

As Passed by the Senate

136th General Assembly

Regular Session

2025-2026

Sub. H. B. No. 247

Representatives Miller, K., Lawson-Rowe

Cosponsors: Representatives Robb Blasdel, Brennan, Hall, T., Hiner, Johnson, Ray, Stewart, Sigrist, White, A., Abrams, Ghanbari, Willis, Bird, Brent, Brewer, Brownlee, Claggett, Cockley, Creech, Daniels, Deeter, Denson, Dovilla, Fowler Arthur, Glassburn, Grim, Gross, Hall, D., Holmes, Hoops, Humphrey, Isaacsohn, Jarrells, John, King, Kishman, Klopfenstein, Lampton, LaRe, Lear, Lett, Lorenz, Mathews, A., Mathews, T., McNally, Miller, J., Miller, M., Mohamed, Moore, Newman, Odioso, Oelslager, Peterson, Piccolantonio, Plummer, Rader, Richardson, Ritter, Robinson, Rogers, Russo, Salvo, Schmidt, Sims, Stephens, Sweeney, Synenberg, Thomas, C., Thomas, D., Tims, Upchurch, White, E., Williams, Young

Senators Blessing, Manning, Antonio, Blackshear, Cirino, Craig, Cutrona, DeMora, Gavarone, Hicks-Hudson, Huffman, Ingram, Johnson, Patton, Reineke, Reynolds, Roegner, Timken, Weinstein, Wilkin

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 States department of agriculture under the federal animal welfare act.	159 160 161
(c) The director of agriculture has determined that the person is in the process of becoming an accredited member of the association of zoos and aquariums or the zoological association of America.	162 163 164 165
(d) The director has informed the person that the person is exempt from division (A) of section 935.02 of the Revised Code.	166 167 168
(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 in the process of being accredited or verified by the global federation of animal sanctuaries as a wildlife sanctuary.	171 172 173
(c) The director has informed the organization that it is exempt from division (A) of section 935.02 of the Revised Code.	174 175
(3) A person whose possession of a dangerous wild animal is authorized by an unexpired permit issued under this chapter.	176 177
(B) Except for the purposes of divisions (A) and (B) of section 935.04 of the Revised Code, this chapter does not apply to any of the following:	178 179 180
(1) A facility that is an accredited member of the association of zoos and aquariums or the zoological association of America and that is licensed by the United States department	181 182 183

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
dog act" have the same meanings as in section 955.22 of the
Revised Code. 270
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(E) "Police dog" means a dog that has been trained, and
may be used, to assist one or more law enforcement officers in
the performance of their official duties. 273
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(F) "Dog kennel" or "kennel" means an establishment that
keeps, houses, and maintains adult dogs, as defined in section
956.01 of the Revised Code, for the purpose of breeding the dogs
for a fee or other consideration received through a sale,
exchange, or lease and that is not a high volume breeder
licensed under Chapter 956. of the Revised Code. 276
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Sec. 955.01 955.02. (A) (1) Except as otherwise provided in
this section or in sections ~~955.011, 955.012~~ 955.021, 955.022,
and 955.16 of the Revised Code, every person who owns, keeps, or
harbors a dog more than three months of age shall file, on or
after the first day of the applicable December, but before the
thirty-first day of the applicable January, in the office of the
county auditor of the county in which the dog is kept or
harbored, an application for registration for a period of one
year or three years or an application for a permanent
registration. The board of county commissioners, by resolution,
may extend the period for filing the application. The
~~application~~ applicant shall state the age, sex, color, character
of hair, whether short or long, and breed, if known, of the dog
and the name and address of the owner of the dog on the
application. ~~A~~ Along with the application, the applicant shall
submit a registration fee of two dollars for each year of
registration for a one-year or three-year registration or twenty 282
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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 harbinger 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 harbinger 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 harbinger 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.

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

Sec. ~~955.011~~ 955.021. (A) When an application is made for
registration of an assistance dog and the owner can show proof
by certificate or other means that the dog is an assistance dog,
the owner of the dog shall be exempt from any fee for the
registration. Registration for an assistance dog shall be
permanent and not subject to annual renewal so long as the dog
is an assistance dog. Certificates and tags stamped "Ohio
Assistance Dog-Permanent Registration," with registration
number, shall be issued upon registration of such a dog. ~~Any-~~
~~certificate and tag stamped "Ohio Service Dog-Permanent-~~
~~Registration," with registration number, that was issued for a~~
~~dog in accordance with this section as it existed on and after~~
~~November 26, 2004, but prior to June 30, 2006, shall remain in~~
~~effect as valid proof of the registration of the dog on and~~
~~after November 26, 2004.~~ Duplicate certificates and tags for a
dog registered in accordance with this section, upon proper
proof of loss, shall be issued and no fee required. ~~Each-~~
~~duplicate certificate and tag that is issued shall be stamped~~
~~"Ohio Assistance Dog-Permanent Registration."~~

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

(1) "Person with a mobility impairment" means any person,
regardless of age, who is subject to a physiological impairment
regardless of its cause, nature, or extent that renders the
person unable to move about without the aid of crutches, a
wheelchair, or any other form of support, or that limits the
person's functional ability to ambulate, climb, descend, sit,

rise, or perform any related function. "Person with a mobility
impairment" includes a person with a neurological or
psychological disability that limits the person's functional
ability to ambulate, climb, descend, sit, rise, or perform any
related function. "Person with a mobility impairment" also
includes a person with a seizure disorder and a person who is
diagnosed with autism.

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

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

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

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

(a) A guide dog;

(b) A hearing dog;

(c) A service dog.

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

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

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

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

(1) "Controlled substance" has the same meaning as in

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 harborer 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 harbinger 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~~ 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~~ 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~~ 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.

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

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

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

Every person becoming the owner of a dog ~~kennel of dogs~~ after the thirty-first day of January of any year shall file

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

Sec. 955.06. (A) The owner, keeper, or harborer of a dog 655
becoming three months of age after the first day of July in a 656
calendar year and the owner, keeper, or harborer of a dog 657
purchased outside the state after the first day of July in a 658
calendar year shall register the dog in accordance with division 659
(B), (C), or (D) of this section within ninety days of the dog's 660
becoming three months of age or within ninety days of the date 661
of the purchase of the dog, as applicable. 662

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

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

Code. 679

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

Sec. 955.07. (A) Upon the filing of the application for 684
registration required by sections ~~955.01~~ 955.02 and 955.04 of 685
the Revised Code and upon the payment of the registration fee 686
and the administrative fee, if applicable, the county auditor 687
shall assign a distinctive number to every dog or dog kennel 688
described in the application and shall deliver a certificate of 689
registration bearing the number to the owner of the dog or dog 690
kennel. A record of all certificates of registration issued, 691
together with the applications for registration, shall be kept 692
by the auditor in a dog and kennel register until after an audit 693
performed by the auditor of state. This record shall be open to 694
the inspection of any person during reasonable business hours. 695

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

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

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

(B) No person shall recklessly obstruct or interfere with 719
anyone lawfully engaged in capturing an unregistered dog or 720
examining a dog wearing a tag. 721

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

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

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

all other respects shall be subject to the ordinance or 738
resolution permitted by this section, unless actually in the 739
field and engaged in hunting or in legitimate training for such 740
purpose. 741

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

(2) A board of township trustees may adopt and enforce 746
resolutions to control dogs within the township that are not 747
otherwise in conflict with any other provision of the Revised 748
Code, if the township is located in a county where the board of 749
county commissioners has not adopted resolutions to control dogs 750
within the unincorporated areas of the county under this 751
section. In the event that the board of county commissioners 752
adopts resolutions to control dogs in the county after a board 753
of township trustees has adopted resolutions to control dogs 754
within the township, the resolutions adopted by the county board 755
of commissioners prevail over the resolutions adopted by the 756
board of township trustees. 757

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

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

(D) Whoever violates division (C) of this section is 764
guilty of a minor misdemeanor. Each day of continued violation 765
constitutes a separate offense. Fines levied and collected for 766

violations of that division shall be distributed by the mayor or 767
clerk of the municipal or county court in accordance with 768
section 733.40, division (F) of section 1901.31, or division (C) 769
of section 1907.20 of the Revised Code to the treasury of the 770
county, township, or municipal corporation whose resolution or 771
ordinance was violated. 772

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

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

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

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

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

~~(b) "Dangerous dog" does not include a police dog that has 782
caused injury, other than killing or serious injury, to any 783
person or has killed another dog while the police dog is being 784
used to assist one or more law enforcement officers in the 785
performance of their official duties. 786~~

~~(2) "Menacing fashion" means that a dog would cause any 787
person being chased or approached to reasonably believe that the 788
dog will cause physical injury to that person. 789~~

~~(3)(a) Subject to division (A)(3)(b) of this section, 790
"nuisance dog" means a dog that without provocation and while 791
off the premises of its owner, keeper, or harborer has chased or 792
approached a person in either a menacing fashion or an apparent 793
attitude of attack or has attempted to bite or otherwise 794~~

~~endanger any person.~~

795

~~(b) "Nuisance dog" does not include a police dog that
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.~~

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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.~~

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

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

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807

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

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

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812

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

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

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818

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

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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

"Has the dog previously been designated a nuisance, 873
dangerous, or vicious dog? If yes, indicate the designation that 874
was assigned, the date of designation, and in which county or 875
city the designation was made." 876

The seller or other transferor shall obtain the signature 877
of the buyer or other transferee after a statement on the form 878

that the buyer or other transferee understands that such person 879
is acquiring a dangerous or vicious dog. 880

The dog warden of the county in which the seller resides 881
shall furnish the form to the seller at no cost. 882

~~(E)~~ (D) (1) No seller or other transferor of a dog shall 883
fail to comply with the applicable requirements of divisions (B) 884
to (D) division (A) of this section. A violation of this division 885
is a strict liability offense and section 2901.20 of the Revised 886
Code does not apply. 887

(2) No seller or other transferor of a dog shall fail to 888
comply with the requirements of division (B) or (C) of this 889
section. A violation of this division is a strict liability 890
offense and section 2901.20 of the Revised Code does not apply. 891

(E) (1) Whoever violates division (D) (1) of this section is 892
guilty of a minor misdemeanor. 893

(2) Whoever violates division (D) (2) of this section is 894
guilty of a minor misdemeanor on a first offense and of a 895
misdemeanor of the fourth degree on each subsequent offense. 896

(F) Division (C) of this section does not apply to an 897
animal shelter for dogs with respect to a dog concerning which 898
it transferred ownership or possession to another person if both 899
of the following apply: 900

(1) The animal shelter for dogs did not have knowledge and 901
could not have reasonably ascertained that the dog is a 902
dangerous or vicious dog. 903

(2) Before the transfer of the dog, the animal shelter for 904
dogs asked the following questions of the dog's previous owner, 905
keeper, or harbinger, if such person is known and if the dog was 906

not impounded under section 959.132 of the Revised Code: 907

(a) "Has the dog ever chased or attempted to attack or 908
bite a person? If yes, describe the incident(s) in which the 909
behavior occurred." 910

(b) "Has the dog ever bitten a person? If yes, describe 911
the incident(s) in which the behavior occurred." 912

(c) "Has the dog ever seriously injured or killed a 913
person? If yes, describe the incident(s) in which the behavior 914
occurred." 915

(d) "Has the dog previously been designated a nuisance, 916
dangerous, or vicious dog? If yes, indicate the designation that 917
was assigned, the date of designation, and in which county or 918
city the designation was made." 919

Sec. 955.12. (A) Except as provided in section 955.121 of 920
Revised Code, a board of county commissioners shall appoint or 921
employ a county dog warden and deputies in such number, for such 922
periods of time, and at such compensation as the board considers 923
necessary to enforce sections 955.01 to 955.27 and 955.50 ~~to~~ 924
~~955.53~~ of the Revised Code. 925

(B) Except as otherwise provided in section 3.061 of the 926
Revised Code, the warden and deputies shall give bond in a sum 927
not less than five hundred dollars and not more than two 928
thousand dollars, as set by the board, conditioned for the 929
faithful performance of their duties. The bond or bonds may, in 930
the discretion of the board, be individual or blanket bonds. The 931
bonds shall be filed with the county auditor of their respective 932
counties. 933

(C) The warden and deputies shall make a record of all 934
dogs owned, kept, and harbored in their respective counties. 935

They shall patrol their respective counties and seize and 936
impound on sight all dogs found running at large and all dogs 937
more than three months of age found not wearing a valid 938
registration tag, except any dog that wears a valid registration 939
tag and is: on the premises of its owner, keeper, or harborer, 940
under the reasonable control of its owner or some other person, 941
hunting with its owner or its handler at a field trial, kept 942
constantly confined in a dog kennel registered under this 943
chapter or one licensed under Chapter 956. of the Revised Code, 944
or acquired by, and confined on the premises of, an institution 945
or organization of the type described in section 955.16 of the 946
Revised Code. A dog that wears a valid registration tag may be 947
seized on the premises of its owner, keeper, or harborer and 948
impounded only in the event of a natural disaster. 949

(D) If a dog warden has reason to believe that a dog is 950
being treated inhumanely on the premises of its owner, keeper, 951
or harborer, the warden shall ~~apply to the court of common pleas~~ 952
~~for the county in which the premises are located for an order to~~ 953
~~enter the premises, and if necessary, seize the dog. If the~~ 954
~~court finds probable cause to believe that the dog is being~~ 955
~~treated inhumanely, it shall issue such an order~~ notify, in 956
writing, the humane society or the appropriate law enforcement 957
authority that has jurisdiction to enforce Chapter 959. of the 958
Revised Code. 959

(E) The warden and deputies shall also make weekly 960
reports, in writing, to the board in their respective counties 961
of all dogs seized, impounded, redeemed, and destroyed. 962

(F) The wardens and deputies shall have the same police 963
powers as are conferred upon sheriffs and police officers in the 964
performance of their duties as prescribed by sections 955.01 to 965

955.27 and 955.50 ~~to 955.53~~ of the Revised Code. They shall also
have power to summon the assistance of bystanders in performing
their duties and may serve writs and other legal processes
issued by any court in their respective counties with reference
to enforcing those sections. County auditors may deputize the
wardens or deputies to issue dog licenses as provided in
sections 955.01 and 955.14 of the Revised Code.

