

## **As Passed by the Senate**

**133rd General Assembly**

**Regular Session**

**Am. Sub. H. B. No. 24**

**2019-2020**

**Representatives Hambley, Kick**

**Cosponsors: Representatives Butler, Wiggam, Perales, O'Brien, Lipps, Koehler, Smith, T., Manning, D., Abrams, Brown, Callender, Carfagna, Carruthers, Crossman, Dean, Denson, Galonski, Ghanbari, Ginter, Green, Greenspan, Grendell, Hillyer, Holmes, A., Jones, LaRe, Leland, Lepore-Hagan, Lightbody, Liston, Patton, Plummer, Reineke, Roemer, Rogers, Seitz, Stein, Upchurch**

**Senators Huffman, S., Antonio, Blessing, Brenner, Burke, Coley, Craig, Eklund, Gavarone, Hackett, Hoagland, Huffman, M., Johnson, Kunze, Lehner, McColley, Obhof, O'Brien, Peterson, Roegner, Rulli, Sykes, Thomas, Wilson**

## **A BILL**

To amend sections 109.73, 935.19, 935.20, 955.16,	1
959.131, 959.132, 959.15, 959.21, 959.99,	2
1717.01, 1717.02, 1717.05, 1717.06, 1717.07,	3
1717.08, 1717.09, 1717.10, 2151.421, 2921.02,	4
2931.18, 4729.01, 4729.531, 4729.532, 4729.54,	5
4729.55, 5101.63, and 5147.22; to enact sections	6
955.151, 959.134, 1717.061, 1717.062, 1717.16,	7
1717.17, 1717.18, 4729.533, 4729.534, 4729.535,	8
4729.542, 4729.991, and 4741.201; and to repeal	9
sections 1717.03, 1717.04, 1717.14, and 3113.10	10
of the Revised Code to make changes to humane	11
society law, to make humane society agents	12
subject to bribery law, to establish procedures	13
for the seizure and impoundment of certain	14
animals and livestock, to make changes to animal	15
euthanasia and animal seizure laws, and to re-	16
enact provisions of law governing animal	17
fighting and bestiality.	18

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

<b>Section 1.</b> That sections 109.73, 935.19, 935.20, 955.16,	19
959.131, 959.132, 959.15, 959.21, 959.99, 1717.01, 1717.02,	20
1717.05, 1717.06, 1717.07, 1717.08, 1717.09, 1717.10, 2151.421,	21
2921.02, 2931.18, 4729.01, 4729.531, 4729.532, 4729.54, 4729.55,	22
5101.63, and 5147.22 be amended and sections 955.151, 959.134,	23
1717.061, 1717.062, 1717.16, 1717.17, 1717.18, 4729.533,	24
4729.534, 4729.535, 4729.542, 4729.991, and 4741.201 of the	25
Revised Code be enacted to read as follows:	26
<b>Sec. 109.73.</b> (A) The Ohio peace officer training	27
commission shall recommend rules to the attorney general with	28
respect to all of the following:	29
(1) The approval, or revocation of approval, of peace	30
officer training schools administered by the state, counties,	31
municipal corporations, public school districts, technical	32
college districts, and the department of natural resources;	33
(2) Minimum courses of study, attendance requirements, and	34
equipment and facilities to be required at approved state,	35
county, municipal, and department of natural resources peace	36
officer training schools;	37
(3) Minimum qualifications for instructors at approved	38
state, county, municipal, and department of natural resources	39
peace officer training schools;	40
(4) The requirements of minimum basic training that peace	41
officers appointed to probationary terms shall complete before	42
being eligible for permanent appointment, which requirements	43
shall include training in the handling of the offense of	44

