 2426

(D) "Owner" means, unless the context requires a different 2427
meaning, any person, other than the actor, who is the owner of, 2428
who has possession or control of, or who has any license or 2429
interest in property or services, even though the ownership, 2430
possession, control, license, or interest is unlawful. 2431

(E) "Services" include labor, personal services, 2432
professional services, rental services, public utility services 2433
including wireless service as defined in division (F) (1) of 2434
section 128.01 of the Revised Code, common carrier services, and 2435

food, drink, transportation, entertainment, and cable television 2436
services and, for purposes of section 2913.04 of the Revised 2437
Code, include cable services as defined in that section. 2438

(F) "Writing" means any computer software, document, 2439
letter, memorandum, note, paper, plate, data, film, or other 2440
thing having in or upon it any written, typewritten, or printed 2441
matter, and any token, stamp, seal, credit card, badge, 2442
trademark, label, or other symbol of value, right, privilege, 2443
license, or identification. 2444

(G) "Forge" means to fabricate or create, in whole or in 2445
part and by any means, any spurious writing, or to make, 2446
execute, alter, complete, reproduce, or otherwise purport to 2447
authenticate any writing, when the writing in fact is not 2448
authenticated by that conduct. 2449

(H) "Utter" means to issue, publish, transfer, use, put or 2450
send into circulation, deliver, or display. 2451

(I) "Coin machine" means any mechanical or electronic 2452
device designed to do both of the following: 2453

(1) Receive a coin, bill, or token made for that purpose; 2454

(2) In return for the insertion or deposit of a coin, 2455
bill, or token, automatically dispense property, provide a 2456
service, or grant a license. 2457

(J) "Slug" means an object that, by virtue of its size, 2458
shape, composition, or other quality, is capable of being 2459
inserted or deposited in a coin machine as an improper 2460
substitute for a genuine coin, bill, or token made for that 2461
purpose. 2462

(K) "Theft offense" means any of the following: 2463

(1) A violation of section 2911.01, 2911.02, 2911.11, 2464
2911.12, 2911.13, 2911.31, 2911.32, 2913.02, 2913.03, 2913.04, 2465
2913.041, 2913.05, 2913.06, 2913.08, 2913.11, 2913.21, 2913.31, 2466
2913.32, 2913.33, 2913.34, 2913.40, 2913.42, 2913.43, 2913.44, 2467
2913.45, 2913.47, 2913.48, former section 2913.47 or 2913.48, or 2468
section 2913.51, 2915.05, or 2921.41 of the Revised Code; 2469

(2) A violation of an existing or former municipal 2470
ordinance or law of this or any other state, or of the United 2471
States, substantially equivalent to any section listed in 2472
division (K) (1) of this section or a violation of section 2473
2913.41, 2913.81, or 2915.06 of the Revised Code as it existed 2474
prior to July 1, 1996; 2475

(3) An offense under an existing or former municipal 2476
ordinance or law of this or any other state, or of the United 2477
States, involving robbery, burglary, breaking and entering, 2478
theft, embezzlement, wrongful conversion, forgery, 2479
counterfeiting, deceit, or fraud; 2480

(4) A conspiracy or attempt to commit, or complicity in 2481
committing, any offense under division (K) (1), (2), or (3) of 2482
this section. 2483

(L) "Computer services" includes, but is not limited to, 2484
the use of a computer system, computer network, computer 2485
program, data that is prepared for computer use, or data that is 2486
contained within a computer system or computer network. 2487

(M) "Computer" means an electronic device that performs 2488
logical, arithmetic, and memory functions by the manipulation of 2489
electronic or magnetic impulses. "Computer" includes, but is not 2490
limited to, all input, output, processing, storage, computer 2491
program, or communication facilities that are connected, or 2492

related, in a computer system or network to an electronic device 2493
of that nature. 2494

(N) "Computer system" means a computer and related 2495
devices, whether connected or unconnected, including, but not 2496
limited to, data input, output, and storage devices, data 2497
communications links, and computer programs and data that make 2498
the system capable of performing specified special purpose data 2499
processing tasks. 2500

(O) "Computer network" means a set of related and remotely 2501
connected computers and communication facilities that includes 2502
more than one computer system that has the capability to 2503
transmit among the connected computers and communication 2504
facilities through the use of computer facilities. 2505