(G) Whenever any person files an affidavit in a court of
competent jurisdiction that there is a dog running at large that
is not kept constantly confined either in a dog kennel
registered under this chapter or one licensed under Chapter 956.
of the Revised Code or on the premises of an institution or
organization of the type described in section 955.16 of the
Revised Code or that a dog is kept or harbored in the warden's
jurisdiction without being registered as required by law, the
court shall immediately order the warden to seize and impound
the dog. Thereupon the warden shall immediately seize and
impound the dog complained of. The warden shall give immediate
notice by certified mail to the owner, keeper, or harborer of
the dog seized and impounded by the warden, if the owner,
keeper, or harborer can be determined from the current year's
registration list maintained by the warden and the county
auditor of the county where the dog is registered, that the dog
has been impounded and that, unless the dog is redeemed within
fourteen days of the date of the notice, it may thereafter be
sold or destroyed according to law. If the owner, keeper, or
harborer cannot be determined from the current year's
registration list maintained by the warden and the county
auditor of the county where the dog is registered, the officer
shall post a notice in the pound or animal shelter both
describing the dog and place where seized and advising the

unknown owner that, unless the dog is redeemed within three 997
days, it may thereafter be sold or destroyed according to law. 998

(H) No county dog warden shall knowingly fail to perform 999
the warden's duties under this section. 1000

(I) Whoever violates division (H) of this section is 1001
guilty of a minor misdemeanor. 1002

Sec. 955.121. (A) (1) In lieu of appointing a county dog 1003
warden and deputies under section 955.12 of the Revised Code, a 1004
board of county commissioners may appoint the county sheriff to 1005
enforce sections 955.01 to 955.27 and 955.50 ~~to 955.53~~ of the 1006
Revised Code. If a board chooses to appoint the county sheriff 1007
as the county dog warden, the board shall enter into a two-year 1008
written agreement with the sheriff for that purpose at the first 1009
meeting in a calendar year following a general election in which 1010
at least one of the members of the board was elected. 1011

(2) The agreement may authorize both of the following: 1012

(a) The sheriff to appoint sheriff's deputies or persons 1013
other than peace officers as deputy dog wardens; 1014

(b) The transfer of any benefits accrued by employees who 1015
are transferred as a result of the county sheriff's being 1016
appointed as the county dog warden. 1017

(B) Any dog warden and deputy dog wardens appointed under 1018
this section shall comply with both of the following: 1019

(1) Any training requirements applicable to county dog 1020
wardens and deputy dog wardens appointed or employed under 1021
section 955.12 of the Revised Code; 1022

(2) The requirements established in that section. 1023

(C) If a county sheriff or a sheriff's deputies are 1024
appointed as a dog warden or deputy dog wardens under this 1025
section, references in this chapter and in Chapters 953., 956., 1026
and 959. of the Revised Code to "dog warden" and "deputy dog 1027
warden" shall be deemed to be replaced, respectively, with 1028
references to "sheriff" and "deputy sheriff." 1029

Sec. 955.14. (A) Notwithstanding section ~~955.01~~ 955.02 of 1030
the Revised Code, a board of county commissioners by resolution 1031
may increase dog and kennel registration fees in the county. The 1032
amount of the fees shall not exceed an amount that the board, in 1033
its discretion, estimates is needed to pay all expenses for the 1034
administration of this chapter. Such a resolution shall be 1035
adopted not earlier than the first day of February and not later 1036
than the thirty-first day of August of any year and shall 1037
specify the registration period or periods to which the 1038
increased fees apply. An increase in fees adopted under this 1039
division shall be in the ratio of two dollars for each year of 1040
registration for a dog registration fee, twenty dollars for a 1041
permanent dog registration fee, and ten dollars for a kennel 1042
registration fee. 1043

(B) Notwithstanding section 955.20 of the Revised Code, if 1044
dog and kennel registration fees in any county are increased 1045
above two dollars for each year of registration and twenty 1046
dollars for a permanent registration for a dog registration fee 1047
and ten dollars for a kennel registration fee under authority of 1048
division (A) of this section, then on or before the first day of 1049
March following each year in which the increased fees are in 1050
effect, the county auditor shall draw on the dog and kennel fund 1051
a warrant payable to the college of veterinary medicine of the 1052
Ohio state university in an amount equal to ten cents for each 1053
one-year dog registration, thirty cents for each three-year dog 1054

registration, one dollar for each permanent dog registration, 1055
and ten cents for each kennel registration fee received during 1056
the preceding year. The money received by the college of 1057
veterinary medicine of the Ohio state university under this 1058
division shall be applied for research and study of the diseases 1059
of dogs, particularly those transmittable to humans, and for 1060
research of other diseases of dogs that by their nature will 1061
provide results applicable to the prevention and treatment of 1062
both human and canine illness. 1063

(C) The Ohio state university college of veterinary 1064
medicine shall be responsible to report annually to the general 1065
assembly the progress of the research and study authorized and 1066
funded by division (B) of this section. The report shall briefly 1067
describe the research projects undertaken and assess the value 1068
of each. The report shall account for funds received pursuant to 1069
division (B) of this section and for the funds expended 1070
attributable to each research project and for other necessary 1071
expenses in conjunction with the research authorized by division 1072
(B) of this section. The report shall be filed with the general 1073
assembly by the first day of May of each year. 1074

(D) The county auditor may authorize agents to receive 1075
applications for registration of dogs and kennels and to issue 1076
certificates of registration and tags. If authorized agents are 1077
employed in a county, each applicant for a dog or kennel 1078
registration shall pay to the agent an administrative fee of 1079
seventy-five cents in addition to the registration fee. The 1080
administrative fee shall be the compensation of the agent. The 1081
county auditor shall establish rules for reporting and 1082
accounting by the agents. No administrative or similar fee shall 1083
be charged in any county except as authorized by this division 1084
or division (E) of this section. 1085

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

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

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

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

(F) The county auditor shall post conspicuously the amount of the administrative fee, surcharge, or convenience fee that is permissible under this section on the web page where the auditor accepts payments for registrations made under division (B)(1) of section ~~955.013~~ 955.023 of the Revised Code. If any person chooses to pay by financial transaction device, the

administrative fee, surcharge, or convenience fee shall be 1116
considered voluntary and is not refundable. 1117

Sec. 955.16. (A) Dogs that have been seized by the county 1118
dog warden and impounded shall be kept, housed, and fed for 1119
three days for the purpose of redemption, as provided by section 1120
955.18 of the Revised Code, unless any of the following applies: 1121

(1) Immediate humane destruction of the dog is necessary 1122
because of obvious disease or injury. If the diseased or injured 1123
dog is registered, as determined from the current year's 1124
registration list maintained by the warden and the county 1125
auditor of the county where the dog is registered, the necessity 1126
of destroying the dog shall be certified by a licensed 1127
veterinarian or a registered veterinary technician. If the dog 1128
is not registered, the decision to destroy it shall be made by 1129
the warden. 1130

(2) The dog is currently registered on the registration 1131
list maintained by the warden and the auditor of the county 1132
where the dog is registered and the attempts to notify the 1133
owner, keeper, or harborer under section 955.12 of the Revised 1134
Code have failed, in which case the dog shall be kept, housed, 1135
and fed for fourteen days for the purpose of redemption. 1136

(3) The warden has contacted the owner, keeper, or 1137
harborer under section 955.12 of the Revised Code, and the 1138
owner, keeper, or harborer has requested that the dog remain in 1139
the pound or animal shelter until the owner, harborer, or keeper 1140
redeems the dog. The time for such redemption shall be not more 1141
than forty-eight hours following the end of the appropriate 1142
redemption period. 1143

Any dog not so redeemed may be adopted out or donated to 1144

any person, including a nonprofit special agency that is engaged 1145
in the training of any type of assistance dogs or to a nonprofit 1146
teaching or research institution or organization that is 1147
certified by the director of health as being engaged in teaching 1148
or research concerning the prevention and treatment of diseases 1149
of human beings or animals. The county dog warden may charge an 1150
adoption fee for any dog that is adopted. Except as provided in 1151
division (B) of this section, no dog shall be discharged from 1152
the pound or animal shelter until the animal has been registered 1153
and furnished with a valid registration tag. 1154

(B) Any dog that is donated to a nonprofit special agency 1155
engaged in the training of any type of assistance dogs in 1156
accordance with division (A) of this section and any dog that is 1157
sold to any nonprofit teaching or research institution or 1158
organization shall be discharged from the pound or animal 1159
shelter without registration and may be kept by the agency or by 1160
the institution or organization without registration so long as 1161
the dog is being trained, or is being used for teaching and 1162
research purposes. 1163

Any institution or organization certified by the director 1164
that obtains dogs for teaching and research purposes pursuant to 1165
this section shall, at all reasonable times, make the dogs 1166
available for inspection by humane society agents, appointed 1167
pursuant to section 1717.06 of the Revised Code, in order that 1168
the agents may prevent the perpetration of any act of cruelty, 1169
as defined in section 1717.01 of the Revised Code, to the dogs. 1170

(C) Any dog that the dog warden or poundkeeper is unable 1171
to dispose of, in the manner provided by this section and 1172
section 955.18 of the Revised Code, may be humanely destroyed, 1173
except that no dog shall be destroyed until twenty-four hours 1174

after it has been offered to a nonprofit teaching or research 1175
institution or organization, as provided in this section, that 1176
has made a request for dogs to the dog warden or poundkeeper. 1177

(D) An owner of a dog that is wearing a valid registration 1178
tag who presents the dog to the dog warden or poundkeeper may 1179
specify in writing that the dog shall not be offered to a 1180
nonprofit teaching or research institution or organization, as 1181
provided in this section. 1182

(E) A record of all dogs impounded, the disposition of the 1183
same, the owner's name and address, if known, and a statement of 1184
costs assessed against the dogs shall be kept by the 1185
poundkeeper, and the poundkeeper shall furnish a transcript 1186
thereof to the county treasurer quarterly. 1187

A record of all dogs received and the source that supplied 1188
them shall be kept, for a period of three years from the date of 1189
acquiring the dogs, by all institutions or organizations engaged 1190
in teaching or research concerning the prevention and treatment 1191
of diseases of human beings or animals. 1192

(F) No person shall recklessly destroy any dog by the use 1193
of a high altitude decompression chamber or by any method other 1194
than a method that immediately and painlessly renders the dog 1195
initially unconscious and subsequently dead. 1196

(G) Whoever violates division (F) of this section is 1197
guilty of a misdemeanor of the fourth degree. 1198

Sec. 955.20. The registration fees provided for in 1199
sections ~~955.01-955.02~~ to 955.14 of the Revised Code constitute 1200
a special fund known as "the dog and kennel fund." The fees 1201
shall be deposited by the county auditor in the county treasury 1202
daily as collected. Money in the fund shall be used for the 1203

purpose of defraying the cost of furnishing all blanks, records, 1204
tags, nets, and other equipment, for the purpose of paying the 1205
compensation of county dog wardens, deputies, poundkeepers, and 1206
other employees necessary to carry out and enforce sections 1207
~~955.01-955.02~~ to 955.261 of the Revised Code, and in accordance 1208
with section 955.27 of the Revised Code. The board of county 1209
commissioners, by resolution, shall appropriate sufficient funds 1210
out of the dog and kennel fund, not more than fifteen per cent 1211
of which shall be expended by the auditor for registration tags, 1212
blanks, records, and clerk hire, for the purpose of defraying 1213
the necessary expenses of registering, seizing, impounding, and 1214
destroying dogs in accordance with sections 955.01 to 955.27 of 1215
the Revised Code, and for the purpose of covering any additional 1216
expenses incurred by the county auditor as authorized by 1217
division (E) (3) of section 955.14 of the Revised Code. 1218

If the funds so appropriated in any calendar year are 1219
found by the board to be insufficient to defray the necessary 1220
cost and expense of the county dog warden in enforcing sections 1221
~~955.01-955.02~~ to 955.27 of the Revised Code, the board, by 1222
resolution so provided, may appropriate further funds for the 1223
use and purpose of the county dog warden in administering those 1224
sections. 1225

Sec. 955.21. (A) Except as provided in division (F) of 1226
this section, no owner, keeper, or harborer of any dog shall 1227
fail at any time to do either of the following: 1228

(1) Keep the dog physically confined or restrained upon 1229
the premises of the owner, keeper, or harborer by a leash, 1230
tether, adequate fence, supervision, or secure enclosure to 1231
prevent escape; 1232

(2) Keep the dog under the reasonable control of some 1233

person. 1234

A violation of division (A) of this section is a strict 1235
liability offense and section 2901.20 of the Revised Code does 1236
not apply. 1237

(B) Whoever commits a violation of this section that 1238
involves a dog that is not a nuisance dog, dangerous dog, or 1239
vicious dog shall be fined not less than twenty-five dollars or 1240
more than one hundred dollars on a first offense, and on each 1241
subsequent offense shall be fined not less than seventy-five 1242
dollars or more than two hundred fifty dollars and may be 1243
imprisoned for not more than thirty days. Additionally, the 1244
court may order the offender to personally supervise the dog 1245
that the offender owns, keeps, or harbors, to cause that dog to 1246
complete dog obedience training, or to do both. 1247

(C) Whoever commits a violation of this section that 1248
involves a nuisance dog is guilty of a misdemeanor of the fourth 1249
degree on the first offense and of a misdemeanor of the third 1250
degree on each subsequent offense involving the same dog. 1251
Additionally, the court may order the offender to personally 1252
supervise the nuisance dog that the offender owns, keeps, or 1253
harbors, to cause that dog to complete dog obedience training, 1254
or to do both. 1255

(D) Whoever commits a violation of this section that 1256
involves a dangerous dog is guilty of a misdemeanor of the third 1257
degree on a first offense and of a misdemeanor of the second 1258
degree on each subsequent offense. Additionally, the court may 1259
order the offender to do either or both of the following: 1260

(1) Personally supervise the dangerous dog that the 1261
offender owns, keeps, or harbors; 1262

(2) Cause that dog to complete dog obedience training. 1263

The court, in the alternative, may order the dangerous dog 1264
to be humanely destroyed by a licensed veterinarian or the 1265
county dog warden at the owner's expense. 1266

Until the court makes a final determination and during the 1267
pendency of any appeal and at the discretion of the dog warden, 1268
the dog shall be confined or restrained in accordance with 1269
division (A) of section 955.24 of the Revised Code or at the 1270
county dog pound at the owner's expense. 1271