domestic violence, other types of domestic violence-related offenses and incidents, and protection orders and consent agreements issued or approved under section 2919.26 or 3113.31 of the Revised Code; crisis intervention training; and training in the handling of missing children and child abuse and neglect cases; and training in handling violations of section 2905.32 of the Revised Code; and the time within which such basic training shall be completed following appointment to a probationary term;	45 46 47 48 49 50 51 52
(5) The requirements of minimum basic training that peace officers not appointed for probationary terms but appointed on other than a permanent basis shall complete in order to be eligible for continued employment or permanent appointment, which requirements shall include training in the handling of the offense of domestic violence, other types of domestic violence-related offenses and incidents, and protection orders and consent agreements issued or approved under section 2919.26 or 3113.31 of the Revised Code, crisis intervention training, and training in the handling of missing children and child abuse and neglect cases, and training in handling violations of section 2905.32 of the Revised Code, and the time within which such basic training shall be completed following appointment on other than a permanent basis;	53 54 55 56 57 58 59 60 61 62 63 64 65 66
(6) Categories or classifications of advanced in-service training programs for peace officers, including programs in the handling of the offense of domestic violence, other types of domestic violence-related offenses and incidents, and protection orders and consent agreements issued or approved under section 2919.26 or 3113.31 of the Revised Code, in crisis intervention, and in the handling of missing children and child abuse and neglect cases, and in handling violations of section 2905.32 of the Revised Code, and minimum courses of study and attendance	67 68 69 70 71 72 73 74 75

requirements with respect to such categories or classifications;	76
(7) Permitting persons, who are employed as members of a campus police department appointed under section 1713.50 of the Revised Code; who are employed as police officers by a qualified nonprofit corporation police department pursuant to section 1702.80 of the Revised Code; who are appointed and commissioned as bank, savings and loan association, savings bank, credit union, or association of banks, savings and loan associations, savings banks, or credit unions police officers, as railroad police officers, or as hospital police officers pursuant to sections 4973.17 to 4973.22 of the Revised Code; or who are appointed and commissioned as amusement park police officers pursuant to section 4973.17 of the Revised Code, to attend approved peace officer training schools, including the Ohio peace officer training academy, and to receive certificates of satisfactory completion of basic training programs, if the private college or university that established the campus police department; qualified nonprofit corporation police department; bank, savings and loan association, savings bank, credit union, or association of banks, savings and loan associations, savings banks, or credit unions; railroad company; hospital; or amusement park sponsoring the police officers pays the entire cost of the training and certification and if trainee vacancies are available;	77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99
(8) Permitting undercover drug agents to attend approved peace officer training schools, other than the Ohio peace officer training academy, and to receive certificates of satisfactory completion of basic training programs, if, for each undercover drug agent, the county, township, or municipal corporation that employs that undercover drug agent pays the entire cost of the training and certification;	100 101 102 103 104 105 106

- (9) (a) The requirements for basic training programs for bailiffs and deputy bailiffs of courts of record of this state and for criminal investigators employed by the state public defender that those persons shall complete before they may carry a firearm while on duty; 107  
108  
109  
110  
111
- (b) The requirements for any training received by a bailiff or deputy bailiff of a court of record of this state or by a criminal investigator employed by the state public defender prior to June 6, 1986, that is to be considered equivalent to the training described in division (A) (9) (a) of this section. 112  
113  
114  
115  
116
- (10) Establishing minimum qualifications and requirements for certification for dogs utilized by law enforcement agencies; 117  
118
- (11) Establishing minimum requirements for certification of persons who are employed as correction officers in a full-service jail, five-day facility, or eight-hour holding facility or who provide correction services in such a jail or facility; 119  
120  
121  
122
- (12) Establishing requirements for the training of humane society agents of a county humane society under section ~~1717.06~~ 1717.061 of the Revised Code, including, without limitation, a requirement that the agents receive instruction on traditional animal husbandry methods and training techniques, including customary owner-performed practices; 123  
124  
125  
126  
127  
128
- (13) Permitting tactical medical professionals to attend approved peace officer training schools, including the Ohio peace officer training academy, to receive training of the type described in division (A) (14) of this section and to receive certificates of satisfactory completion of training programs described in that division; 129  
130  
131  
132  
133  
134
- (14) The requirements for training programs that tactical 135

medical professionals shall complete to qualify them to carry 136  
firearms while on duty under section 109.771 of the Revised 137  
Code, which requirements shall include at least the firearms 138  
training specified in division (A) of section 109.748 of the 139  
Revised Code. 140

(B) The commission shall appoint an executive director, 141  
with the approval of the attorney general, who shall hold office 142  
during the pleasure of the commission. The executive director 143  
shall perform such duties assigned by the commission. The 144  
executive director shall receive a salary fixed pursuant to 145  
Chapter 124. of the Revised Code and reimbursement for expenses 146  
within the amounts available by appropriation. The executive 147  
director may appoint officers, employees, agents, and 148  
consultants as the executive director considers necessary, 149  
prescribe their duties, and provide for reimbursement of their 150  
expenses within the amounts available for reimbursement by 151  
appropriation and with the approval of the commission. 152

