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Senate Bill 164
Sponsor Testimony
House Agriculture and Conservation Committee
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Chairman Koehler, Vice Chair Creech, Ranking Member Brent and members of the House Agriculture and Conservation Committee, thank you for the opportunity to provide sponsor testimony on Senate Bill 164, legislation that will better protect companion animals from acts of cruelty and will prohibit the destruction of domestic animals by the use of a gas chamber.

A companion animal is a cat, dog or any other animal kept inside a residential dwelling (not including livestock or wild animals). The legislature has made a number of advancements legislatively for the health and safety of companion animals and Senate Bill 164 is the next step to strengthen efforts made in Goddard's Law. Protecting animals from the most egregious acts of cruelty is not only beneficial to our pets, but it also helps protect society as acts of cruelty against animals is often a gateway to serious crimes committed against people.

Senate Bill 164 standardizes the companion animal cruelty law to subject both nonregistered and registered animal rescues to the same penalty for violations.

I will point out that acts currently classified as fifth degree felonies under "Goddard's Law" and also pursuant to SB 164 are not classified as a higher degree of crime than similar crimes committed against people.

Senate Bill 164 modernizes domestic animal euthanasia techniques by banning the cruel and antiquated use of gas chambers to euthanize domestic animals unless there is a shortage of approved lethal injection substances.

The bill replaces the fifth-degree felony for *knowingly* depriving a companion animal of sufficient food and water, causing the proximate death of the animal, with a first-offense, first-degree misdemeanor offense for *recklessly* failing to provide a companion animal with sufficient food and water. This lowers the prosecutorial burden from "knowing" conduct and proximate death. A second violation of this section is a fifth-degree felony.

The bill classifies the remaining egregious fifth-degree felony offenses of knowingly causing serious physical harm to a companion animal as "*violent offenses*." Such classification removes the existing presumption against incarceration for violations of these offenses, allowing judges to

have discretion in sentencing. This classification also makes the conviction non-expungable, meaning it remains on the offender's criminal record for life, consistent with other similarly categorized offenses, such as domestic violence. Keeping these most egregious offenses on the offender's criminal record recognizes the link between animal cruelty and future crimes committed against humans and helps to identify these offenders and prevent escalation.

After hearing some of the concerns that were initially raised in the committee process and from interested parties, we have spent the past year and a half working to revamp the language and reach agreement. There was no opponent testimony on the version of the bill that is before you today and it passed out of the Senate unanimously.

People who commit heinous acts against animals should be given more than a slap on the wrist. Senate Bill 164 will give prosecutors the tools to better treat these crimes as serious offenses and ultimately protect our animals and our families in Ohio.

Thank you again for the opportunity to provide sponsor testimony. I would be happy to answer any questions the committee may have.