

As Introduced

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

S. B. No. 64

Senator Cutrona

A BILL

To amend sections 955.54 and 959.99 and to enact
section 959.23 of the Revised Code to increase
the penalties for violating companion animal
cruelty offenses and to prohibit a felony animal
abuse offender from owning a companion animal in
certain circumstances. 1
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BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 955.54 and 959.99 be amended and
section 959.23 of the Revised Code be enacted to read as
follows: 7
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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 ~~959.7~~ 2923.~~7~~ 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 of the 10
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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 the 20
person's final release from the other sanctions imposed for the 21
offense or violation: 22

(1) An unsprayed or unneutered dog older than twelve weeks 23
of age; 24

(2) Any dog that has been determined to be a dangerous dog 25
under Chapter 955. of the Revised Code. 26

(B) A person described in division (A) of this section 27
shall microchip for permanent identification any dog owned, 28
possessed by, or in the custody of the person. 29

(C) (1) Division (A) of this section does not apply to any 30
person who is confined in a correctional institution of the 31
department of rehabilitation and correction. 32

(2) Division (A) of this section does not apply to any 33
person with respect to any dog that the person owned, possessed, 34
had custody of, or resided in a residence with prior to ~~the~~ 35
~~effective date of this section~~ May 22, 2012. 36

Sec. 959.23. (A) As used in this section: 37

(1) "Animal abuse offense" means a violation of Chapter 38
959. or section 2921.321 of the Revised Code. 39

(2) "Companion animal" has the same meaning as in section 40
959.131 of the Revised Code. 41

(B) No person who is convicted of or pleads guilty to a 42
felony animal abuse offense committed on or after the effective 43
date of this section shall knowingly own, possess, have custody 44
of, or reside in a residence with any companion animal for a 45
period of three years commencing either upon the date of release 46
of the person from any period of incarceration imposed for the 47

offense or, if the person is not incarcerated for the offense, 48
upon the date that the person is convicted of or pleads guilty 49
to the offense. 50

Sec. 959.99. (A) Whoever violates section 959.18 or 959.19 51
of the Revised Code is guilty of a minor misdemeanor. 52

(B) Except as otherwise provided in this division, whoever 53
violates section 959.02 of the Revised Code is guilty of a 54
misdemeanor of the second degree. If the value of the animal 55
killed or the injury done amounts to three hundred dollars or 56
more, whoever violates section 959.02 of the Revised Code is 57
guilty of a misdemeanor of the first degree. 58

(C) Whoever violates section 959.01 of the Revised Code is 59
guilty of a misdemeanor of the second degree on a first offense 60
and a misdemeanor of the first degree on each subsequent 61
offense. 62

(D) Whoever violates section 959.03, 959.06, division (C) 63
of section 959.09, 959.12, or 959.17 or division (A) of section 64
959.15 of the Revised Code is guilty of a misdemeanor of the 65
fourth degree. 66

~~(D)~~ (E) Whoever violates division (A) of section 959.13 or 67
section 959.21 of the Revised Code is guilty of a misdemeanor of 68
the second degree. In addition, the court may order the offender 69
to forfeit the animal or livestock and may provide for its 70
disposition, including, but not limited to, the sale of the 71
animal or livestock. If an animal or livestock is forfeited and 72
sold pursuant to this division, the proceeds from the sale first 73
shall be applied to pay the expenses incurred with regard to the 74
care of the animal from the time it was taken from the custody 75
of the former owner. The balance of the proceeds from the sale, 76

if any, shall be paid to the former owner of the animal. 77

~~(E) (1) Whoever~~ (F) (1) (a) Except as provided in division 78
(F) (1) (b) of this section, whoever violates division (B) or (E) 79
of section 959.131 of the Revised Code is guilty of a 80
misdemeanor ~~felony~~ of the ~~first~~ fifth degree ~~on a first offense~~ 81
and the court shall impose as a mandatory prison term the 82
maximum prison term prescribed for a felony of the fifth degree. 83

(b) If the offender previously has pleaded guilty to or 84
been convicted of a violation of section 959.131 of the Revised 85
Code, a violation of division (B) or (E) of section 959.131 is a 86
a felony of the ~~fifth~~ third degree ~~on each subsequent offense~~ and 87
the court shall impose as a mandatory prison term the maximum 88
prison term prescribed for a felony of the third degree. 89