(P) "Computer program" means an ordered set of data 2506
representing coded instructions or statements that, when 2507
executed by a computer, cause the computer to process data. 2508

(Q) "Computer software" means computer programs, 2509
procedures, and other documentation associated with the 2510
operation of a computer system. 2511

(R) "Data" means a representation of information, 2512
knowledge, facts, concepts, or instructions that are being or 2513
have been prepared in a formalized manner and that are intended 2514
for use in a computer, computer system, or computer network. For 2515
purposes of section 2913.47 of the Revised Code, "data" has the 2516
additional meaning set forth in division (A) of that section. 2517

(S) "Cable television service" means any services provided 2518
by or through the facilities of any cable television system or 2519
other similar closed circuit coaxial cable communications 2520
system, or any microwave or similar transmission service used in 2521

connection with any cable television system or other similar 2522
closed circuit coaxial cable communications system. 2523

(T) "Gain access" means to approach, instruct, communicate 2524
with, store data in, retrieve data from, or otherwise make use 2525
of any resources of a computer, computer system, or computer 2526
network, or any cable service or cable system both as defined in 2527
section 2913.04 of the Revised Code. 2528

(U) "Credit card" includes, but is not limited to, a card, 2529
code, device, or other means of access to a customer's account 2530
for the purpose of obtaining money, property, labor, or services 2531
on credit, or for initiating an electronic fund transfer at a 2532
point-of-sale terminal, an automated teller machine, or a cash 2533
dispensing machine. It also includes a county procurement card 2534
issued under section 301.29 of the Revised Code. 2535

(V) "Electronic fund transfer" has the same meaning as in 2536
92 Stat. 3728, 15 U.S.C.A. 1693a, as amended. 2537

(W) "Rented property" means personal property in which the 2538
right of possession and use of the property is for a short and 2539
possibly indeterminate term in return for consideration; the 2540
rentee generally controls the duration of possession of the 2541
property, within any applicable minimum or maximum term; and the 2542
amount of consideration generally is determined by the duration 2543
of possession of the property. 2544

(X) "Telecommunication" means the origination, emission, 2545
dissemination, transmission, or reception of data, images, 2546
signals, sounds, or other intelligence or equivalence of 2547
intelligence of any nature over any communications system by any 2548
method, including, but not limited to, a fiber optic, 2549
electronic, magnetic, optical, digital, or analog method. 2550

(Y) "Telecommunications device" means any instrument, 2551
equipment, machine, or other device that facilitates 2552
telecommunication, including, but not limited to, a computer, 2553
computer network, computer chip, computer circuit, scanner, 2554
telephone, cellular telephone, pager, personal communications 2555
device, transponder, receiver, radio, modem, or device that 2556
enables the use of a modem. 2557

(Z) "Telecommunications service" means the providing, 2558
allowing, facilitating, or generating of any form of 2559
telecommunication through the use of a telecommunications device 2560
over a telecommunications system. 2561

(AA) "Counterfeit telecommunications device" means a 2562
telecommunications device that, alone or with another 2563
telecommunications device, has been altered, constructed, 2564
manufactured, or programmed to acquire, intercept, receive, or 2565
otherwise facilitate the use of a telecommunications service or 2566
information service without the authority or consent of the 2567
provider of the telecommunications service or information 2568
service. "Counterfeit telecommunications device" includes, but 2569
is not limited to, a clone telephone, clone microchip, tumbler 2570
telephone, or tumbler microchip; a wireless scanning device 2571
capable of acquiring, intercepting, receiving, or otherwise 2572
facilitating the use of telecommunications service or 2573
information service without immediate detection; or a device, 2574
equipment, hardware, or software designed for, or capable of, 2575
altering or changing the electronic serial number in a wireless 2576
telephone. 2577

(BB) (1) "Information service" means, subject to division 2578
(BB) (2) of this section, the offering of a capability for 2579
generating, acquiring, storing, transforming, processing, 2580

retrieving, utilizing, or making available information via 2581
telecommunications, including, but not limited to, electronic 2582
publishing. 2583

(2) "Information service" does not include any use of a 2584
capability of a type described in division (BB)(1) of this 2585
section for the management, control, or operation of a 2586
telecommunications system or the management of a 2587
telecommunications service. 2588

