

**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**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

examining a dog wearing a tag. 721

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

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

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

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

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

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

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

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

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

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

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

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

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

death; 807

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

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

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

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

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

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

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

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

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

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

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

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

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

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

In addition, the seller shall answer the following 863

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

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

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

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

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

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

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

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

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

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

misdemeanor of the fourth degree on each subsequent offense. 892

(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 harbinger 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 harbinger 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 harbinger 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 harbinger 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 harbinger 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  
1792

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 <del>955.222</del>   | 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 (NH<sub>3</sub>). 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

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