

**As Introduced**

**131st General Assembly  
Regular Session  
2015-2016**

**H. B. No. 526**

**Representative Bishoff**

**Cosponsors: Representatives Antonio, Becker, O'Brien, S., Smith, K., Slesnick**

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**A BILL**

To amend section 959.04 of the Revised Code to 1  
prohibit a person from killing or injuring a cat 2  
or dog that is trespassing on the person's 3  
property. 4

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

**Section 1.** That section 959.04 of the Revised Code be 5  
amended to read as follows: 6

**Sec. 959.04.** Sections (A) Except as provided in division 7  
(C) of this section, sections 959.02 and 959.03 of the Revised 8  
Code do not extend apply to a person killing or injuring an 9  
animal or attempting to do so while endeavoring the person is 10  
doing either of the following: 11

(1) Attempting to prevent it the animal from trespassing 12  
upon his the person's enclosure, or while it is so trespassing, 13  
or while driving it; 14

(2) Driving the animal away from his the person's 15  
premises; provided within while the animal is trespassing. 16

(B) If a person kills or injures an animal in accordance 17

with division (A) of this section, the person shall, within 18  
fifteen days thereafter after the killing or injuring, payment 19  
is made pay for the resulting damages done to such the animal by 20  
such killing or injuring, less the actual amount of damage done 21  
by such the animal while ~~so~~ trespassing, or deposit a sufficient 22  
sum of money ~~is deposited~~ with the nearest judge of a county 23  
court or judge of a municipal court having jurisdiction within 24  
such time to cover ~~such the~~ damages. ~~Such~~ The deposit shall 25  
remain in the custody of ~~such the~~ judge until there is a 26  
determination of the damages resulting from ~~such the~~ killing or 27  
injury ~~and from such trespass.~~ ~~Such~~ The judge and ~~his bondsmen~~  
the judge's bondspersons shall be responsible for the 28  
safekeeping of ~~such the~~ money and for the payment thereof as for 29  
money collected upon a judgment. 30  
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(C) Division (A) of this section does not apply to a 32  
person who kills or injures a cat or dog. 33

**Section 2.** That existing section 959.04 of the Revised 34  
Code is hereby repealed. 35