(E) Whoever commits a violation of this section that 1272
involves a vicious dog is guilty of a misdemeanor of the second 1273
degree on a first offense and of a misdemeanor of the first 1274
degree on each subsequent offense. Additionally, the court shall 1275
order the offender to do both of the following: 1276

(1) Personally supervise the vicious dog that the offender 1277
owns, keeps, or harbors; 1278

(2) Cause that dog to complete dog obedience training. 1279

The court, in the alternative, may order the vicious dog 1280
to be humanely destroyed by a licensed veterinarian or the 1281
county dog warden at the owner's expense. 1282

Until the court makes a final determination and during the 1283
pendency of any appeal and at the discretion of the dog warden, 1284
the dog shall be confined or restrained in accordance with 1285
division (A) of section 955.24 of the Revised Code or at the 1286
county dog pound at the owner's expense. 1287

(F) Division (A) of this section does not apply when a dog 1288
that has not been designated as a dangerous or vicious dog is 1289
lawfully engaged in either of the following: 1290

<u>(1) Hunting, provided the dog is accompanied by the owner,</u>	1291
<u>keeper, harborer, or handler of the dog;</u>	1292
<u>(2) Field trials.</u>	1293
<u>Sec. 955.22. (A) As used in this section and sections</u>	1294
<u>955.11, 955.23, and 955.24 of the Revised Code:</u>	1295
<u>(1) "Vicious dog act" means one of the following actions</u>	1296
<u>committed by a dog without provocation, other than by a police</u>	1297
<u>dog that is being used to assist one or more law enforcement</u>	1298
<u>officers in the performance of their official duties:</u>	1299
<u>(a) The killing of any person;</u>	1300
<u>(b) Causing serious injury to any person by physical</u>	1301
<u>contact;</u>	1302
<u>(c) Engaging in a dangerous dog act after the dog has been</u>	1303
<u>designated as a dangerous dog under section 955.23 of the</u>	1304
<u>Revised Code.</u>	1305
<u>(2) "Dangerous dog act" means one of the following actions</u>	1306
<u>committed by a dog without provocation, other than by a police</u>	1307
<u>dog that is being used to assist one or more law enforcement</u>	1308
<u>officers in the performance of their official duties:</u>	1309
<u>(a) Causing injury by physical contact, other than killing</u>	1310
<u>or serious injury, to any person in either a menacing fashion or</u>	1311
<u>an apparent attitude of attack;</u>	1312
<u>(b) Causing serious injury to any person without making</u>	1313
<u>physical contact in either a menacing fashion or an apparent</u>	1314
<u>attitude of attack;</u>	1315
<u>(c) The killing of another dog;</u>	1316
<u>(d) Causing serious injury to another dog that results in</u>	1317

euthanasia of the dog by a person authorized to perform 1318
euthanasia under Ohio law. 1319

(3) "Nuisance dog act" means one of the following actions 1320
committed by a dog without provocation and while off the 1321
premises of its owner, keeper, or harborer, other than by a 1322
police dog that is being used to assist one or more law 1323
enforcement officers in the performance of their official 1324
duties: 1325

(a) Chasing or approaching a person in either a menacing 1326
fashion or an apparent attitude of attack; 1327

(b) Attempting to bite or otherwise endanger any person in 1328
either a menacing fashion or an apparent attitude of attack; 1329

(c) Causing injury to any person without making physical 1330
contact in either a menacing fashion or an apparent attitude of 1331
attack; 1332

(d) Chasing, threatening, harassing, or injuring another 1333
dog or livestock in either a menacing fashion or an apparent 1334
attitude of attack; 1335

(e) Having been the subject of a third or subsequent 1336
violation of section 955.21 of the Revised Code. 1337

(4) "Injury" means any physical harm to a person, another 1338
dog, or livestock, as applicable, but does not include physical 1339
harm resulting from a situation where the dog behaves in a 1340
playful, nonaggressive, or age-appropriate manner. 1341

(5) "Serious injury" means any of the following: 1342

(a) Any physical harm that carries a substantial risk of 1343
death; 1344

(b) Any physical harm that involves a permanent 1345
incapacity, whether partial or total, or a temporary, 1346
substantial incapacity; 1347

(c) Any physical harm that involves a permanent 1348
disfigurement or a temporary, serious disfigurement; 1349

(d) Any physical harm that involves acute pain of a 1350
duration that results in substantial suffering or any degree of 1351
prolonged or intractable pain. 1352

"Serious injury" does not include physical harm resulting 1353
from a situation where the dog behaves in a playful, 1354
nonaggressive, or age-appropriate manner. 1355

(6) "Without provocation" means either of the following, 1356
as applicable: 1357

(a) That a dog was not teased, tormented, or abused by a 1358
person, or that the dog was not coming to the aid or the defense 1359
of a person who was not engaged in illegal or criminal activity 1360
and who was not using the dog as a means of carrying out such 1361
activity; 1362

(b) That a dog was not attacked by another dog or 1363
livestock. 1364

(7) "Animal shelter for dogs" has the same meaning as in 1365
section 956.01 of the Revised Code. 1366

(8) "Livestock" does not include poultry. 1367

(B) (1) No owner, keeper, or harborer of a dog that is not 1368
an animal shelter for dogs shall negligently, and no animal 1369
shelter for dogs that keeps or harbors a dog shall recklessly, 1370
fail to prevent the dog from committing a vicious dog act. 1371
Whoever violates this division is guilty of a misdemeanor of the 1372

third degree on a first offense and a misdemeanor of the second 1373
degree on each subsequent offense. 1374

(2) No owner, keeper, or harbinger of a dangerous or 1375
vicious dog, including an animal shelter for dogs, shall 1376
negligently fail to prevent the dog from committing a vicious 1377
dog act that involves injuring or killing a person. Whoever 1378
violates this division is guilty of a felony of the third 1379
degree. 1380

(C) (1) No owner, keeper, or harbinger of a dog that is not 1381
an animal shelter for dogs shall negligently, and no animal 1382
shelter for dogs that keeps or harbors a dog shall recklessly, 1383
fail to prevent the dog from committing a dangerous dog act. 1384
Whoever violates this division is guilty of a misdemeanor of the 1385
fourth degree on a first offense and a misdemeanor of the third 1386
degree on each subsequent offense. 1387

(2) No owner, keeper, or harbinger of a dangerous or 1388
vicious dog, including an animal shelter for dogs, shall 1389
negligently fail to prevent the dog from committing a dangerous 1390
dog act that involves injuring a person. Whoever violates this 1391
division is guilty of a misdemeanor of the first degree. 1392

(D) No owner, keeper, or harbinger of a dog that is not an 1393
animal shelter for dogs shall negligently, and no animal shelter 1394
for dogs that keeps or harbors a dog shall recklessly, fail to 1395
prevent the dog from committing a nuisance dog act. Whoever 1396
violates this division is guilty a minor misdemeanor on a first 1397
offense and a misdemeanor of the fourth degree on each 1398
subsequent offense. 1399

(E) In addition to any other penalty described under this 1400
section, and except as provided in division (F) of this section, 1401

the court may order a dog that is the subject of an offense 1402
under this section to be humanely destroyed by a licensed 1403
veterinarian or the county dog warden at the owner's expense if 1404
the court finds that the dog did one of the following: 1405

(1) Committed a vicious dog act; 1406

(2) Committed a dangerous dog act; 1407

(3) Injured another dog; 1408

(4) Attempted to bite a person and such attempt resulted 1409
in the injury of the person. 1410

(F) In addition to any other penalty described under this 1411
section, the court shall order the dog that is the subject of an 1412
offense under this section to be humanely destroyed by a 1413
licensed veterinarian or the county dog warden at the owner's 1414
expense if, as a result of the offense, the dog kills a person 1415
or causes serious injury to a person that results in one of the 1416
following: 1417

(1) Substantial risk of death; 1418

(2) Permanent incapacity; 1419

(3) Serious permanent disfigurement; 1420

(4) Acute pain of a duration that results in substantial 1421
suffering. 1422

Sec. 955.222 955.23. ~~(A) The municipal court or county~~ 1423
~~court that has territorial jurisdiction over the residence of~~ 1424
~~the owner, keeper, or harbinger of a dog shall conduct any~~ 1425
~~hearing concerning the designation of the dog as a nuisance dog,~~ 1426
~~dangerous dog, or vicious dog~~As used in this section, 1427
"authorized person" means a person who is authorized to enforce 1428

this chapter. 1429

(B) If a dog warden or other authorized person ~~who is~~ 1430
~~authorized to enforce this chapter has reasonable probable~~ cause 1431
to believe that a dog in the person's jurisdiction ~~is committed~~ 1432
a nuisance dog act, dangerous dog act, or vicious dog act, the 1433
person shall proceed as follows: 1434

(1) (a) If the dog warden or other authorized person 1435
determines that it is safe to have that dog remain in the 1436
custody of the dog's owner, keeper, or harborer and the dog's 1437
act did not result in the killing of a person or serious injury 1438
to a person, the dog warden or authorized person may designate 1439
the dog as a nuisance dog, dangerous dog, or vicious dog. Upon 1440
such designation, the dog warden or other authorized person 1441
shall notify the owner, keeper, or harborer of that dog, by 1442
certified mail or in person, of both of the following: 1443

~~(1)~~ (i) That the dog warden or other authorized person has 1444
designated the dog a nuisance dog, dangerous dog, or vicious 1445
dog, as applicable; 1446

~~(2)~~ (ii) That the owner, keeper, or harborer of the dog may 1447
request a hearing regarding the designation in accordance with 1448
this section. The notice shall include instructions for filing a 1449
request for a hearing in the ~~county in which the dog's owner,~~ 1450
~~keeper, or harborer resides~~ court that has territorial 1451
jurisdiction over the location where the alleged act occurred. 1452

~~(C)~~ (b) If the owner, keeper, or harborer of the dog 1453
disagrees with the designation ~~of the dog as a nuisance dog,~~ 1454
~~dangerous dog, or vicious dog, as applicable,~~ the owner, keeper, 1455
or harborer, not later than ten calendar days after receiving 1456
notification of the designation, may request a hearing regarding 1457

the determination. The request for a hearing shall be in writing 1458
and shall be filed with the ~~municipal court or county court that~~ 1459
~~has territorial jurisdiction over the residence of the dog's~~ 1460
~~owner, keeper, or harborer~~ specified in the notice. 1461

(2) If the dog warden or other authorized person holds or 1462
intends to hold the dog in custody in accordance with division 1463
(F) (2) of this section, the dog warden or other authorized 1464
person shall petition the court that has territorial 1465
jurisdiction over the location where the alleged act occurred to 1466
hold a hearing to determine whether the court shall issue an 1467
order designating the dog in accordance with this section and 1468
determine the disposition of the dog. 1469

(C) The court, not later than ten calendar days after 1470
receiving the hearing request described in division (B) (1) (b) of 1471
this section or the petition described in division (B) (2) of 1472
this section shall hold the hearing and, at the conclusion of 1473
the hearing, issue a final determination concerning whether the 1474
dog shall be designated a nuisance, dangerous, or vicious dog 1475
and the disposition of the dog. At the hearing, the person who 1476
petitioned the court or designated the dog, as a ~~nuisance dog,~~ 1477
~~dangerous dog, or vicious dog~~ applicable, has the burden of 1478
proving, by clear and convincing evidence, that the dog ~~is~~ 1479
~~committed a nuisance dog act, dangerous dog act, or vicious dog~~ 1480
~~act.~~ 1481

(D) For purposes of this section, probable cause may be 1482
supported by one or more written statements of a witness 1483
describing the incident or incidents in which the witness saw 1484
the dog engage in a nuisance dog act, a dangerous dog act, or a 1485
vicious dog act. 1486

(E) The owner, keeper, or harborer of the dog or the 1487

person who designated the dog as a nuisance dog, dangerous dog, 1488
or vicious dog may appeal the court's final determination as in 1489
any other case filed in that court. 1490

~~(D) A court, upon motion of an owner, keeper, or harborer 1491
or an attorney representing the owner, keeper, or harborer, may 1492
order that the dog designated as a nuisance dog, dangerous dog, 1493
or vicious dog be held in the possession of the owner, keeper, 1494
or harborer until the court makes a final determination under 1495
this section or during the pendency of an appeal, as applicable. 1496~~

(F) (1) If the dog warden or other authorized person has 1497
probable cause to believe that a dog in the person's 1498
jurisdiction committed a nuisance dog act, dangerous dog act, or 1499
vicious dog act and the dog warden or authorized person 1500
determines that it is safe to have the dog remain in the custody 1501
of the dog's owner, keeper, or harborer, the dog shall be held 1502
in the possession of the owner, keeper, or harborer during the 1503
pendency of any hearing conducted under this section or during 1504
the pendency of an appeal. 1505

Until the court makes a final determination and during the 1506
pendency of any appeal, the dog shall be confined or restrained 1507
in accordance with the provisions of division ~~(D)~~ (A) of section 1508
955.22-955.24 of the Revised Code ~~that apply to dangerous dogs~~ 1509
~~regardless of whether the dog has been designated as a vicious~~ 1510
~~dog or a nuisance dog rather than a dangerous dog.~~ The owner, 1511
keeper, or harborer of the dog shall not be required to comply 1512
with any other requirements established in the Revised Code that 1513
concern a nuisance dog, dangerous dog, or vicious dog, as 1514
applicable, until the court makes a final determination and 1515
during the pendency of any appeal. 1516

~~(E) If a dog is finally determined under this section, or 1517~~

~~on appeal as described in this section, to be a vicious dog,~~ 1518
~~division (D) of section 955.11 and divisions (D) to (I) of~~ 1519
~~section 955.22 of the Revised Code apply with respect to the dog~~ 1520
~~and the owner, keeper, or harborer of the dog as if the dog were~~ 1521
~~a dangerous dog, and section 955.54 of the Revised Code applies~~ 1522
~~with respect to the dog as if it were a dangerous dog, and the~~ 1523
~~court shall issue an order that specifies that those provisions~~ 1524
~~apply with respect to the dog and the owner, keeper, or harborer~~ 1525
~~in that manner. As part of the order, the court shall require~~ 1526
~~the owner, keeper, or harborer to obtain the liability insurance~~ 1527
~~required under division (E) (1) of section 955.22 of the Revised~~ 1528
~~Code in an amount described in division (H) (2) of section 955.99~~ 1529
~~of the Revised Code.~~ 1530

~~(F) As used in this section, "nuisance dog," "dangerous~~ 1531
~~dog," and "vicious dog" have the same meanings as in section~~ 1532
~~955.11 of the Revised Code.~~ 1533