(CC) "Elderly person" means a person who is sixty-five 2589
years of age or older. 2590

(DD) "Disabled adult" means a person who is eighteen years 2591
of age or older and has some impairment of body or mind that 2592
makes the person unable to work at any substantially 2593
remunerative employment that the person otherwise would be able 2594
to perform and that will, with reasonable probability, continue 2595
for a period of at least twelve months without any present 2596
indication of recovery from the impairment, or who is eighteen 2597
years of age or older and has been certified as permanently and 2598
totally disabled by an agency of this state or the United States 2599
that has the function of so classifying persons. 2600

(EE) "Firearm" and "dangerous ordnance" have the same 2601
meanings as in section 2923.11 of the Revised Code. 2602

(FF) "Motor vehicle" has the same meaning as in section 2603
4501.01 of the Revised Code. 2604

(GG) "Dangerous drug" has the same meaning as in section 2605
4729.01 of the Revised Code. 2606

(HH) "Drug abuse offense" has the same meaning as in 2607
section 2925.01 of the Revised Code. 2608

- (II) (1) "Computer hacking" means any of the following: 2609
- (a) Gaining access or attempting to gain access to all or 2610
part of a computer, computer system, or a computer network 2611
without express or implied authorization with the intent to 2612
defraud or with intent to commit a crime; 2613
- (b) Misusing computer or network services including, but 2614
not limited to, mail transfer programs, file transfer programs, 2615
proxy servers, and web servers by performing functions not 2616
authorized by the owner of the computer, computer system, or 2617
computer network or other person authorized to give consent. As 2618
used in this division, "misuse of computer and network services" 2619
includes, but is not limited to, the unauthorized use of any of 2620
the following: 2621
- (i) Mail transfer programs to send mail to persons other 2622
than the authorized users of that computer or computer network; 2623
- (ii) File transfer program proxy services or proxy servers 2624
to access other computers, computer systems, or computer 2625
networks; 2626
- (iii) Web servers to redirect users to other web pages or 2627
web servers. 2628
- (c) (i) Subject to division (II) (1) (c) (ii) of this section, 2629
using a group of computer programs commonly known as "port 2630
scanners" or "probes" to intentionally access any computer, 2631
computer system, or computer network without the permission of 2632
the owner of the computer, computer system, or computer network 2633
or other person authorized to give consent. The group of 2634
computer programs referred to in this division includes, but is 2635
not limited to, those computer programs that use a computer 2636
network to access a computer, computer system, or another 2637

computer network to determine any of the following: the presence 2638
or types of computers or computer systems on a network; the 2639
computer network's facilities and capabilities; the availability 2640
of computer or network services; the presence or versions of 2641
computer software including, but not limited to, operating 2642
systems, computer services, or computer contaminants; the 2643
presence of a known computer software deficiency that can be 2644
used to gain unauthorized access to a computer, computer system, 2645
or computer network; or any other information about a computer, 2646
computer system, or computer network not necessary for the 2647
normal and lawful operation of the computer initiating the 2648
access. 2649

(ii) The group of computer programs referred to in 2650
division (II) (1) (c) (i) of this section does not include standard 2651
computer software used for the normal operation, administration, 2652
management, and test of a computer, computer system, or computer 2653
network including, but not limited to, domain name services, 2654
mail transfer services, and other operating system services, 2655
computer programs commonly called "ping," "tcpdump," and 2656
"traceroute" and other network monitoring and management 2657
computer software, and computer programs commonly known as 2658
"nslookup" and "whois" and other systems administration computer 2659
software. 2660

(d) The intentional use of a computer, computer system, or 2661
a computer network in a manner that exceeds any right or 2662
permission granted by the owner of the computer, computer 2663
system, or computer network or other person authorized to give 2664
consent. 2665

(2) "Computer hacking" does not include the introduction 2666
of a computer contaminant, as defined in section 2909.01 of the 2667

Revised Code, into a computer, computer system, computer
program, or computer network.

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

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

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

(MM) "Federally licensed firearms dealer" has the same
meaning as in section 5502.63 of the Revised Code.