(C) The commission may do all of the following: 153

(1) Recommend studies, surveys, and reports to be made by 154  
the executive director regarding the carrying out of the 155  
objectives and purposes of sections 109.71 to 109.77 of the 156  
Revised Code; 157

(2) Visit and inspect any peace officer training school 158  
that has been approved by the executive director or for which 159  
application for approval has been made; 160

(3) Make recommendations, from time to time, to the 161  
executive director, the attorney general, and the general 162  
assembly regarding the carrying out of the purposes of sections 163  
109.71 to 109.77 of the Revised Code; 164

(4) Report to the attorney general from time to time, and to the governor and the general assembly at least annually, concerning the activities of the commission;	165 166 167
(5) Establish fees for the services the commission offers under sections 109.71 to 109.79 of the Revised Code, including, but not limited to, fees for training, certification, and testing;	168 169 170 171
(6) Perform such other acts as are necessary or appropriate to carry out the powers and duties of the commission as set forth in sections 109.71 to 109.77 of the Revised Code.	172 173 174
(D) In establishing the requirements, under division (A) (12) of this section, the commission may consider any portions of the curriculum for instruction on the topic of animal husbandry practices, if any, of the Ohio state university college of veterinary medicine. No person or entity that fails to provide instruction on traditional animal husbandry methods and training techniques, including customary owner-performed practices, shall qualify to train a humane <u>society</u> agent for appointment under section 1717.06 of the Revised Code.	175 176 177 178 179 180 181 182 183
<b>Sec. 935.19.</b> (A) (1) The director of agriculture or the director's designee may enter at all reasonable times any premises at which a dangerous wild animal or restricted snake is confined, with the consent of the owner of the premises, for the purpose of determining compliance with this chapter and rules.	184 185 186 187 188
(2) If the director or the director's designee is denied access to any such premises, and if the director reasonably suspects that the person who possesses the dangerous wild animal or restricted snake is not in compliance with this chapter or rules, the director may apply to a court of competent	189 190 191 192 193

jurisdiction in the county in which the premises is located for  
a search warrant authorizing access to the premises for the  
purposes of this section. 194  
195  
196

(3) The court shall issue the search warrant for the  
purposes requested if there is probable cause to believe that  
the person is not in compliance with this chapter or rules. The  
finding of probable cause may be based on hearsay, provided that  
there is a substantial basis for believing that the source of  
the hearsay is credible and that there is a factual basis for  
the information furnished. 197  
198  
199  
200  
201  
202  
203

(B) The director may designate any of the following to  
conduct inspections under this section: 204  
205

(1) Employees of the department of agriculture; 206  
  
(2) Natural resources law enforcement officers with the  
consent of the director of natural resources; 207  
208

(3) Employees of the department of health with the consent  
of the director of health; 209  
210

(4) Employees of a board of health with the consent of the  
board; 211  
212

(5) ~~Agents of a humane~~ Humane society agents appointed  
under section 1717.06 of the Revised Code with the consent of  
the humane society. 213  
214  
215

(C) If a person designated under division (B) of this  
section determines, while conducting an inspection, that a  
violation of this chapter or rules has occurred, is occurring,  
or may occur, the person shall immediately notify the director  
of agriculture. The director may proceed as provided in section  
935.24 of the Revised Code. 216  
217  
218  
219  
220  
221

<b>Sec. 935.20.</b> (A) On and after January 1, 2014, the director of agriculture immediately shall cause an investigation to be conducted if the director has reason to believe that one of the following may be occurring:	222 223 224 225
(1) A dangerous wild animal is possessed by a person who has not been issued a wildlife shelter permit, wildlife propagation permit, or rescue facility permit under this chapter.	226 227 228 229
(2) A restricted snake is possessed by a person that has not been issued a restricted snake possession permit or restricted snake propagation permit under this chapter.	230 231 232
(3) A dangerous wild animal or restricted snake is being treated or kept in a manner that is in violation of this chapter or rules.	233 234 235
For purposes of the investigation, the director or the director's designee may order the animal or snake that is the subject of the notification to be quarantined or may order the transfer of the animal or snake to a facility that is on the list maintained by the director under this section. If the director's designee orders the animal or snake to be quarantined or transferred, the designee shall provide a copy of the order to the director.	236 237 238 239 240 241 242 243
(B) The director shall attempt to notify the person owning or possessing an animal or snake that has been ordered to be quarantined or transferred under division (A) of this section. The notice shall be delivered in person or by certified mail. The director also may post a copy of a quarantine order at two conspicuous locations on the premises where the animal or snake is quarantined. The director shall maintain a copy of an order	244 245 246 247 248 249 250

issued under this section and evidence that the director  
attempted to notify the person owning or possessing the animal  
or snake. 251  
252  
253