(2) If the dog warden or other authorized person has 1534
probable cause to believe that a dog in the person's 1535
jurisdiction committed a nuisance dog act, dangerous dog act, or 1536
vicious dog act, during the pendency of a court's determination 1537
or appeal under this section, the dog shall be held in the 1538
custody of the dog warden or authorized person if one or both of 1539
the following occurs: 1540

(a) The dog warden or authorized person determines that it 1541
is not safe to have the dog remain in the custody of the dog's 1542
owner, keeper, or harborer after the commission of the alleged 1543
act. 1544

(b) The dog's act killed a person or caused serious injury 1545
to a person. 1546

While the dog is being so held, the cost of the holding is 1547
the responsibility of the dog's owner, keeper, or harborer. 1548
However, the dog's owner, keeper, or harborer shall not be 1549
responsible for such costs if the court does not determine that 1550
the dog be designated as a nuisance, dangerous, or vicious dog. 1551

(G) (1) Except as provided in division (G) (2) of this 1552
section, the court may order a dog that is designated as a 1553
dangerous or vicious dog in accordance with this section to be 1554
humanely destroyed by a licensed veterinarian or the county dog 1555
warden at the owner's expense. 1556

(2) The court shall order a dog that is designated in 1557
accordance with this section to be humanely destroyed by a 1558
licensed veterinarian or the county dog warden at the owner's 1559
expense if the court determines that the dog killed a person or 1560
caused serious injury to a person that results in one of the 1561
following: 1562

(a) Substantial risk of death; 1563

(b) Permanent incapacity; 1564

(c) Serious permanent disfigurement; 1565

(d) Acute pain of a duration that results in substantial 1566
suffering. 1567

(H) The court may order a dog that is designated as a 1568
nuisance dog in accordance with this section to be humanely 1569
destroyed by a licensed veterinarian or the county dog warden at 1570
the owner's expense if the court finds that the dog injured 1571
another dog or attempted to bite a person and such attempt 1572
resulted in the injury of the person. 1573

Sec. 955.22 955.24. (A) ~~As used in this section,~~ 1574

~~"dangerous dog" has the same meaning as in section 955.11 of the~~ 1575
~~Revised Code.~~ 1576

~~(B) No owner, keeper, or harborer of any female dog shall~~ 1577
~~permit it to go beyond the premises of the owner, keeper, or~~ 1578
~~harborer at any time the dog is in heat unless the dog is~~ 1579
~~properly in leash.~~ 1580

~~(C) Except when a dog is lawfully engaged in hunting and~~ 1581
~~accompanied by the owner, keeper, harborer, or handler of the~~ 1582
~~dog, no owner, keeper, or harborer of any dog shall fail at any~~ 1583
~~time to do either of the following:~~ 1584

~~(1) Keep the dog physically confined or restrained upon~~ 1585
~~the premises of the owner, keeper, or harborer by a leash,~~ 1586
~~tether, adequate fence, supervision, or secure enclosure to~~ 1587
~~prevent escape;~~ 1588

~~(2) Keep the dog under the reasonable control of some~~ 1589
~~person.~~ 1590

~~(D) Except when a dangerous dog is lawfully engaged in~~ 1591
~~hunting or training for the purpose of hunting and is~~ 1592
~~accompanied by the owner, keeper, harborer, or handler of the~~ 1593
~~dog, no~~ No owner, keeper, or harborer of a vicious or dangerous 1594
dog shall fail to do ~~either~~ any of the following: 1595

(1) While that dog is outdoors, but on the premises of the 1596
owner, keeper, or harborer, securely confine ~~it~~ the dog at all 1597
times in a locked pen that has a top, locked fenced yard with 1598
fencing that is sufficiently constructed to prevent escape, or 1599
other locked enclosure that has a top; 1600

(2) While that dog is inside a residential dwelling or 1601
other building on the premises of the owner, keeper, or 1602
harborer, and there is an invitee inside the dwelling or 1603

building, securely confine the dog at all times inside the 1604
dwelling or building so that there is no reasonable probability 1605
that the dog comes into contact with the invitee; 1606

(3) While that dog is off the premises of the owner, 1607
keeper, or harborer, keep that dog on a chain-link leash or 1608
tether that is not more than six feet in length and additionally 1609
do at least one of the following: 1610

(a) Keep that dog in a locked pen that has a top, locked 1611
fenced yard with fencing that is sufficiently constructed to 1612
prevent escape, or other locked enclosure that has a top; 1613

(b) Have the leash or tether controlled by a person who is 1614
of suitable age and discretion or securely attach, tie, or affix 1615
the leash or tether to the ground or a stationary object or 1616
fixture so that the dog is adequately restrained and station 1617
such a person in close enough proximity to that dog so as to 1618
prevent it from causing injury to any person; 1619

(c) Muzzle that dog. 1620

A violation of division (A) of this section is a strict 1621
liability offense and section 2901.20 of the Revised Code does 1622
not apply. 1623

~~(E) (B) No person who has been convicted of or pleaded~~ 1624
~~guilty to three or more violations of division (C) of this~~ 1625
~~section involving the same dog and no owner, keeper, or harborer~~ 1626
of a vicious or dangerous dog shall fail to do any of the 1627
following: 1628

(1) Obtain liability insurance in an amount, exclusive of 1629
interest and costs, that equals or exceeds one hundred thousand 1630
dollars, with an insurer authorized to write liability insurance 1631
in this state providing coverage in each occurrence because of 1632

damage or bodily injury to or death of a person caused by the 1633
vicious or dangerous dog if so ordered by a court and provide; 1634

(2) Provide proof of that liability insurance upon request 1635
to any law enforcement officer, county dog warden, or public 1636
health official charged with enforcing this section; 1637

~~(2) Obtain a dangerous dog registration certificate from~~ 1638
~~the county auditor pursuant to division (I) of this section,~~ 1639
~~affix a tag that identifies the dog as a dangerous dog to the~~ 1640
~~dog's collar, and ensure that the dog wears the collar and tag~~ 1641
~~at all times;~~ 1642

(3) Notify the local dog warden immediately if any of the 1643
following occurs: 1644

(a) The dog is loose or unconfined. 1645

(b) The dog bites a person, unless the dog is on the 1646
property of the owner of the dog, and the person who is bitten 1647
is unlawfully trespassing or committing a criminal act within 1648
the boundaries of that property. 1649

(c) The dog attacks another animal while the dog is off 1650
the property of the owner of the dog. 1651

(4) If the dog is sold, given to another person, or dies, 1652
notify the county auditor and the dog warden within ten days of 1653
the sale, transfer, or death; 1654

(5) Prior to any training or veterinary care provided to 1655
the dog by a trainer or licensed veterinarian, disclose to the 1656
trainer or licensed veterinarian, as applicable, that the dog is 1657
a vicious or dangerous dog. 1658

A violation of division (B) of this section is a strict 1659
liability offense and section 2901.20 of the Revised Code does 1660

not apply. 1661

~~(F)~~(C) No person shall recklessly do any of the following: 1662

(1) Debark or surgically silence a dog that the person 1663
knows or has reason to believe is a vicious or dangerous dog; 1664

(2) Possess a vicious or dangerous dog if the person knows 1665
or has reason to believe that the dog has been debarked or 1666
surgically silenced; 1667

(3) Falsely attest on a waiver form provided by the 1668
veterinarian ~~under division (G) of this section~~ that the 1669
person's dog is not a vicious or dangerous dog or otherwise 1670
provide false information on that written waiver form. 1671

~~(G)~~(D) Before a veterinarian debarks or surgically 1672
silences a dog, the veterinarian may give the owner of the dog a 1673
written waiver form that attests that the dog is not a vicious 1674
or dangerous dog. The written waiver form shall include all of 1675
the following: 1676

(1) The veterinarian's license number and current business 1677
address; 1678

(2) The number of the license of the dog if the dog is 1679
licensed; 1680

(3) A reasonable description of the age, coloring, and 1681
gender of the dog as well as any notable markings on the dog; 1682

(4) The signature of the owner of the dog attesting that 1683
the owner's dog is not a dangerous dog; 1684

(5) A statement that ~~division (F) of section 955.22 of the~~ 1685
~~Revised Code~~ Ohio law prohibits any person from doing any of the 1686
following: 1687

(a) Debarking or surgically silencing a dog that the 1688
person knows or has reason to believe is a vicious or dangerous 1689
dog; 1690

(b) Possessing a vicious or dangerous dog if the person 1691
knows or has reason to believe that the dog has been debarked or 1692
surgically silenced; 1693

(c) Falsely attesting on a waiver form provided by the 1694
veterinarian ~~under division (G) of section 955.22 of the Revised~~ 1695
~~Code~~ that the person's dog is not a vicious or dangerous dog or 1696
otherwise provide false information on that written waiver form. 1697

~~(H)~~ (E) It is an affirmative defense to a charge of a 1698
violation of division ~~(F)~~ (C) of this section that the 1699
veterinarian who is charged with the violation obtained, prior 1700
to debarking or surgically silencing the dog, a written waiver 1701
form that complies with ~~division (G) of this section~~ and that 1702
attests that the dog is not a vicious or dangerous dog. 1703

~~(I) (1) The county auditor shall issue a dangerous dog~~ 1704
~~registration certificate to a person who is the owner of a dog,~~ 1705
~~who is eighteen years of age or older, and who provides the~~ 1706
~~following to the county auditor:~~ 1707

~~(a) A fee of fifty dollars;~~ 1708

~~(b) The person's address, phone number, and other~~ 1709
~~appropriate means for the local dog warden or county auditor to~~ 1710
~~contact the person;~~ 1711

~~(c) With respect to the person and the dog for which the~~ 1712
~~registration is sought, all of the following:~~ 1713

~~(i) Either satisfactory evidence of the dog's current~~ 1714
~~rabies vaccination or a statement from a licensed veterinarian~~ 1715

~~that a rabies vaccination is medically contraindicated for the~~ 1716
~~dog;~~ 1717

~~(ii) Either satisfactory evidence of the fact that the dog~~ 1718
~~has been neutered or spayed or a statement from a licensed~~ 1719
~~veterinarian that neutering or spaying of the dog is medically~~ 1720
~~contraindicated;~~ 1721

~~(iii) Satisfactory evidence of the fact that the person~~ 1722
~~has posted and will continue to post clearly visible signs at~~ 1723
~~the person's residence warning both minors and adults of the~~ 1724
~~presence of a dangerous dog on the property;~~ 1725

~~(iv) Satisfactory evidence of the fact that the dog has~~ 1726
~~been permanently identified by means of a microchip and the~~ 1727
~~dog's microchip number.~~ 1728

~~(2) Upon the issuance of a dangerous dog registration~~ 1729
~~certificate to the owner of a dog, the county auditor shall~~ 1730
~~provide the owner with a uniformly designed tag that identifies~~ 1731
~~the animal as a dangerous dog. The owner shall renew the~~ 1732
~~certificate annually for the same fee and in the same manner as~~ 1733
~~the initial certificate was obtained. If a certificate holder~~ 1734
~~relocates to a new county, the certificate holder shall follow~~ 1735
~~the procedure in division (I) (3) (b) of this section and, upon~~ 1736
~~the expiration of the certificate issued in the original county,~~ 1737
~~shall renew the certificate in the new county.~~ 1738

~~(3) (a) If the owner of a dangerous dog for whom a~~ 1739
~~registration certificate has previously been obtained relocates~~ 1740
~~to a new address within the same county, the owner shall provide~~ 1741
~~notice of the new address to the county auditor within ten days~~ 1742
~~of relocating to the new address.~~ 1743

~~(b) If the owner of a dangerous dog for whom a~~ 1744

~~registration certificate has previously been obtained relocates-~~ 1745
~~to a new address within another county, the owner shall do both-~~ 1746
~~of the following within ten days of relocating to the new-~~ 1747
~~address:~~ 1748

~~(i) Provide written notice of the new address and a copy-~~ 1749
~~of the original dangerous dog registration certificate to the-~~ 1750
~~county auditor of the new county;~~ 1751

~~(ii) Provide written notice of the new address to the-~~ 1752
~~county auditor of the county where the owner previously resided.~~ 1753

~~(4) The owner of a dangerous dog shall present the-~~ 1754
~~dangerous dog registration certificate upon being requested to-~~ 1755
~~do so by any law enforcement officer, dog warden, or public-~~ 1756
~~health official charged with enforcing this section.~~ 1757

~~(5) The fees collected pursuant to this division shall be-~~ 1758
~~deposited in the dog and kennel fund of the county.~~ 1759

(F) (1) Whoever violates division (A) of this section is 1760
guilty of a misdemeanor of the fourth degree on a first offense 1761
and of a misdemeanor of the third degree on each subsequent 1762
offense. Additionally, the court may order the offender to do 1763
either or both of the following: 1764

(a) Personally supervise the vicious or dangerous dog that 1765
the offender owns, keeps, or harbors; 1766

(b) Cause the dog to complete dog obedience training. 1767

(2) The court, in the alternative, may order the vicious 1768
or dangerous dog to be humanely destroyed by a licensed 1769
veterinarian or the county dog warden at the owner's expense. 1770

(G) (1) Whoever violates division (B) (1) of this section is 1771
guilty of a minor misdemeanor on a first offense and a 1772

misdemeanor of the fourth degree on each subsequent offense. 1773

(2) Whoever violates division (B) (2), (3), (4), or (5) of 1774
this section is guilty of a minor misdemeanor. 1775

(H) Whoever violates division (C) (1), (2), or (3) of this 1776
section is guilty of a felony of the fourth degree. 1777

Additionally, the court shall order that the dog involved in the 1778
violation be humanely destroyed by a licensed veterinarian or 1779
the county dog warden. Until the court makes a final 1780
determination and during the pendency of any appeal of a 1781
violation of division (C) (1), (2), or (3) of this section and at 1782
the discretion of the dog warden, the dog shall be confined or 1783
restrained in accordance with the provisions of division (A) of 1784
this section or at the county dog pound at the owner's expense. 1785

(I) Divisions (A) and (B) of this section do not apply to 1786
an animal shelter for dogs with respect to a dog that it keeps 1787
or harbors if both of the following apply: 1788

(1) The animal shelter for dogs did not have knowledge and 1789
could not have reasonably ascertained that the dog is a 1790
dangerous or vicious dog. 1791

(2) Before taking possession of the dog, the animal 1792
shelter for dogs asked the following questions of the dog's 1793
previous owner, keeper, or harborer, if such person is known and 1794
if the dog was not impounded under section 959.132 of the 1795
Revised Code: 1796

(a) "Has the dog ever chased or attempted to attack or 1797
bite a person? If yes, describe the incident(s) in which the 1798
behavior occurred." 1799

(b) "Has the dog ever bitten a person? If yes, describe 1800
the incident(s) in which the behavior occurred." 1801

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

(d) "Has the dog previously been designated a nuisance,
dangerous, or vicious dog? If yes, indicate the designation that
was assigned, the date of designation, and in which county or
city the designation was made."