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

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

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

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

police dog or horse. 2696

(B) No person shall recklessly do any of the following: 2697

(1) Taunt, torment, or strike a police dog or horse; 2698

(2) Throw an object or substance at a police dog or horse; 2699

(3) Interfere with or obstruct a police dog or horse, or 2700
interfere with or obstruct a law enforcement officer who is 2701
being assisted by a police dog or horse, in a manner that does 2702
any of the following: 2703

(a) Inhibits or restricts the law enforcement officer's 2704
control of the police dog or horse; 2705

(b) Deprives the law enforcement officer of control of the 2706
police dog or horse; 2707

(c) Releases the police dog or horse from its area of 2708
control; 2709

(d) Enters the area of control of the police dog or horse 2710
without the consent of the law enforcement officer, including 2711
placing food or any other object or substance into that area; 2712

(e) Inhibits or restricts the ability of the police dog or 2713
horse to assist a law enforcement officer. 2714

(4) Engage in any conduct that is likely to cause serious 2715
physical injury or death to a police dog or horse; 2716

(5) If the person is the owner, keeper, or harbinger of a 2717
dog, fail to reasonably restrain the dog from taunting, 2718
tormenting, chasing, approaching in a menacing fashion or 2719
apparent attitude of attack, or attempting to bite or otherwise 2720
endanger a police dog or horse that at the time of the conduct, 2721
the police dog or horse is assisting a law enforcement officer 2722

in the performance of the officer's duties or that the person 2723
knows is a police dog or horse. 2724

(C) No person shall knowingly cause, or attempt to cause, 2725
physical harm to an assistance dog in either of the following 2726
circumstances: 2727

(1) The dog, at the time the physical harm is caused or 2728
attempted, is assisting or serving a person who is blind, deaf, 2729
or hearing impaired or a person with a mobility impairment. 2730

(2) The dog, at the time the physical harm is caused or 2731
attempted, is not assisting or serving a person who is blind, 2732
deaf, or hearing impaired or a person with a mobility 2733
impairment, but the offender has actual knowledge that the dog 2734
is an assistance dog. 2735

(D) No person shall recklessly do any of the following: 2736

(1) Taunt, torment, or strike an assistance dog; 2737

(2) Throw an object or substance at an assistance dog; 2738

(3) Interfere with or obstruct an assistance dog, or 2739
interfere with or obstruct a person who is blind, deaf, or 2740
hearing impaired or a person with a mobility impairment who is 2741
being assisted or served by an assistance dog, in a manner that 2742
does any of the following: 2743

(a) Inhibits or restricts the assisted or served person's 2744
control of the dog; 2745

(b) Deprives the assisted or served person of control of 2746
the dog; 2747

(c) Releases the dog from its area of control; 2748

(d) Enters the area of control of the dog without the 2749

consent of the assisted or served person, including placing food 2750
or any other object or substance into that area; 2751

(e) Inhibits or restricts the ability of the dog to assist 2752
the assisted or served person. 2753

(4) Engage in any conduct that is likely to cause serious 2754
physical injury or death to an assistance dog; 2755

(5) If the person is the owner, keeper, or harbinger of a 2756
dog, fail to reasonably restrain the dog from taunting, 2757
tormenting, chasing, approaching in a menacing fashion or 2758
apparent attitude of attack, or attempting to bite or otherwise 2759
endanger an assistance dog that at the time of the conduct is 2760
assisting or serving a person who is blind, deaf, or hearing 2761
impaired or a person with a mobility impairment or that the 2762
person knows is an assistance dog. 2763

(E) (1) Whoever violates division (A) of this section is 2764
guilty of assaulting a police dog or horse, and shall be 2765
punished as provided in divisions (E) (1) (a) and (b) of this 2766
section. 2767

(a) Except as otherwise provided in this division, 2768
assaulting a police dog or horse is a misdemeanor of the second 2769
degree. If the violation results in the death of the police dog 2770
or horse, assaulting a police dog or horse is a felony of the 2771
third degree and the court shall impose as a mandatory prison 2772
term one of the definite prison terms prescribed in division (A) 2773
(3) (b) of section 2929.14 of the Revised Code for a felony of 2774
the third degree. If the violation results in serious physical 2775
harm to the police dog or horse other than its death, assaulting 2776
a police dog or horse is a felony of the fourth degree. If the 2777
violation results in physical harm to the police dog or horse 2778

other than death or serious physical harm, assaulting a police 2779
dog or horse is a misdemeanor of the first degree. 2780