(C) A quarantine or transfer order issued under this  
section shall contain all of the following: 254  
255

(1) The name and address of the person owning or  
possessing the animal or snake, if known; 256  
257

(2) A description of the quarantined or transferred animal  
or snake; 258  
259

(3) A description of the premises affected by the  
quarantine or transfer; 260  
261

(4) The reason for the quarantine or transfer; 262

(5) Any terms and conditions of the quarantine or  
transfer; 263  
264

(6) A notice that a person adversely affected by the order  
may request a hearing to review the order. 265  
266

(D) A person that is adversely affected by a quarantine or  
transfer order pertaining to a dangerous wild animal or  
restricted snake owned or possessed by the person, within thirty  
days after the order is issued, may request in writing an  
adjudication in accordance with Chapter 119. of the Revised  
Code. A request for an adjudication does not stay a quarantine  
or transfer order. 267  
268  
269  
270  
271  
272  
273

(E) The owner of or person possessing a dangerous wild  
animal or restricted snake that was quarantined or transferred  
under division (A) of this section shall be responsible for all  
reasonable costs associated with the quarantine or transfer,  
including the costs of transportation, housing, food, and 274  
275  
276  
277  
278

veterinary care for the animal or snake. If such an owner or  
person is unable to pay for the reasonable costs, the director  
shall certify the costs to the county auditor to be assessed  
against any property of the owner or person and thereby made a  
lien upon it and collected as other taxes. All money from the  
collection of liens under this division shall be credited in  
accordance with division (J) of this section.

(F) If the state veterinarian determines that a dangerous  
wild animal or restricted snake that was quarantined or  
transferred under division (A) of this section is infected with  
or exposed to a dangerously contagious or infectious disease or  
is seriously injured, the state veterinarian shall so notify the  
director. The director may order the animal or snake to be  
humanely euthanized by a veterinarian if the state veterinarian  
has indicated that euthanization is medically necessary.

(G) A quarantine or transfer order issued under this  
section shall remain in effect until one of the following  
occurs:

(1) The director, after reviewing the results of the  
investigation conducted under division (A) of this section,  
issues a written notice of release.

(2) A court of competent jurisdiction orders the  
quarantine or transfer order to be terminated in a proceeding  
conducted under division (H) of this section.

(3) A court of competent jurisdiction orders the seizure  
of the dangerous wild animal or restricted snake in a proceeding  
conducted under division (H) of this section.

(H) If, after reviewing the results of an investigation  
concerning a dangerous wild animal or restricted snake conducted

under division (A) of this section and after resolution of any 308  
proceeding conducted under division (D) of this section, the 309  
director determines that a circumstance described in division 310  
(A) (1), (2), or (3) of this section is or was occurring, the 311  
director shall initiate, in a court of competent jurisdiction, a 312  
proceeding for the permanent seizure of the animal or snake, as 313  
applicable. If the court affirms the director's determination 314  
that a circumstance described in division (A) (1), (2), or (3) of 315  
this section is or was occurring, the court shall order the 316  
animal or snake seized and shall order the method of disposition 317  
of the animal or snake. The court may order the person owning or 318  
possessing the animal or snake to pay all reasonable costs 319  
associated with the seizure and, if applicable, the costs 320  
associated with the quarantine or transfer of the animal or 321  
snake, including the costs of transportation, housing, food, and 322  
veterinary care of the animal or snake. If the court does not 323  
affirm the director's determination, the court shall order the 324  
quarantine or transfer order to be terminated and the animal or 325  
snake to be returned to the person owning or possessing it, if 326  
applicable. 327

(I) The director may authorize any of the following to 328  
conduct an investigation and order the quarantine or transfer of 329  
a dangerous wild animal or restricted snake under division (A) 330  
of this section: 331