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.

(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.

(C) The director shall determine appropriate methods of
rabies vaccination and satisfactory periods for purposes of

quarantines under this section. 1832

(D) When a quarantine of dogs has been declared in any 1833
health district or part of a health district, the county dog 1834
warden and all other persons having the authority of police 1835
officers shall assist the health authorities in enforcing the 1836
quarantine order. When rabies vaccination has been declared 1837
compulsory in any health district or part of a health district, 1838
the dog warden shall assist the health authorities in enforcing 1839
the vaccination order. 1840

(E) Notwithstanding this section, a city or general health 1841
district board of health may make orders pursuant to sections 1842
3709.20 and 3709.21 of the Revised Code requiring the 1843
vaccination of dogs. 1844

(F) No person shall recklessly violate a rabies quarantine 1845
order issued under this section. 1846

(G) Whoever violates division (F) of this section is 1847
guilty of a minor misdemeanor on a first offense and of a 1848
misdemeanor of the fourth degree on each subsequent offense. 1849

Sec. 955.261. (A) (1) No person shall remove a dog that has 1850
bitten any person from the county in which the bite occurred 1851
until a quarantine period as specified in division (B) of this 1852
section has been completed. No person shall transfer a dog that 1853
has bitten any person until a quarantine period as specified in 1854
division (B) of this section has been completed, except that a 1855
person may transfer the dog to the county dog warden or to any 1856
other animal control authority. 1857

(2) (a) Subject to division (A) (2) (b) of this section, no 1858
person shall kill a dog that has bitten any person until a 1859
quarantine period as specified in division (B) of this section 1860

has been completed. 1861

(b) Division (A) (2) (a) of this section does not apply to 1862
the killing of a dog in order to prevent further injury or death 1863
or if the dog is diseased or seriously injured. 1864

(3) No person who has killed a dog that has bitten any 1865
person in order to prevent further injury or death or if the dog 1866
is diseased or seriously injured shall fail to do both of the 1867
following: 1868

(a) Immediately after the killing of the dog, notify the 1869
board of health for the district in which the bite occurred of 1870
the facts relative to the bite and the killing; 1871

(b) Hold the body of the dog until that board of health 1872
claims it to perform tests for rabies. 1873

(B) The quarantine period for a dog that has bitten any 1874
person shall be ten days or another period that the board of 1875
health for the district in which the bite occurred determines is 1876
necessary to observe the dog for rabies. 1877

(C) (1) To enable persons to comply with the quarantine 1878
requirements specified in divisions (A) and (B) of this section, 1879
boards of health shall make provision for the quarantine of 1880
individual dogs under the circumstances described in those 1881
divisions. 1882

(2) Upon the receipt of a notification pursuant to 1883
division (A) (3) of this section that a dog that has bitten any 1884
person has been killed, the board of health for the district in 1885
which the bite occurred shall claim the body of the dog from its 1886
killer and then perform tests on the body for rabies. 1887

(D) This section does not apply to a police dog that has 1888

bitten a person while the police dog is under the care of a 1889
licensed veterinarian or has bitten a person while the police 1890
dog is being used for law enforcement, corrections, prison or 1891
jail security, or investigative purposes. If, after biting a 1892
person, a police dog exhibits any abnormal behavior, the law 1893
enforcement agency and the law enforcement officer the police 1894
dog assists, within a reasonable time after the person is 1895
bitten, shall make the police dog available for the board of 1896
health for the district in which the bite occurred to perform 1897
tests for rabies. 1898

(E) ~~As used in this section, "police dog" has the same~~ 1899
~~meaning as in section 2921.321 of the Revised Code~~Whoever 1900
recklessly violates this section is guilty of a minor 1901
misdemeanor on a first offense and of a misdemeanor of the 1902
fourth degree on each subsequent offense. 1903

Sec. 955.40 955.262. Any corporation which violates 1904
section ~~955.39~~ 955.26 of the Revised Code shall forfeit and pay 1905
to the municipal corporation a sum not to exceed three hundred 1906
dollars, to be collected in a civil action brought in the name 1907
of the municipal corporation. 1908

The judgment authorized in this section being in the 1909
nature of a penalty, or exemplary damages, no proof of actual 1910
damages shall be required, but the court or jury, finding other 1911
facts to justify recovery, shall determine the amount by 1912
reference to all the facts, culpatory, exculpatory, or 1913
extenuating, adduced at the trial. 1914

Sec. 955.43. (A) As used in this section, "institutions of 1915
education" means any of the following: 1916

(1) Any state university or college as defined in section 1917

<u>3345.32 of the Revised Code;</u>	1918
<u>(2) Any private college or university that holds a</u>	1919
<u>certificate of authorization issued by the Ohio board of regents</u>	1920
<u>pursuant to Chapter 1713. of the Revised Code;</u>	1921
<u>(3) Any elementary or secondary school operated by a board</u>	1922
<u>of education;</u>	1923
<u>(4) Any chartered or nonchartered nonpublic elementary or</u>	1924
<u>secondary school;</u>	1925
<u>(5) Any school issued a certificate of registration by the</u>	1926
<u>state board of career colleges and schools.</u>	1927
<u>(B) When a person who is blind, deaf, or hearing impaired,</u>	1928
a person with a mobility impairment, or a trainer of an	1929
assistance dog is accompanied by an assistance dog, the person	1930
or trainer, as applicable, is entitled to the full and equal	1931
accommodations, advantages, facilities, and privileges of all	1932
public conveyances, hotels, lodging places, all places of public	1933
accommodation, amusement, or resort, all institutions of	1934
education, and other places to which the general public is	1935
invited, and may take the dog into such conveyances and places,	1936
subject only to the conditions and limitations applicable to all	1937
persons not so accompanied, except that:	1938
(1) The dog shall not occupy a seat in any public	1939
conveyance.	1940
(2) The dog shall be upon a leash while using the	1941
facilities of a common carrier.	1942
(3) Any dog in training to become an assistance dog shall	1943
be covered by a liability insurance policy provided by the	1944
nonprofit special agency engaged in such work protecting members	1945

of the public against personal injury or property damage caused 1946
by the dog. 1947

~~(B)~~ (C) No person shall recklessly deprive a person who is 1948
blind, deaf, or hearing impaired, a person who has a mobility 1949
impairment, or a trainer of an assistance dog when the person or 1950
trainer, as applicable, is accompanied by an assistance dog of 1951
any of the advantages, facilities, or privileges provided in 1952
division ~~(A)~~ (B) of this section, and no person shall charge the 1953
person or trainer a fee or charge for the dog. 1954

(D) Whoever violates division (C) of this section is 1955
guilty of a misdemeanor of the fourth degree. 1956

~~(C) As used in this section, "institutions of education"~~ 1957
~~means:~~ 1958

~~(1) Any state university or college as defined in section~~ 1959
~~3345.32 of the Revised Code;~~ 1960

~~(2) Any private college or university that holds a~~ 1961
~~certificate of authorization issued by the Ohio board of regents~~ 1962
~~pursuant to Chapter 1713. of the Revised Code;~~ 1963

~~(3) Any elementary or secondary school operated by a board~~ 1964
~~of education;~~ 1965

~~(4) Any chartered or nonchartered nonpublic elementary or~~ 1966
~~secondary school;~~ 1967

~~(5) Any school issued a certificate of registration by the~~ 1968
~~state board of career colleges and schools.~~ 1969

Sec. 955.44. All fines collected for violations of 1970
sections 955.02, 955.09, 955.10, 955.11, 955.21~~955.12,~~ 1971
~~955.22~~955.21, 955.24, 955.23, 955.25, and 955.261 of the Revised 1972
Code shall be deposited in the county treasury to the credit of 1973

the dog and kennel fund. 1974

Sec. 955.50. (A) No person shall sell, offer to sell, or 1975
expose for sale, for the purpose of resale or receive for 1976
delivery within this state, or ship from any point within this 1977
state to any point outside this state, for sale to the general 1978
public at retail, any dog under the age of eight weeks. 1979

(B) No person shall receive from outside this state, or 1980
ship from any point within this state to any point outside this 1981
state, for sale to the general public at retail, any dog that is 1982
not accompanied by a certificate, issued by a licensed 1983
veterinarian who is accredited by the United States department 1984
of agriculture and authorized to issue health certificates for 1985
animals in interstate commerce, certifying that the dog is 1986
sufficiently sound and healthy to be reasonably expected to 1987
withstand the intended transportation without adverse effect. 1988

(C) This section does not apply to the transportation of 1989
dogs in interstate commerce by common carrier, provided that 1990
neither the point of shipment nor the point of receiving is 1991
within this state. 1992

(D) No person responsible for the transportation of a 1993
pregnant dog to any point within this state or from any point 1994
within this state to any point outside this state shall be 1995
liable in damages for any injury to or illness of, or the death 1996
of, the dog or any puppies, ~~whenever~~ whenever the injury, 1997
illness, or death results from the birth of such puppies during 1998
the time the dog is being transported. 1999

(E) Whoever recklessly violates this section is guilty of 2000
a minor misdemeanor on a first offense and of a misdemeanor of 2001
the fourth degree on each subsequent offense. 2002

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~~ 2032
~~effective date of this section~~ May 22, 2012. 2033

(C) Whoever recklessly violates this section is guilty of 2034
a misdemeanor of the first degree. 2035

Sec. 955.60. (A) Any person authorized to enforce this 2036
chapter shall investigate any complaint that indicates a 2037
possible violation of any provision of this chapter involving a 2038
dog. 2039

(B) If, after investigating an alleged violation of this 2040
chapter under division (A) of this section, an authorized person 2041
does not cite a person for or charge a person with a violation, 2042
the authorized person shall notify, in accordance with division 2043
(C) of this section, the owner, keeper, or harborer of the dog 2044
that there has been a complaint regarding the dog and that the 2045
authorized person investigated a possible violation. The notice 2046
shall specify both of the following: 2047

(1) A citation to the applicable provision or provisions 2048
of law at issue; 2049

(2) Contact information for the authorized person. 2050

(C) The authorized person shall post the notice on the 2051
door of the dwelling at which the dog resides within twenty-four 2052
hours after the authorized person concludes the investigation. 2053

Sec. 955.61. (A) (1) If a health care provider or a 2054
licensed veterinarian has knowledge of a person being bitten or 2055
injured as a result of an attack by a dog or other non-human 2056
mammal, the provider or veterinarian shall report the bite or 2057
injury, not later than twenty-four hours after obtaining such 2058
knowledge, to the health commissioner of the health district in 2059
which the bite occurred. 2060

(2) A person who is bitten or injured as a result of an 2061
attack by a dog or other non-human mammal may report the bite or 2062
injury to the health commissioner of the health district in 2063
which the bite occurred. 2064

(B) A city or general health district board of health 2065
shall annually submit a report regarding non-human mammalian 2066
bites and injuries occurring in its district to the department 2067
of health not later than the first day of March of each year. 2068
The report shall include information about the bites and 2069
injuries that occurred in the previous calendar year. 2070

Sec. 959.132. (A) As used in this section: 2071

"Companion animal" has the same meaning as in section 2072
959.131 of the Revised Code. 2073

"Impounding agency" means a county humane society 2074
organized under section 1717.05 of the Revised Code, an animal 2075
shelter, or a law enforcement agency that has impounded a 2076
companion animal in accordance with this section. 2077

"Offense" means a violation of Chapter 959. of the Revised 2078
Code or an attempt, in violation of section 2923.02 of the 2079
Revised Code, to violate Chapter 959. of the Revised Code. 2080

"Officer" means any law enforcement officer, humane 2081
society agent, or other person appointed to act as an animal 2082
control officer for a municipal corporation or township in 2083
accordance with state law, an ordinance, or a resolution. 2084

(B) An officer may seize and cause to be impounded at an 2085
impounding agency an animal that the officer has probable cause 2086
to believe is the subject of an offense. No officer or 2087
impounding agency shall impound an animal that is the subject of 2088
an offense in a shelter owned, operated, or controlled by a 2089

board of county commissioners pursuant to Chapter 955. of the 2090
Revised Code unless the board, by resolution, authorizes the 2091
impoundment of such an animal in a shelter owned, operated, or 2092
controlled by that board and has executed, in the case when the 2093
officer is other than a dog warden or assistant dog warden, a 2094
contract specifying the terms and conditions of the impoundment. 2095

(C) The officer shall give written notice of the seizure 2096
and impoundment to the owner, keeper, or harbinger of the animal 2097
not later than twenty-four hours after the animal was seized and 2098
impounded. If the officer is unable to give the notice to the 2099
owner, keeper, or harbinger of the animal, the officer shall post 2100
the notice on the door of the residence or in another 2101
conspicuous place on the premises at which the animal was 2102
seized. The notice shall include a statement that a hearing will 2103
be held not later than ten days after the notice is provided or 2104
at the next available court date to determine whether the 2105
officer had probable cause to seize the animal and, if 2106
applicable, to determine the amount of a bond or cash deposit 2107
that is needed to provide for the animal's care and keeping for 2108
not less than thirty days beginning on the date on which the 2109
animal was impounded. 2110

(D) An animal that is seized under this section may be 2111
humanely destroyed immediately or at any time during impoundment 2112
if a licensed veterinarian determines it to be necessary because 2113
the animal is suffering. 2114

(E) (1) Not later than ten days after notice is provided or 2115
at the next available court date, the court shall hold a hearing 2116
to determine whether the officer impounding an animal had 2117
probable cause to seize the animal. If the court determines that 2118
probable cause exists, the court shall determine the amount of a 2119

bond or cash deposit that is necessary and reasonable to provide 2120
for the animal's care and keeping for not less than thirty days 2121
beginning on the date on which the animal was impounded. 2122