(b) In addition to any other sanction imposed for 2781
assaulting a police dog or horse, if the violation of division 2782
(A) of this section results in the death of the police dog or 2783
horse, the sentencing court shall impose as a financial sanction 2784
a mandatory fine under division (B)(10) of section 2929.18 of 2785
the Revised Code. The fine shall be paid to the law enforcement 2786
agency that was served by the police dog or horse that was 2787
killed, and shall be used by that agency only for one or more of 2788
the following purposes: 2789

(i) If the dog or horse was not owned by the agency, the 2790
payment to the owner of the dog or horse of the cost of the dog 2791
or horse and the cost of the training of the dog or horse to 2792
qualify it as a police dog or horse, if that cost has not 2793
previously been paid by the agency; 2794

(ii) After payment of the costs described in division (E) 2795
(1)(b)(i) of this section, if applicable, payment of the cost of 2796
replacing the dog or horse that was killed; 2797

(iii) After payment of the costs described in division (E) 2798
(1)(b)(i) of this section, if applicable, payment of the cost of 2799
training the replacement dog or horse to qualify it as a police 2800
dog or horse; 2801

(iv) After payment of the costs described in division (E) 2802
(1)(b)(i) of this section, if applicable, payment of the cost of 2803
further training of the replacement dog or horse that is needed 2804
to train it to the level of training that had been achieved by 2805
the dog or horse that was killed. 2806

(2) Whoever violates division (B) of this section is 2807

guilty of harassing a police dog or horse. Except as otherwise 2808
provided in this division, harassing a police dog or horse is a 2809
misdemeanor of the second degree. If the violation results in 2810
the death of the police dog or horse, harassing a police dog or 2811
horse is a felony of the third degree. If the violation results 2812
in serious physical harm to the police dog or horse, but does 2813
not result in its death, harassing a police dog or horse, is a 2814
felony of the fourth degree. If the violation results in 2815
physical harm to the police dog or horse, but does not result in 2816
its death or in serious physical harm to it, harassing a police 2817
dog or horse is a misdemeanor of the first degree. 2818

(3) Whoever violates division (C) of this section is 2819
guilty of assaulting an assistance dog. Except as otherwise 2820
provided in this division, assaulting an assistance dog is a 2821
misdemeanor of the second degree. If the violation results in 2822
the death of the assistance dog, assaulting an assistance dog is 2823
a felony of the third degree. If the violation results in 2824
serious physical harm to the assistance dog other than its 2825
death, assaulting an assistance dog is a felony of the fourth 2826
degree. If the violation results in physical harm to the 2827
assistance dog other than death or serious physical harm, 2828
assaulting an assistance dog is a misdemeanor of the first 2829
degree. 2830

(4) Whoever violates division (D) of this section is 2831
guilty of harassing an assistance dog. Except as otherwise 2832
provided in this division, harassing an assistance dog is a 2833
misdemeanor of the second degree. If the violation results in 2834
the death of the assistance dog, harassing an assistance dog is 2835
a felony of the third degree. If the violation results in 2836
serious physical harm to the assistance dog, but does not result 2837
in its death, harassing an assistance dog is a felony of the 2838

fourth degree. If the violation results in physical harm to the 2839
assistance dog, but does not result in its death or in serious 2840
physical harm to it, harassing an assistance dog is a 2841
misdemeanor of the first degree. 2842

(5) In addition to any other sanction or penalty imposed 2843
for the offense under this section, Chapter 2929., or any other 2844
provision of the Revised Code, whoever violates division (A), 2845
(B), (C), or (D) of this section is responsible for the payment 2846
of all of the following: 2847

(a) Any veterinary bill or bill for medication incurred as 2848
a result of the violation by the police department regarding a 2849
violation of division (A) or (B) of this section or by the 2850
person who is blind, deaf, or hearing impaired or the person 2851
with a mobility impairment assisted or served by the assistance 2852
dog regarding a violation of division (C) or (D) of this 2853
section; 2854