(2) Whoever violates division (C) or (F) of section 90
959.131 of the Revised Code is guilty of a felony of the ~~fifth~~ 91
~~third~~ degree and the court shall impose as a mandatory prison 92
term the maximum prison term prescribed for a felony of the 93
third degree. 94

~~(3) Whoever~~ (3) (a) Except as provided in division (F) (3) 95
(b) of this section, whoever violates ~~section 959.01 of the~~ 96
~~Revised Code~~ or division (D) of section 959.131 of the Revised 97
Code is guilty of a misdemeanor of the ~~second~~ first degree ~~on a~~ 98
~~first offense~~ and the court shall impose as a mandatory jail 99
term the maximum jail term prescribed for a misdemeanor of the 100
first degree. 101

(b) If the offender previously has pleaded guilty to or 102
been convicted of a violation of section 959.131 of the Revised 103
Code, a violation of division (D) of section 959.131 is a 104
~~misdemeanor~~ felony of the ~~first~~ fifth degree ~~on each subsequent~~ 105

offense and the court shall impose as a mandatory prison term the maximum prison term prescribed for a felony of the fifth degree. 106
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~~(4) Whoever violates division (F) of section 959.131 of the Revised Code is guilty of a felony of the fifth degree.~~ 108
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~~(5) Whoever~~ (4) (a) Except as provided in division (F) (4) (b) of this section, whoever violates division (G) of section 959.131 of the Revised Code is guilty of a misdemeanor felony of the first fifth degree and the court shall impose as a mandatory prison term the maximum prison term prescribed for a felony of the fifth degree. 110
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(b) If the offender previously has pleaded guilty to or been convicted of a violation of section 959.131 of the Revised Code, a violation of division (G) of section 959.131 of the Revised Code is a felony of the third degree and the court shall impose as a mandatory prison term the maximum prison term prescribed for a felony of the third degree. 116
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~~(6) (a)~~ (5) (a) A court may order a person who is convicted of or pleads guilty to a violation of section 959.131 of the Revised Code to forfeit to an impounding agency, as defined in section 959.132 of the Revised Code, any or all of the companion animals in that person's ownership or care. The court also may prohibit or place limitations on the person's ability to own or care for any companion animals for a specified or indefinite period of time. 122
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(b) A court may order a person who is convicted of or pleads guilty to a violation of division (A) of section 959.13 or section 959.131 of the Revised Code to reimburse an impounding agency for the reasonable and necessary costs incurred by the agency for the care of an animal or livestock 130
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that the agency impounded as a result of the investigation or 135
prosecution of the violation, provided that the costs were not 136
otherwise paid under section 959.132 of the Revised Code. 137

~~(7)~~(6) If a court has reason to believe that a person who 138
is convicted of or pleads guilty to a violation of section 139
959.131 or 959.21 of the Revised Code has a mental or emotional 140
disorder that contributed to the violation, the court may impose 141
as a community control sanction or as a condition of probation a 142
requirement that the offender undergo psychological evaluation 143
or counseling. The court shall order the offender to pay the 144
costs of the evaluation or counseling. 145

~~(F)~~(G) Whoever violates section 959.14 of the Revised Code 146
is guilty of a misdemeanor of the second degree on a first 147
offense and a misdemeanor of the first degree on each subsequent 148
offense. 149

~~(G)~~(H) Whoever violates section 959.05 or 959.20 of the 150
Revised Code is guilty of a misdemeanor of the first degree. 151

~~(H)~~(I) Whoever violates section 959.16 of the Revised Code 152
is guilty of a felony of the fourth degree for a first offense 153
and a felony of the third degree on each subsequent offense. 154

~~(I)~~(J) Whoever violates division (B) or (C) of section 155
959.15 of the Revised Code is guilty of a felony and shall be 156
fined not more than ten thousand dollars. 157

Section 2. That existing sections 955.54 and 959.99 of the 158
Revised Code are hereby repealed. 159

Section 3. Section 959.99 of the Revised Code is presented 160
in this act as a composite of the section as amended by both 161
H.B. 281 and S.B. 164 of the 134th General Assembly. The General 162
Assembly, applying the principle stated in division (B) of 163

section 1.52 of the Revised Code that amendments are to be	164
harmonized if reasonably capable of simultaneous operation,	165
finds that the composite is the resulting version of the section	166
in effect prior to the effective date of the section as	167
presented in this act.	168