(2) If the court determines that probable cause does not 2123
exist, the court immediately shall order the impounding agency 2124
to return the animal to its owner if possible. If the animal 2125
cannot be returned because it has died as a result of neglect or 2126
other misconduct by the impounding agency or if the animal is 2127
injured as a result of neglect or other misconduct by the 2128
impounding agency, the court shall order the impounding agency 2129
to pay the owner an amount determined by the court to be equal 2130
to the reasonable market value of the animal at the time that it 2131
was impounded plus statutory interest as defined in section 2132
1343.03 of the Revised Code from the date of the impoundment or 2133
an amount determined by the court to be equal to the reasonable 2134
cost of treatment of the injury to the animal, as applicable. 2135
The requirement established in division (E) (2) of this section 2136
regarding the payment of the reasonable market value of the 2137
animal shall not apply in the case of a dog that, in violation 2138
of section ~~955.01~~955.02 of the Revised Code, was not registered 2139
at the time it was seized and impounded. 2140

(3) If the court determines that probable cause exists and 2141
determines the amount of a bond or cash deposit, the case shall 2142
continue and the owner shall post a bond or cash deposit to 2143
provide for the animal's care and keeping for not less than 2144
thirty days beginning on the date on which the animal was 2145
impounded. The owner may renew a bond or cash deposit by 2146
posting, not later than ten days following the expiration of the 2147
period for which a previous bond or cash deposit was posted, a 2148
new bond or cash deposit in an amount that the court, in 2149
consultation with the impounding agency, determines is necessary 2150

and reasonable to provide for the animal's care and keeping for 2151
not less than thirty days beginning on the date on which the 2152
previous period expired. If no bond or cash deposit is posted or 2153
if a bond or cash deposit expires and is not renewed, the 2154
impounding agency may determine the disposition of the animal 2155
unless the court issues an order that specifies otherwise. 2156

(F) If a person is convicted of committing an offense, the 2157
court may impose the following additional penalties against the 2158
person: 2159

(1) A requirement that the person pay for the costs 2160
incurred by the impounding agency in caring for an animal 2161
involved in the applicable offense, provided that the costs were 2162
incurred during the animal's impoundment. A bond or cash deposit 2163
posted under this section may be applied to the costs. 2164

(2) An order permanently terminating the person's right to 2165
possession, title, custody, or care of the animal that was 2166
involved in the offense. If the court issues such an order, the 2167
court shall order the disposition of the animal. 2168

(G) If a person is found not guilty of committing an 2169
offense, the court immediately shall order the impounding agency 2170
to return the animal to its owner if possible and to return the 2171
entire amount of any bond or cash deposit posted under division 2172
(E) of this section. If the animal cannot be returned because it 2173
has died as a result of neglect or other misconduct by the 2174
impounding agency or if the animal is injured as a result of 2175
neglect or other misconduct by the impounding agency, the court 2176
shall order the impounding agency to pay the owner an amount 2177
determined by the court to be equal to the reasonable market 2178
value of the animal at the time that it was impounded plus 2179
statutory interest as defined in section 1343.03 of the Revised 2180

Code from the date of the impoundment or an amount determined by 2181
the court to be equal to the reasonable cost of treatment of the 2182
injury to the animal, as applicable. The requirements 2183
established in this division regarding the return of a bond or 2184
cash deposit and the payment of the reasonable market value of 2185
the animal shall not apply in the case of a dog that, in 2186
violation of section ~~955.01~~955.02 of the Revised Code, was not 2187
registered at the time it was seized and impounded. 2188

(H) If charges are filed under section 959.131 of the 2189
Revised Code against the custodian or caretaker of a companion 2190
animal, but the companion animal that is the subject of the 2191
charges is not impounded, the court in which the charges are 2192
pending may order the owner or person having custody of the 2193
companion animal to provide to the companion animal the 2194
necessities described in division (D)(2), (D)(3), (E)(2), (E) 2195
(3), (F)(2), or (F)(3) of section 959.131 of the Revised Code 2196
until the final disposition of the charges. If the court issues 2197
an order of that nature, the court also may authorize an officer 2198
or another person to visit the place where the companion animal 2199
is being kept, at the times and under the conditions that the 2200
court may set, to determine whether the companion animal is 2201
receiving those necessities and to remove and impound the 2202
companion animal if the companion animal is not receiving those 2203
necessities. 2204

Sec. 1533.12. (A)(1) Except as otherwise provided in 2205
division (A)(2) of this section, every person on active duty in 2206
the armed forces of the United States who is stationed in this 2207
state and who wishes to engage in an activity for which a 2208
license, permit, or stamp is required under this chapter first 2209
shall obtain the requisite license, permit, or stamp. Such a 2210
person is eligible to obtain a resident hunting or fishing 2211

license regardless of whether the person qualifies as a resident 2212
of this state. To obtain a resident hunting or fishing license, 2213
the person shall present a card or other evidence identifying 2214
the person as being on active duty in the armed forces of the 2215
United States and as being stationed in this state. 2216

(2) Every person on active duty in the armed forces of the 2217
United States, while on leave or furlough, may take or catch 2218
fish of the kind lawfully permitted to be taken or caught within 2219
the state, may hunt any wild bird or wild quadruped lawfully 2220
permitted to be hunted within the state, and may trap fur- 2221
bearing animals lawfully permitted to be trapped within the 2222
state, without procuring a fishing license, a hunting license, a 2223
fur taker permit, or a wetlands habitat stamp required by this 2224
chapter, provided that the person shall carry on the person when 2225
fishing, hunting, or trapping, a card or other evidence 2226
identifying the person as being on active duty in the armed 2227
forces of the United States, and provided that the person is not 2228
otherwise violating any of the hunting, fishing, and trapping 2229
laws of this state. 2230

In order to hunt deer or wild turkey, any such person 2231
shall obtain a deer or wild turkey permit, as applicable, under 2232
section 1533.11 of the Revised Code. Such a person is eligible 2233
to obtain a deer or wild turkey permit at the resident rate, 2234
regardless of whether the person is a resident of this state. 2235
However, the person need not obtain a hunting license in order 2236
to obtain such a permit. 2237

(B) The chief of the division of wildlife shall provide by 2238
rule adopted under section 1531.10 of the Revised Code all of 2239
the following: 2240

(1) Every resident of this state with a disability that 2241

has been determined by the veterans administration to be 2242
permanently and totally disabling, who receives a pension or 2243
compensation from the veterans administration, and who received 2244
an honorable discharge from the armed forces of the United 2245
States, and every veteran to whom the registrar of motor 2246
vehicles has issued a set of license plates under section 2247
4503.41 of the Revised Code, shall be issued a fishing license, 2248
hunting license, fur taker permit, deer or wild turkey permit, 2249
or wetlands habitat stamp, or any combination of those licenses, 2250
permits, and stamp, free of charge on an annual, multi-year, or 2251
lifetime basis as determined appropriate by the chief when 2252
application is made to the chief in the manner prescribed by and 2253
on forms provided by the chief. 2254

(2) Every resident of the state who was born on or before 2255
December 31, 1937, shall be issued an annual fishing license, 2256
hunting license, fur taker permit, deer or wild turkey permit, 2257
or wetlands habitat stamp, or any combination of those licenses, 2258
permits, and stamp, free of charge when application is made to 2259
the chief in the manner prescribed by and on forms provided by 2260
the chief. 2261

(3) Every resident of state or county institutions, 2262
charitable institutions, and military homes in this state shall 2263
be issued an annual fishing license free of charge when 2264
application is made to the chief in the manner prescribed by and 2265
on forms provided by the chief. 2266

(4) As used in division (B)(4) of this section, "blind" 2267
and "person with a mobility impairment" have the same meanings 2268
as in section ~~955.011~~955.021 of the Revised Code. 2269

Any person with a mobility impairment or blind person who 2270
is a resident of this state and who is unable to engage in 2271

fishing without the assistance of another person shall be issued 2272
an annual fishing license free of charge when application is 2273
made to the chief in the manner prescribed by and on forms 2274
provided by the chief. The person who is assisting the person 2275
with a mobility impairment or blind person may assist in taking 2276
or catching fish of the kind permitted to be taken or caught 2277
without procuring the license required under section 1533.32 of 2278
the Revised Code, provided that only one line is used by both 2279
persons. 2280

(5) As used in division (B) (5) of this section, "prisoner 2281
of war" means any regularly appointed, enrolled, enlisted, or 2282
inducted member of the military forces of the United States who 2283
was captured, separated, and incarcerated by an enemy of the 2284
United States. 2285

Any person who has been a prisoner of war, was honorably 2286
discharged from the military forces, and is a resident of this 2287
state shall be issued a fishing license, hunting license, fur 2288
taker permit, or wetlands habitat stamp, or any combination of 2289
those licenses, permits, and stamp, free of charge on an annual, 2290
multi-year, or lifetime basis as determined appropriate by the 2291
chief when application is made to the chief in the manner 2292
prescribed by and on forms provided by the chief. 2293

(C) The chief shall adopt rules pursuant to section 2294
1531.08 of the Revised Code designating not more than two days, 2295
which need not be consecutive, in each year as "free sport 2296
fishing days" on which any resident may exercise the privileges 2297
accorded the holder of a fishing license issued under section 2298
1533.32 of the Revised Code without procuring such a license, 2299
provided that the person is not otherwise violating any of the 2300
fishing laws of this state. 2301

Sec. 1901.18. (A) Except as otherwise provided in this 2302
division or section 1901.181 of the Revised Code, subject to the 2303
monetary jurisdiction of municipal courts as set forth in 2304
section 1901.17 of the Revised Code, a municipal court has 2305
original jurisdiction within its territory in all of the 2306
following actions or proceedings and to perform all of the 2307
following functions: 2308

(1) In any civil action, of whatever nature or remedy, of 2309
which judges of county courts have jurisdiction; 2310

(2) In any action or proceeding at law for the recovery of 2311
money or personal property of which the court of common pleas 2312
has jurisdiction; 2313

(3) In any action at law based on contract, to determine, 2314
preserve, and enforce all legal and equitable rights involved in 2315
the contract, to decree an accounting, reformation, or 2316
cancellation of the contract, and to hear and determine all 2317
legal and equitable remedies necessary or proper for a complete 2318
determination of the rights of the parties to the contract; 2319

(4) In any action or proceeding for the sale of personal 2320
property under chattel mortgage, lien, encumbrance, or other 2321
charge, for the foreclosure and marshalling of liens on personal 2322
property of that nature, and for the rendering of personal 2323
judgment in the action or proceeding; 2324

(5) In any action or proceeding to enforce the collection 2325
of its own judgments or the judgments rendered by any court 2326
within the territory to which the municipal court has succeeded, 2327
and to subject the interest of a judgment debtor in personal 2328
property to satisfy judgments enforceable by the municipal 2329
court; 2330

(6) In any action or proceeding in the nature of	2331
interpleader;	2332
(7) In any action of replevin;	2333
(8) In any action of forcible entry and detainer;	2334
(9) In any action concerning the issuance and enforcement	2335
of temporary protection orders pursuant to section 2919.26 of	2336
the Revised Code or protection orders pursuant to section	2337
2903.213 of the Revised Code or the enforcement of protection	2338
orders issued by courts of another state, as defined in section	2339
2919.27 of the Revised Code;	2340
(10) If the municipal court has a housing or environmental	2341
division, in any action over which the division is given	2342
jurisdiction by section 1901.181 of the Revised Code, provided	2343
that, except as specified in division (B) of that section, no	2344
judge of the court other than the judge of the division shall	2345
hear or determine any action over which the division has	2346
jurisdiction;	2347
(11) In any action brought pursuant to division (I) of	2348
section 4781.40 of the Revised Code, if the residential premises	2349
that are the subject of the action are located within the	2350
territorial jurisdiction of the court;	2351
(12) In any civil action as described in division (B) (1)	2352
of section 3767.41 of the Revised Code that relates to a public	2353
nuisance, and, to the extent any provision of this chapter	2354
conflicts or is inconsistent with a provision of that section,	2355
the provision of that section shall control in the civil action;	2356
(13) In a proceeding brought pursuant to section 955.222	2357
<u>955.23</u> of the Revised Code by the owner of a dog that has been	2358
designated as a nuisance dog, dangerous dog, or vicious dog;	2359

(14) In every civil action concerning a violation of a 2360
state traffic law or a municipal traffic ordinance. 2361

(B) The Cleveland municipal court also shall have 2362
jurisdiction within its territory in all of the following 2363
actions or proceedings and to perform all of the following 2364
functions: 2365

(1) In all actions and proceedings for the sale of real 2366
property under lien of a judgment of the municipal court or a 2367
lien for machinery, material, or fuel furnished or labor 2368
performed, irrespective of amount, and, in those actions and 2369
proceedings, the court may proceed to foreclose and marshal all 2370
liens and all vested or contingent rights, to appoint a 2371
receiver, and to render personal judgment irrespective of amount 2372
in favor of any party. 2373

(2) In all actions for the foreclosure of a mortgage on 2374
real property given to secure the payment of money or the 2375
enforcement of a specific lien for money or other encumbrance or 2376
charge on real property, when the amount claimed by the 2377
plaintiff does not exceed fifteen thousand dollars and the real 2378
property is situated within the territory, and, in those 2379
actions, the court may proceed to foreclose all liens and all 2380
vested and contingent rights and may proceed to render judgments 2381
and make findings and orders between the parties in the same 2382
manner and to the same extent as in similar actions in the court 2383
of common pleas. 2384

(3) In all actions for the recovery of real property 2385
situated within the territory to the same extent as courts of 2386
common pleas have jurisdiction; 2387

(4) In all actions for injunction to prevent or terminate 2388

violations of the ordinances and regulations of the city of 2389
Cleveland enacted or promulgated under the police power of the 2390
city of Cleveland, pursuant to Section 3 of Article XVIII, Ohio 2391
Constitution, over which the court of common pleas has or may 2392
have jurisdiction, and, in those actions, the court may proceed 2393
to render judgments and make findings and orders in the same 2394
manner and to the same extent as in similar actions in the court 2395
of common pleas. 2396

(C) As used in this section, "violation of a state traffic 2397
law or a municipal traffic ordinance" has the same meaning as in 2398
section 1901.20 of the Revised Code. 2399

Sec. 1907.031. (A) Except as otherwise provided in section 2400
1907.03 of the Revised Code and in addition to the jurisdiction 2401
authorized in other sections of this chapter and in section 2402
1909.11 of the Revised Code, a county court has original 2403
jurisdiction within its district in all of the following actions 2404
or proceedings and to perform all of the following functions: 2405