- (1) Employees of the department of agriculture; 332
- (2) Natural resources law enforcement officers with the 333  
consent of the director of natural resources; 334
- (3) Employees of the department of health with the consent 335  
of the director of health; 336

(4) Employees of a board of health with the consent of the board;	337 338
(5) <del>Agents of a humane</del> <u>Humane</u> society <u>agents</u> appointed under section 1717.06 of the Revised Code with the consent of the humane society;	339 340 341
(6) Law enforcement officers with the consent of the sheriff of the county or the chief law enforcement officer of the township or municipal corporation, as applicable, by whom the law enforcement officers are employed;	342 343 344 345
(7) Law enforcement officers who are state highway patrol troopers with the consent of the superintendent of the state highway patrol.	346 347 348
(J) Money collected for reimbursement of costs associated with the quarantine or transfer of dangerous wild animals and restricted snakes under this section shall be credited to one of the following funds, as applicable:	349 350 351 352
(1) If the animal or snake was quarantined or transferred by an employee of the department of agriculture or the department of health, a natural resources law enforcement officer, or a law enforcement officer who is a state highway patrol trooper, the dangerous and restricted animal fund created in section 935.25 of the Revised Code;	353 354 355 356 357 358
(2) If the animal or snake was quarantined or transferred by an employee of a board of health, a special fund, which is hereby created in each health district, that shall be used exclusively for the administration and enforcement of this chapter and rules;	359 360 361 362 363
(3) If the animal or snake was quarantined or transferred by <del>an agent of a humane society</del> <u>agent</u> , a special fund, which is	364 365

hereby created in each county that has a humane society, that 366  
shall be used exclusively for the administration and enforcement 367  
of this chapter and rules; 368

(4) If the animal or snake was quarantined or transferred 369  
by a law enforcement officer who is not a state highway patrol 370  
trooper, the special fund that is created in the political 371  
subdivision that employs the law enforcement officer in division 372  
(D) of section 935.16 of the Revised Code. 373

(K) The director shall maintain a list of facilities 374  
inside and outside the state that the director determines are 375  
eligible to accept dangerous wild animals and restricted snakes 376  
for the purposes of this section. 377

**Sec. 955.151. (A) As used in this section:** 378

"Animal shelter" has the same meaning as in section 379  
4729.01 of the Revised Code. 380

"Certified officer" means an individual who meets the 381  
requirements established under section 4729.534 of the Revised 382  
Code. 383

"Chemical capture" means using an anesthetic drug or 384  
sedative on a companion animal to do any of the following: 385

(1) Immobilize and capture; 386

(2) Attempt to immobilize and capture; 387

(3) Attempt to immobilize or capture. 388

"Companion animal" has the same meaning as in section 389  
959.131 of the Revised Code. 390

(B) A certified officer appointed or employed by an animal 391  
shelter or county dog warden that holds a chemical capture 392

classification granted under section 4729.533 of the Revised 393  
Code may, in accordance with that section and rules adopted 394  
under it, chemically capture a companion animal to limit injury 395  
to the officer, the animal or another animal, or the public. 396

**Sec. 955.16.** (A) Dogs that have been seized by the county 397  
dog warden and impounded shall be kept, housed, and fed for 398  
three days for the purpose of redemption, as provided by section 399  
955.18 of the Revised Code, unless any of the following applies: 400

(1) Immediate humane destruction of the dog is necessary 401  
because of obvious disease or injury. If the diseased or injured 402  
dog is registered, as determined from the current year's 403  
registration list maintained by the warden and the county 404  
auditor of the county where the dog is registered, the necessity 405  
of destroying the dog shall be certified by a licensed 406  
veterinarian or a registered veterinary technician. If the dog 407  
is not registered, the decision to destroy it shall be made by 408  
the warden. 409

(2) The dog is currently registered on the registration 410  
list maintained by the warden and the auditor of the county 411  
where the dog is registered and the attempts to notify the 412  
owner, keeper, or harborer under section 955.12 of the Revised 413  
Code have failed, in which case the dog shall be kept, housed, 414  
and fed for fourteen days for the purpose of redemption. 415

(3) The warden has contacted the owner, keeper, or 416  
harborer under section 955.12 of the Revised Code, and the 417  
owner, keeper, or harborer has requested that the dog remain in 418  
the pound or animal shelter until the owner, harborer, or keeper 419  
redeems the dog. The time for such redemption shall be not more 420  
than forty-eight hours following the end of the appropriate 421  
redemption period. 422