(b) The cost of any damaged equipment that results from 2855
the violation; 2856

(c) If the violation did not result in the death of the 2857
police dog or horse or the assistance dog that was the subject 2858
of the violation and if, as a result of that dog or horse being 2859
the subject of the violation, the dog or horse needs further 2860
training or retraining to be able to continue in the capacity of 2861
a police dog or horse or an assistance dog, the cost of any 2862
further training or retraining of that dog or horse by a law 2863
enforcement officer or by the person who is blind, deaf, or 2864
hearing impaired or the person with a mobility impairment 2865
assisted or served by the assistance dog; 2866

(d) If the violation resulted in the death of the 2867

assistance dog that was the subject of the violation or resulted 2868
in serious physical harm to the police dog or horse or the 2869
assistance dog or horse that was the subject of the violation to 2870
the extent that the dog or horse needs to be replaced on either 2871
a temporary or a permanent basis, the cost of replacing that dog 2872
or horse and of any further training of a new police dog or 2873
horse or a new assistance dog by a law enforcement officer or by 2874
the person who is blind, deaf, or hearing impaired or the person 2875
with a mobility impairment assisted or served by the assistance 2876
dog, which replacement or training is required because of the 2877
death of or the serious physical harm to the dog or horse that 2878
was the subject of the violation. 2879

(F) This section does not apply to a licensed veterinarian 2880
whose conduct is in accordance with Chapter 4741. of the Revised 2881
Code. 2882

(G) This section only applies to an offender who knows or 2883
should know at the time of the violation that the police dog or 2884
horse or assistance dog that is the subject of a violation under 2885
this section is a police dog or horse or an assistance dog. 2886

(H) As used in this section: 2887

(1) "Physical harm" means any injury, illness, or other 2888
physiological impairment, regardless of its gravity or duration. 2889

(2) "Police dog or horse" means a dog or horse that has 2890
been trained, and may be used, to assist law enforcement 2891
officers in the performance of their official duties. 2892

(3) "Serious physical harm" means any of the following: 2893

(a) Any physical harm that carries a substantial risk of 2894
death; 2895

(b) Any physical harm that causes permanent maiming or 2896
that involves some temporary, substantial maiming; 2897

(c) Any physical harm that causes acute pain of a duration 2898
that results in substantial suffering. 2899

(4) "Assistance dog," "blind," and "person with a mobility 2900
impairment" have the same meanings as in section ~~955.011~~ 955.021 2901
of the Revised Code. 2902

Section 2. That existing sections 304.02, 304.03, 715.23, 2903
901.80, 935.03, 955.01, 955.011, 955.012, 955.013, 955.02, 2904
955.03, 955.04, 955.05, 955.06, 955.07, 955.09, 955.10, 955.11, 2905
955.12, 955.121, 955.14, 955.16, 955.20, 955.22, 955.221, 2906
955.222, 955.26, 955.261, 955.40, 955.43, 955.44, 955.50, 2907
955.54, 959.132, 1533.12, 1901.18, 1907.031, 2913.01, and 2908
2921.321 of the Revised Code are hereby repealed. 2909

Section 3. That sections 955.08, 955.21, 955.23, 955.24, 2910
955.25, 955.39, 955.51, 955.52, 955.53, and 955.99 of the 2911
Revised Code are hereby repealed. 2912

Section 4. The owner of a dog who holds a valid dangerous 2913
dog registration certificate for the dog that was issued under 2914
division (I) of section 955.22 of the Revised Code as that 2915
section existed prior to its amendment by this act shall renew 2916
the certificate beginning on the first day of December of the 2917
year in which this section takes effect, but not later than the 2918
thirty-first day of January of the subsequent year regardless of 2919
when the owner would have been required to renew the certificate 2920
under former law. Except as otherwise provided in this section, 2921
the owner shall file the application in accordance with section 2922
955.02 of the Revised Code as amended by this act. 2923

If the renewal required by this section results in a 2924

reduction of the registration period for which the owner paid 2925
fifty dollars under former law, the owner shall pay a 2926
registration fee for the renewal required by this section in an 2927
amount that is prorated as determined by the county auditor of 2928
the county in which the owner resides. Thereafter, the owner 2929
shall renew the dangerous dog registration certificate in 2930
accordance with section 955.02 of the Revised Code as amended by 2931
this act. 2932

Section 5. This act shall be known as Avery's Law. 2933

2934