(1) In an action or proceeding at law for the recovery of 2406
money or personal property of which the court of common pleas 2407
has jurisdiction; 2408

(2) In an action at law based on contract, to determine, 2409
preserve, and enforce all legal and equitable rights involved in 2410
the contract, to decree an accounting, reformation, or 2411
cancellation of the contract, and to hear and determine all 2412
legal and equitable remedies necessary or proper for a complete 2413
determination of the rights of the parties to the contract; 2414

(3) In an action or proceeding for the sale of personal 2415
property under chattel mortgage, lien, encumbrance, or other 2416
charge, for the foreclosure and marshalling of liens on the 2417

personal property, and for the rendering of personal judgment in 2418
the action or proceeding; 2419

(4) In an action or proceeding to enforce the collection 2420
of its own judgments and to subject the interest of a judgment 2421
debtor in personal property to satisfy judgments enforceable by 2422
the county court; 2423

(5) In an action or proceeding in the nature of 2424
interpleader; 2425

(6) In an action of forcible entry and detainer; 2426

(7) In a proceeding brought pursuant to section ~~955.222~~ 2427
955.23 of the Revised Code by the owner of a dog that has been 2428
designated as a nuisance dog, dangerous dog, or vicious dog; 2429

(8) In every civil action or proceeding concerning a 2430
violation of a state traffic law or a municipal traffic 2431
ordinance. 2432

(B) A county court has original jurisdiction in civil 2433
actions as described in division (B)(1) of section 3767.41 of 2434
the Revised Code that relate to a public nuisance. To the extent 2435
any provision of this chapter conflicts or is inconsistent with 2436
a provision of that section, the provision of that section shall 2437
control in such a civil action. 2438

(C) As used in this section, "violation of a state traffic 2439
law or a municipal traffic ordinance" has the same meaning as in 2440
section 1901.20 of the Revised Code. 2441

Sec. 2913.01. As used in this chapter, unless the context 2442
requires that a term be given a different meaning: 2443

(A) "Deception" means knowingly deceiving another or 2444
causing another to be deceived by any false or misleading 2445

representation, by withholding information, by preventing 2446
another from acquiring information, or by any other conduct, 2447
act, or omission that creates, confirms, or perpetuates a false 2448
impression in another, including a false impression as to law, 2449
value, state of mind, or other objective or subjective fact. 2450

(B) "Defraud" means to knowingly obtain, by deception, 2451
some benefit for oneself or another, or to knowingly cause, by 2452
deception, some detriment to another. 2453

(C) "Deprive" means to do any of the following: 2454

(1) Withhold property of another permanently, or for a 2455
period that appropriates a substantial portion of its value or 2456
use, or with purpose to restore it only upon payment of a reward 2457
or other consideration; 2458

(2) Dispose of property so as to make it unlikely that the 2459
owner will recover it; 2460

(3) Accept, use, or appropriate money, property, or 2461
services, with purpose not to give proper consideration in 2462
return for the money, property, or services, and without 2463
reasonable justification or excuse for not giving proper 2464
consideration. 2465

(D) "Owner" means, unless the context requires a different 2466
meaning, any person, other than the actor, who is the owner of, 2467
who has possession or control of, or who has any license or 2468
interest in property or services, even though the ownership, 2469
possession, control, license, or interest is unlawful. 2470

(E) "Services" include labor, personal services, 2471
professional services, rental services, public utility services 2472
including wireless service as defined in division (F)(1) of 2473
section 128.01 of the Revised Code, common carrier services, and 2474

food, drink, transportation, entertainment, and cable television 2475
services and, for purposes of section 2913.04 of the Revised 2476
Code, include cable services as defined in that section. 2477

(F) "Writing" means any computer software, document, 2478
letter, memorandum, note, paper, plate, data, film, or other 2479
thing having in or upon it any written, typewritten, or printed 2480
matter, and any token, stamp, seal, credit card, badge, 2481
trademark, label, or other symbol of value, right, privilege, 2482
license, or identification. 2483

(G) "Forge" means to fabricate or create, in whole or in 2484
part and by any means, any spurious writing, or to make, 2485
execute, alter, complete, reproduce, or otherwise purport to 2486
authenticate any writing, when the writing in fact is not 2487
authenticated by that conduct. 2488

(H) "Utter" means to issue, publish, transfer, use, put or 2489
send into circulation, deliver, or display. 2490

(I) "Coin machine" means any mechanical or electronic 2491
device designed to do both of the following: 2492

- (1) Receive a coin, bill, or token made for that purpose; 2493
- (2) In return for the insertion or deposit of a coin, 2494
bill, or token, automatically dispense property, provide a 2495
service, or grant a license. 2496

(J) "Slug" means an object that, by virtue of its size, 2497
shape, composition, or other quality, is capable of being 2498
inserted or deposited in a coin machine as an improper 2499
substitute for a genuine coin, bill, or token made for that 2500
purpose. 2501

(K) "Theft offense" means any of the following: 2502

(1) A violation of section 2911.01, 2911.02, 2911.11, 2503
2911.12, 2911.13, 2911.31, 2911.32, 2913.02, 2913.03, 2913.04, 2504
2913.041, 2913.05, 2913.06, 2913.08, 2913.11, 2913.21, 2913.31, 2505
2913.32, 2913.33, 2913.34, 2913.40, 2913.42, 2913.43, 2913.44, 2506
2913.45, 2913.47, 2913.48, former section 2913.47 or 2913.48, or 2507
section 2913.51, 2915.05, or 2921.41 of the Revised Code; 2508

(2) A violation of an existing or former municipal 2509
ordinance or law of this or any other state, or of the United 2510
States, substantially equivalent to any section listed in 2511
division (K) (1) of this section or a violation of section 2512
2913.41, 2913.81, or 2915.06 of the Revised Code as it existed 2513
prior to July 1, 1996; 2514

(3) An offense under an existing or former municipal 2515
ordinance or law of this or any other state, or of the United 2516
States, involving robbery, burglary, breaking and entering, 2517
theft, embezzlement, wrongful conversion, forgery, 2518
counterfeiting, deceit, or fraud; 2519

(4) A conspiracy or attempt to commit, or complicity in 2520
committing, any offense under division (K) (1), (2), or (3) of 2521
this section. 2522

(L) "Computer services" includes, but is not limited to, 2523
the use of a computer system, computer network, computer 2524
program, data that is prepared for computer use, or data that is 2525
contained within a computer system or computer network. 2526

(M) "Computer" means an electronic device that performs 2527
logical, arithmetic, and memory functions by the manipulation of 2528
electronic or magnetic impulses. "Computer" includes, but is not 2529
limited to, all input, output, processing, storage, computer 2530
program, or communication facilities that are connected, or 2531

related, in a computer system or network to an electronic device 2532
of that nature. 2533

(N) "Computer system" means a computer and related 2534
devices, whether connected or unconnected, including, but not 2535
limited to, data input, output, and storage devices, data 2536
communications links, and computer programs and data that make 2537
the system capable of performing specified special purpose data 2538
processing tasks. 2539

(O) "Computer network" means a set of related and remotely 2540
connected computers and communication facilities that includes 2541
more than one computer system that has the capability to 2542
transmit among the connected computers and communication 2543
facilities through the use of computer facilities. 2544

(P) "Computer program" means an ordered set of data 2545
representing coded instructions or statements that, when 2546
executed by a computer, cause the computer to process data. 2547

(Q) "Computer software" means computer programs, 2548
procedures, and other documentation associated with the 2549
operation of a computer system. 2550

(R) "Data" means a representation of information, 2551
knowledge, facts, concepts, or instructions that are being or 2552
have been prepared in a formalized manner and that are intended 2553
for use in a computer, computer system, or computer network. For 2554
purposes of section 2913.47 of the Revised Code, "data" has the 2555
additional meaning set forth in division (A) of that section. 2556

(S) "Cable television service" means any services provided 2557
by or through the facilities of any cable television system or 2558
other similar closed circuit coaxial cable communications 2559
system, or any microwave or similar transmission service used in 2560

connection with any cable television system or other similar 2561
closed circuit coaxial cable communications system. 2562

(T) "Gain access" means to approach, instruct, communicate 2563
with, store data in, retrieve data from, or otherwise make use 2564
of any resources of a computer, computer system, or computer 2565
network, or any cable service or cable system both as defined in 2566
section 2913.04 of the Revised Code. 2567

(U) "Credit card" includes, but is not limited to, a card, 2568
code, device, or other means of access to a customer's account 2569
for the purpose of obtaining money, property, labor, or services 2570
on credit, or for initiating an electronic fund transfer at a 2571
point-of-sale terminal, an automated teller machine, or a cash 2572
dispensing machine. It also includes a county procurement card 2573
issued under section 301.29 of the Revised Code. 2574

(V) "Electronic fund transfer" has the same meaning as in 2575
92 Stat. 3728, 15 U.S.C.A. 1693a, as amended. 2576

(W) "Rented property" means personal property in which the 2577
right of possession and use of the property is for a short and 2578
possibly indeterminate term in return for consideration; the 2579
rentee generally controls the duration of possession of the 2580
property, within any applicable minimum or maximum term; and the 2581
amount of consideration generally is determined by the duration 2582
of possession of the property. 2583

(X) "Telecommunication" means the origination, emission, 2584
dissemination, transmission, or reception of data, images, 2585
signals, sounds, or other intelligence or equivalence of 2586
intelligence of any nature over any communications system by any 2587
method, including, but not limited to, a fiber optic, 2588
electronic, magnetic, optical, digital, or analog method. 2589

(Y) "Telecommunications device" means any instrument, 2590
equipment, machine, or other device that facilitates 2591
telecommunication, including, but not limited to, a computer, 2592
computer network, computer chip, computer circuit, scanner, 2593
telephone, cellular telephone, pager, personal communications 2594
device, transponder, receiver, radio, modem, or device that 2595
enables the use of a modem. 2596

(Z) "Telecommunications service" means the providing, 2597
allowing, facilitating, or generating of any form of 2598
telecommunication through the use of a telecommunications device 2599
over a telecommunications system. 2600

(AA) "Counterfeit telecommunications device" means a 2601
telecommunications device that, alone or with another 2602
telecommunications device, has been altered, constructed, 2603
manufactured, or programmed to acquire, intercept, receive, or 2604
otherwise facilitate the use of a telecommunications service or 2605
information service without the authority or consent of the 2606
provider of the telecommunications service or information 2607
service. "Counterfeit telecommunications device" includes, but 2608
is not limited to, a clone telephone, clone microchip, tumbler 2609
telephone, or tumbler microchip; a wireless scanning device 2610
capable of acquiring, intercepting, receiving, or otherwise 2611
facilitating the use of telecommunications service or 2612
information service without immediate detection; or a device, 2613
equipment, hardware, or software designed for, or capable of, 2614
altering or changing the electronic serial number in a wireless 2615
telephone. 2616

(BB) (1) "Information service" means, subject to division 2617
(BB) (2) of this section, the offering of a capability for 2618
generating, acquiring, storing, transforming, processing, 2619

retrieving, utilizing, or making available information via 2620
telecommunications, including, but not limited to, electronic 2621
publishing. 2622

(2) "Information service" does not include any use of a 2623
capability of a type described in division (BB)(1) of this 2624
section for the management, control, or operation of a 2625
telecommunications system or the management of a 2626
telecommunications service. 2627

(CC) "Elderly person" means a person who is sixty-five 2628
years of age or older. 2629

(DD) "Disabled adult" means a person who is eighteen years 2630
of age or older and has some impairment of body or mind that 2631
makes the person unable to work at any substantially 2632
remunerative employment that the person otherwise would be able 2633
to perform and that will, with reasonable probability, continue 2634
for a period of at least twelve months without any present 2635
indication of recovery from the impairment, or who is eighteen 2636
years of age or older and has been certified as permanently and 2637
totally disabled by an agency of this state or the United States 2638
that has the function of so classifying persons. 2639

(EE) "Firearm" and "dangerous ordnance" have the same 2640
meanings as in section 2923.11 of the Revised Code. 2641

(FF) "Motor vehicle" has the same meaning as in section 2642
4501.01 of the Revised Code. 2643

(GG) "Dangerous drug" has the same meaning as in section 2644
4729.01 of the Revised Code. 2645

(HH) "Drug abuse offense" has the same meaning as in 2646
section 2925.01 of the Revised Code. 2647

(II) (1) "Computer hacking" means any of the following: 2648

(a) Gaining access or attempting to gain access to all or 2649
part of a computer, computer system, or a computer network 2650
without express or implied authorization with the intent to 2651
defraud or with intent to commit a crime; 2652

(b) Misusing computer or network services including, but 2653
not limited to, mail transfer programs, file transfer programs, 2654
proxy servers, and web servers by performing functions not 2655
authorized by the owner of the computer, computer system, or 2656
computer network or other person authorized to give consent. As 2657
used in this division, "misuse of computer and network services" 2658
includes, but is not limited to, the unauthorized use of any of 2659
the following: 2660

(i) Mail transfer programs to send mail to persons other 2661
than the authorized users of that computer or computer network; 2662

(ii) File transfer program proxy services or proxy servers 2663
to access other computers, computer systems, or computer 2664
networks; 2665

(iii) Web servers to redirect users to other web pages or 2666
web servers. 2667

(c) (i) Subject to division (II) (1) (c) (ii) of this section, 2668
using a group of computer programs commonly known as "port 2669
scanners" or "probes" to intentionally access any computer, 2670
computer system, or computer network without the permission of 2671
the owner of the computer, computer system, or computer network 2672
or other person authorized to give consent. The group of 2673
computer programs referred to in this division includes, but is 2674
not limited to, those computer programs that use a computer 2675
network to access a computer, computer system, or another 2676

computer network to determine any of the following: the presence 2677
or types of computers or computer systems on a network; the 2678
computer network's facilities and capabilities; the availability 2679
of computer or network services; the presence or versions of 2680
computer software including, but not limited to, operating 2681
systems, computer services, or computer contaminants; the 2682
presence of a known computer software deficiency that can be 2683
used to gain unauthorized access to a computer, computer system, 2684
or computer network; or any other information about a computer, 2685
computer system, or computer network not necessary for the 2686
normal and lawful operation of the computer initiating the 2687
access. 2688