At any time after such periods of redemption, any dog not  
redeemed shall be donated to any nonprofit special agency that  
is engaged in the training of any type of assistance dogs and  
that requests that the dog be donated to it. Any dog not  
redeemed that is not requested by such an agency may be sold,  
except that no dog sold to a person other than a nonprofit  
teaching or research institution or organization of the type  
described in division (B) of this section Any dog not so  
redeemed may be adopted out or donated to any person, including  
a nonprofit special agency that is engaged in the training of  
any type of assistance dogs or to a nonprofit teaching or  
research institution or organization that is certified by the  
director of health as being engaged in teaching or research  
concerning the prevention and treatment of diseases of human  
beings or animals. The county dog warden may charge an adoption  
fee for any dog that is adopted. Except as provided in division  
(B) of this section, no dog shall be discharged from the pound  
or animal shelter until the animal has been registered and  
furnished with a valid registration tag.

(B) Any dog that is not redeemed within the applicable  
period as specified in this section or section 955.12 of the  
Revised Code from the time notice is mailed to its owner,  
keeper, or harborer or is posted at the pound or animal shelter,  
as required by section 955.12 of the Revised Code, and that is  
not required to be donated to a nonprofit special agency engaged  
in the training of any type of assistance dogs may, upon payment  
to the dog warden or poundkeeper of the sum of three dollars, be  
sold to any nonprofit Ohio institution or organization that is  
certified by the director of health as being engaged in teaching  
or research concerning the prevention and treatment of diseases  
of human beings or animals. Any dog that is donated to a

423  
424  
425  
426  
427  
428  
429  
430  
431  
432  
433  
434  
435  
436  
437  
438  
439  
440  
441  
442  
443  
444  
445  
446  
447  
448  
449  
450  
451  
452  
453

nonprofit special agency engaged in the training of any type of assistance dogs in accordance with division (A) of this section and any dog that is sold to any nonprofit teaching or research institution or organization shall be discharged from the pound or animal shelter without registration and may be kept by the agency or by the institution or organization without registration so long as the dog is being trained, or is being used for teaching and research purposes. 454  
455  
456  
457  
458  
459  
460  
461

Any institution or organization certified by the director that obtains dogs for teaching and research purposes pursuant to this section shall, at all reasonable times, make the dogs available for inspection by ~~agents of the Ohio humane society, appointed pursuant to section 1717.04 of the Revised Code, and agents of county humane societies~~society agents, appointed pursuant to section 1717.06 of the Revised Code, in order that the agents may prevent the perpetration of any act of cruelty, as defined in section 1717.01 of the Revised Code, to the dogs. 462  
463  
464  
465  
466  
467  
468  
469  
470

(C) Any dog that the dog warden or poundkeeper is unable to dispose of, in the manner provided by this section and section 955.18 of the Revised Code, may be humanely destroyed, except that no dog shall be destroyed until twenty-four hours after it has been offered to a nonprofit teaching or research institution or organization, as provided in this section, that has made a request for dogs to the dog warden or poundkeeper. 471  
472  
473  
474  
475  
476  
477

(D) An owner of a dog that is wearing a valid registration tag who presents the dog to the dog warden or poundkeeper may specify in writing that the dog shall not be offered to a nonprofit teaching or research institution or organization, as provided in this section. 478  
479  
480  
481  
482

(E) A record of all dogs impounded, the disposition of the 483

same, the owner's name and address, if known, and a statement of costs assessed against the dogs shall be kept by the poundkeeper, and the poundkeeper shall furnish a transcript thereof to the county treasurer quarterly.	484 485 486 487
A record of all dogs received and the source that supplied them shall be kept, for a period of three years from the date of acquiring the dogs, by all institutions or organizations engaged in teaching or research concerning the prevention and treatment of diseases of human beings or animals.	488 489 490 491 492
(F) No person shall destroy any dog by the use of a high altitude decompression chamber or by any method other than a method that immediately and painlessly renders the dog initially unconscious and subsequently dead.	493 494 495 496
<b>Sec. 959.131.</b> (A) As used in this section:	497
(1) "Companion animal" means any animal that is kept inside a residential dwelling and any dog or cat regardless of where it is kept, including a pet store as defined in section 956.01 of the Revised Code. "Companion animal" does not include livestock or any wild animal.	498 499 500 501 502
(2) "Cruelty," "torment," and "torture" have the same meanings as in section 1717.01 of the Revised Code.	503 504
(3) "Residential dwelling" means a structure or shelter or the portion of a structure or shelter that is used by one or more humans for the purpose of a habitation.	505 506 507
(4) "Practice of veterinary medicine" has the same meaning as in section 4741.01 of the Revised Code.	508 509
(5) "Wild animal" has the same meaning as in section 1531.01 of the Revised Code.	510 511