(ii) The group of computer programs referred to in 2689
division (II) (1) (c) (i) of this section does not include standard 2690
computer software used for the normal operation, administration, 2691
management, and test of a computer, computer system, or computer 2692
network including, but not limited to, domain name services, 2693
mail transfer services, and other operating system services, 2694
computer programs commonly called "ping," "tcpdump," and 2695
"traceroute" and other network monitoring and management 2696
computer software, and computer programs commonly known as 2697
"nslookup" and "whois" and other systems administration computer 2698
software. 2699

(d) The intentional use of a computer, computer system, or 2700
a computer network in a manner that exceeds any right or 2701
permission granted by the owner of the computer, computer 2702
system, or computer network or other person authorized to give 2703
consent. 2704

(2) "Computer hacking" does not include the introduction 2705
of a computer contaminant, as defined in section 2909.01 of the 2706

Revised Code, into a computer, computer system, computer 2707
program, or computer network. 2708

(JJ) "Police dog or horse" has the same meaning as in 2709
section 2921.321 of the Revised Code. 2710

(KK) "Anhydrous ammonia" is a compound formed by the 2711
combination of two gaseous elements, nitrogen and hydrogen, in 2712
the manner described in this division. Anhydrous ammonia is one 2713
part nitrogen to three parts hydrogen (NH₃). Anhydrous ammonia 2714
by weight is fourteen parts nitrogen to three parts hydrogen, 2715
which is approximately eighty-two per cent nitrogen to eighteen 2716
per cent hydrogen. 2717

(LL) "Assistance dog" has the same meaning as in section 2718
~~955.011~~ 955.021 of the Revised Code. 2719

(MM) "Federally licensed firearms dealer" has the same 2720
meaning as in section 5502.63 of the Revised Code. 2721

(NN) "Active duty service member" means any member of the 2722
armed forces of the United States performing active duty under 2723
title 10 of the United States Code. 2724

Sec. 2921.321. (A) No person shall knowingly cause, or 2725
attempt to cause, physical harm to a police dog or horse in 2726
either of the following circumstances: 2727

(1) The police dog or horse is assisting a law enforcement 2728
officer in the performance of the officer's official duties at 2729
the time the physical harm is caused or attempted. 2730

(2) The police dog or horse is not assisting a law 2731
enforcement officer in the performance of the officer's official 2732
duties at the time the physical harm is caused or attempted, but 2733
the offender has actual knowledge that the dog or horse is a 2734

police dog or horse. 2735

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

(1) Taunt, torment, or strike a police dog or horse; 2737

(2) Throw an object or substance at a police dog or horse; 2738

(3) Interfere with or obstruct a police dog or horse, or 2739
interfere with or obstruct a law enforcement officer who is 2740
being assisted by a police dog or horse, in a manner that does 2741
any of the following: 2742

(a) Inhibits or restricts the law enforcement officer's 2743
control of the police dog or horse; 2744

(b) Deprives the law enforcement officer of control of the 2745
police dog or horse; 2746

(c) Releases the police dog or horse from its area of 2747
control; 2748

(d) Enters the area of control of the police dog or horse 2749
without the consent of the law enforcement officer, including 2750
placing food or any other object or substance into that area; 2751

(e) Inhibits or restricts the ability of the police dog or 2752
horse to assist a law enforcement officer. 2753

(4) Engage in any conduct that is likely to cause serious 2754
physical injury or death to a police dog or horse; 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 a police dog or horse that at the time of the conduct, 2760
the police dog or horse is assisting a law enforcement officer 2761

in the performance of the officer's duties or that the person 2762
knows is a police dog or horse. 2763

(C) No person shall knowingly cause, or attempt to cause, 2764
physical harm to an assistance dog in either of the following 2765
circumstances: 2766

(1) The dog, at the time the physical harm is caused or 2767
attempted, is assisting or serving a person who is blind, deaf, 2768
or hearing impaired or a person with a mobility impairment. 2769

(2) The dog, at the time the physical harm is caused or 2770
attempted, is not assisting or serving a person who is blind, 2771
deaf, or hearing impaired or a person with a mobility 2772
impairment, but the offender has actual knowledge that the dog 2773
is an assistance dog. 2774

(D) No person shall recklessly do any of the following: 2775

(1) Taunt, torment, or strike an assistance dog; 2776

(2) Throw an object or substance at an assistance dog; 2777

(3) Interfere with or obstruct an assistance dog, or 2778
interfere with or obstruct a person who is blind, deaf, or 2779
hearing impaired or a person with a mobility impairment who is 2780
being assisted or served by an assistance dog, in a manner that 2781
does any of the following: 2782

(a) Inhibits or restricts the assisted or served person's 2783
control of the dog; 2784

(b) Deprives the assisted or served person of control of 2785
the dog; 2786

(c) Releases the dog from its area of control; 2787

(d) Enters the area of control of the dog without the 2788

consent of the assisted or served person, including placing food 2789
or any other object or substance into that area; 2790

(e) Inhibits or restricts the ability of the dog to assist 2791
the assisted or served person. 2792

(4) Engage in any conduct that is likely to cause serious 2793
physical injury or death to an assistance dog; 2794

(5) If the person is the owner, keeper, or harbinger of a 2795
dog, fail to reasonably restrain the dog from taunting, 2796
tormenting, chasing, approaching in a menacing fashion or 2797
apparent attitude of attack, or attempting to bite or otherwise 2798
endanger an assistance dog that at the time of the conduct is 2799
assisting or serving a person who is blind, deaf, or hearing 2800
impaired or a person with a mobility impairment or that the 2801
person knows is an assistance dog. 2802

(E) (1) Whoever violates division (A) of this section is 2803
guilty of assaulting a police dog or horse, and shall be 2804
punished as provided in divisions (E) (1) (a) and (b) of this 2805
section. 2806

(a) Except as otherwise provided in this division, 2807
assaulting a police dog or horse is a misdemeanor of the second 2808
degree. If the violation results in the death of the police dog 2809
or horse, assaulting a police dog or horse is a felony of the 2810
third degree and the court shall impose as a mandatory prison 2811
term one of the definite prison terms prescribed in division (A) 2812
(3) (b) of section 2929.14 of the Revised Code for a felony of 2813
the third degree. If the violation results in serious physical 2814
harm to the police dog or horse other than its death, assaulting 2815
a police dog or horse is a felony of the fourth degree. If the 2816
violation results in physical harm to the police dog or horse 2817

other than death or serious physical harm, assaulting a police 2818
dog or horse is a misdemeanor of the first degree. 2819

(b) In addition to any other sanction imposed for 2820
assaulting a police dog or horse, if the violation of division 2821
(A) of this section results in the death of the police dog or 2822
horse, the sentencing court shall impose as a financial sanction 2823
a mandatory fine under division (B)(10) of section 2929.18 of 2824
the Revised Code. The fine shall be paid to the law enforcement 2825
agency that was served by the police dog or horse that was 2826
killed, and shall be used by that agency only for one or more of 2827
the following purposes: 2828

(i) If the dog or horse was not owned by the agency, the 2829
payment to the owner of the dog or horse of the cost of the dog 2830
or horse and the cost of the training of the dog or horse to 2831
qualify it as a police dog or horse, if that cost has not 2832
previously been paid by the agency; 2833

(ii) After payment of the costs described in division (E) 2834
(1)(b)(i) of this section, if applicable, payment of the cost of 2835
replacing the dog or horse that was killed; 2836

(iii) After payment of the costs described in division (E) 2837
(1)(b)(i) of this section, if applicable, payment of the cost of 2838
training the replacement dog or horse to qualify it as a police 2839
dog or horse; 2840

(iv) After payment of the costs described in division (E) 2841
(1)(b)(i) of this section, if applicable, payment of the cost of 2842
further training of the replacement dog or horse that is needed 2843
to train it to the level of training that had been achieved by 2844
the dog or horse that was killed. 2845

(2) Whoever violates division (B) of this section is 2846

guilty of harassing a police dog or horse. Except as otherwise 2847
provided in this division, harassing a police dog or horse is a 2848
misdemeanor of the second degree. If the violation results in 2849
the death of the police dog or horse, harassing a police dog or 2850
horse is a felony of the third degree. If the violation results 2851
in serious physical harm to the police dog or horse, but does 2852
not result in its death, harassing a police dog or horse, is a 2853
felony of the fourth degree. If the violation results in 2854
physical harm to the police dog or horse, but does not result in 2855
its death or in serious physical harm to it, harassing a police 2856
dog or horse is a misdemeanor of the first degree. 2857

(3) Whoever violates division (C) of this section is 2858
guilty of assaulting an assistance dog. Except as otherwise 2859
provided in this division, assaulting an assistance dog is a 2860
misdemeanor of the second degree. If the violation results in 2861
the death of the assistance dog, assaulting an assistance dog is 2862
a felony of the third degree. If the violation results in 2863
serious physical harm to the assistance dog other than its 2864
death, assaulting an assistance dog is a felony of the fourth 2865
degree. If the violation results in physical harm to the 2866
assistance dog other than death or serious physical harm, 2867
assaulting an assistance dog is a misdemeanor of the first 2868
degree. 2869

(4) Whoever violates division (D) of this section is 2870
guilty of harassing an assistance dog. Except as otherwise 2871
provided in this division, harassing an assistance dog is a 2872
misdemeanor of the second degree. If the violation results in 2873
the death of the assistance dog, harassing an assistance dog is 2874
a felony of the third degree. If the violation results in 2875
serious physical harm to the assistance dog, but does not result 2876
in its death, harassing an assistance dog is a felony of the 2877

fourth degree. If the violation results in physical harm to the 2878
assistance dog, but does not result in its death or in serious 2879
physical harm to it, harassing an assistance dog is a 2880
misdemeanor of the first degree. 2881

(5) In addition to any other sanction or penalty imposed 2882
for the offense under this section, Chapter 2929., or any other 2883
provision of the Revised Code, whoever violates division (A), 2884
(B), (C), or (D) of this section is responsible for the payment 2885
of all of the following: 2886

(a) Any veterinary bill or bill for medication incurred as 2887
a result of the violation by the police department regarding a 2888
violation of division (A) or (B) of this section or by the 2889
person who is blind, deaf, or hearing impaired or the person 2890
with a mobility impairment assisted or served by the assistance 2891
dog regarding a violation of division (C) or (D) of this 2892
section; 2893

(b) The cost of any damaged equipment that results from 2894
the violation; 2895

(c) If the violation did not result in the death of the 2896
police dog or horse or the assistance dog that was the subject 2897
of the violation and if, as a result of that dog or horse being 2898
the subject of the violation, the dog or horse needs further 2899
training or retraining to be able to continue in the capacity of 2900
a police dog or horse or an assistance dog, the cost of any 2901
further training or retraining of that dog or horse by a law 2902
enforcement officer or by the person who is blind, deaf, or 2903
hearing impaired or the person with a mobility impairment 2904
assisted or served by the assistance dog; 2905

(d) If the violation resulted in the death of the 2906

assistance dog that was the subject of the violation or resulted 2907
in serious physical harm to the police dog or horse or the 2908
assistance dog or horse that was the subject of the violation to 2909
the extent that the dog or horse needs to be replaced on either 2910
a temporary or a permanent basis, the cost of replacing that dog 2911
or horse and of any further training of a new police dog or 2912
horse or a new assistance dog by a law enforcement officer or by 2913
the person who is blind, deaf, or hearing impaired or the person 2914
with a mobility impairment assisted or served by the assistance 2915
dog, which replacement or training is required because of the 2916
death of or the serious physical harm to the dog or horse that 2917
was the subject of the violation. 2918

(F) This section does not apply to a licensed veterinarian 2919
whose conduct is in accordance with Chapter 4741. of the Revised 2920
Code. 2921

(G) This section only applies to an offender who knows or 2922
should know at the time of the violation that the police dog or 2923
horse or assistance dog that is the subject of a violation under 2924
this section is a police dog or horse or an assistance dog. 2925

(H) As used in this section: 2926

(1) "Physical harm" means any injury, illness, or other 2927
physiological impairment, regardless of its gravity or duration. 2928

(2) "Police dog or horse" means a dog or horse that has 2929
been trained, and may be used, to assist law enforcement 2930
officers in the performance of their official duties. 2931

(3) "Serious physical harm" means any of the following: 2932

(a) Any physical harm that carries a substantial risk of 2933
death; 2934

(b) Any physical harm that causes permanent maiming or 2935
that involves some temporary, substantial maiming; 2936

(c) Any physical harm that causes acute pain of a duration 2937
that results in substantial suffering. 2938

(4) "Assistance dog," "blind," and "person with a mobility 2939
impairment" have the same meanings as in section ~~955.011~~ 955.021 2940
of the Revised Code. 2941

Section 2. That existing sections 304.02, 304.03, 715.23, 2942
901.80, 935.03, 955.01, 955.011, 955.012, 955.013, 955.02, 2943
955.03, 955.04, 955.05, 955.06, 955.07, 955.09, 955.10, 955.11, 2944
955.12, 955.121, 955.14, 955.16, 955.20, 955.22, 955.221, 2945
955.222, 955.26, 955.261, 955.40, 955.43, 955.44, 955.50, 2946
955.54, 959.132, 1533.12, 1901.18, 1907.031, 2913.01, and 2947
2921.321 of the Revised Code are hereby repealed. 2948

Section 3. That sections 955.08, 955.21, 955.23, 955.24, 2949
955.25, 955.39, 955.51, 955.52, 955.53, and 955.99 of the 2950
Revised Code are hereby repealed. 2951

Section 4. The owner of a dog who holds a valid dangerous 2952
dog registration certificate for the dog that was issued under 2953
division (I) of section 955.22 of the Revised Code as that 2954
section existed prior to its amendment by this act shall renew 2955
the certificate beginning on the first day of December of the 2956
year in which this section takes effect, but not later than the 2957
thirty-first day of January of the subsequent year regardless of 2958
when the owner would have been required to renew the certificate 2959
under former law. Except as otherwise provided in this section, 2960
the owner shall file the application in accordance with section 2961
955.02 of the Revised Code as amended by this act. 2962

If the renewal required by this section results in a 2963

reduction of the registration period for which the owner paid 2964
fifty dollars under former law, the owner shall pay a 2965
registration fee for the renewal required by this section in an 2966
amount that is prorated as determined by the county auditor of 2967
the county in which the owner resides. Thereafter, the owner 2968
shall renew the dangerous dog registration certificate in 2969
accordance with section 955.02 of the Revised Code as amended by 2970
this act. 2971

Section 5. This act shall be known as Avery's Law. 2972

2973