(6) "Federal animal welfare act" means the "Laboratory Animal Act of 1966," Pub. L. No. 89-544, 80 Stat. 350 (1966), 7 U.S.C.A. 2131 et seq., as amended by the "Animal Welfare Act of 1970," Pub. L. No. 91-579, 84 Stat. 1560 (1970), the "Animal Welfare Act Amendments of 1976," Pub. L. No. 94-279, 90 Stat. 417 (1976), and the "Food Security Act of 1985," Pub. L. No. 99-198, 99 Stat. 1354 (1985), and as it may be subsequently amended.	512 513 514 515 516 517 518 519
(7) "Dog kennel" means an animal rescue for dogs that is registered under section 956.06 of the Revised Code, a boarding kennel, or a training kennel.	520 521 522
(8) "Boarding kennel" has the same meaning as in section 956.01 of the Revised Code.	523 524
(9) "Training kennel" means an establishment operating for profit that keeps, houses, and maintains dogs for the purpose of training the dogs in return for a fee or other consideration.	525 526 527
(10) "Livestock" means horses, mules, and other equidae; cattle, sheep, goats, and other bovidae; swine and other suidae; poultry; alpacas; llamas; captive white-tailed deer; and any other animal that is raised or maintained domestically for food or fiber.	528 529 530 531 532
(11) "Captive white-tailed deer" has the same meaning as in section 1531.01 of the Revised Code.	533 534
(12) "Serious physical harm" means any of the following:	535
(a) Physical harm that carries an unnecessary or unjustifiable substantial risk of death;	536 537
(b) Physical harm that involves either partial or total permanent incapacity;	538 539

(c) Physical harm that involves acute pain of a duration	540
that results in substantial suffering or that involves any	541
degree of prolonged or intractable pain;	542
(d) Physical harm that results from a person who confines	543
or who is the custodian or caretaker of a companion animal	544
depriving the companion animal of good, wholesome food and water	545
that proximately causes the death of the companion animal.	546
(B) No person shall knowingly torture, torment, needlessly	547
mutilate or maim, cruelly beat, poison, needlessly kill, or	548
commit an act of cruelty against a companion animal.	549
(C) No person shall knowingly cause serious physical harm	550
to a companion animal.	551
(D) No person who confines or who is the custodian or	552
caretaker of a companion animal shall negligently do any of the	553
following:	554
(1) Torture, torment, or commit an act of cruelty against	555
the companion animal;	556
(2) Deprive the companion animal of necessary sustenance	557
or confine the companion animal without supplying it during the	558
confinement with sufficient quantities of good, wholesome food	559
and water if it can reasonably be expected that the companion	560
animal would become sick or suffer in any other way as a result	561
of or due to the deprivation or confinement;	562
(3) Impound or confine the companion animal without	563
affording it, during the impoundment or confinement, with access	564
to shelter from heat, cold, wind, rain, snow, or excessive	565
direct sunlight if it can reasonably be expected that the	566
companion animal would become sick or suffer in any other way as	567
a result of or due to the lack of adequate shelter.	568

(E) No owner, manager, or employee of a dog kennel who confines or is the custodian or caretaker of a companion animal shall knowingly do any of the following:	569 570 571
(1) Torture, torment, needlessly mutilate or maim, cruelly beat, poison, needlessly kill, or commit an act of cruelty against the companion animal;	572 573 574
(2) Deprive the companion animal of necessary sustenance or confine the companion animal without supplying it during the confinement with sufficient quantities of good, wholesome food and water if it is reasonably expected that the companion animal would die or experience unnecessary or unjustifiable pain or suffering as a result of the deprivation or confinement;	575 576 577 578 579 580
(3) Impound or confine the companion animal without affording it, during the impoundment or confinement, with access to shelter from heat, cold, wind, rain, snow, or excessive direct sunlight if it is reasonably expected that the companion animal would die or experience unnecessary or unjustifiable pain or suffering as a result of or due to the lack of adequate shelter.	581 582 583 584 585 586 587
(F) No owner, manager, or employee of a dog kennel who confines or is the custodian or caretaker of a companion animal shall negligently do any of the following:	588 589 590
(1) Torture, torment, or commit an act of cruelty against the companion animal;	591 592
(2) Deprive the companion animal of necessary sustenance or confine the companion animal without supplying it during the confinement with sufficient quantities of good, wholesome food and water if it can reasonably be expected that the companion animal would become sick or suffer in any other way as a result	593 594 595 596 597

of or due to the deprivation or confinement;	598
(3) Impound or confine the companion animal without affording it, during the impoundment or confinement, with access to shelter from heat, cold, wind, rain, snow, or excessive direct sunlight if it can reasonably be expected that the companion animal would become sick or suffer in any other way as a result of or due to the lack of adequate shelter.	599 600 601 602 603 604
(G) Divisions (B), (C), (D), (E), and (F) of this section do not apply to any of the following:	605 606
(1) A companion animal used in scientific research conducted by an institution in accordance with the federal animal welfare act and related regulations;	607 608 609
(2) The lawful practice of veterinary medicine by a person who has been issued a license, temporary permit, or registration certificate to do so under Chapter 4741. of the Revised Code;	610 611 612
(3) Dogs being used or intended for use for hunting or field trial purposes, provided that the dogs are being treated in accordance with usual and commonly accepted practices for the care of hunting dogs;	613 614 615 616
(4) The use of common training devices, if the companion animal is being treated in accordance with usual and commonly accepted practices for the training of animals;	617 618 619
(5) The administering of medicine to a companion animal that was properly prescribed by a person who has been issued a license, temporary permit, or registration certificate under Chapter 4741. of the Revised Code.	620 621 622 623
(H) Notwithstanding any section of the Revised Code that otherwise provides for the distribution of fine moneys, the	624 625

clerk of court shall forward all fines the clerk collects that  
are so imposed for any violation of this section to the  
treasurer of the political subdivision or the state, whose  
county humane society or law enforcement agency is to be paid  
the fine money as determined under this division. The treasurer  
to whom the fines are forwarded shall pay the fine moneys to the  
county humane society or the county, township, municipal  
corporation, or state law enforcement agency in this state that  
primarily was responsible for or involved in the investigation  
and prosecution of the violation. If a county humane society  
receives any fine moneys under this division, the county humane  
society shall use the fine moneys either to provide the training  
that is required for humane society agents under section ~~1717.06~~  
~~1717.061~~ of the Revised Code or to provide additional training  
for humane society agents.

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

(1)—"Companion animal" has the same meaning as in section  
959.131 of the Revised Code.

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

(3)—"Offense" means a violation of ~~section 959.131 Chapter~~  
~~959.~~ of the Revised Code or an attempt, in violation of section  
2923.02 of the Revised Code, to violate ~~section 959.131 Chapter~~  
~~959.~~ of the Revised Code.

(4)—"Officer" means any law enforcement officer, ~~agent of~~  
~~a county humane society agent~~, or other person appointed to act  
as an animal control officer for a municipal corporation or

township in accordance with state law, an ordinance, or a 655  
resolution. 656

(B) An officer may seize and cause to be impounded at an 657  
impounding agency ~~a companion~~an animal that the officer has 658  
probable cause to believe is the subject of an offense. No 659  
officer or impounding agency shall impound ~~a companion~~an animal 660  
that is the subject of an offense in a shelter owned, operated, 661  
or controlled by a board of county commissioners pursuant to 662  
Chapter 955. of the Revised Code unless the board, by 663  
resolution, authorizes the impoundment of such ~~a companion~~an 664  
animal in a shelter owned, operated, or controlled by that board 665  
and has executed, in the case when the officer is other than a 666  
dog warden or assistant dog warden, a contract specifying the 667  
terms and conditions of the impoundment. 668

(C) The officer shall give written notice of the seizure 669  
and impoundment to the owner, keeper, or harborer of the 670  
~~companion~~animal ~~that not later than twenty-four hours after the~~ 671  
animal was seized and impounded. If the officer is unable to 672  
give the notice to the owner, keeper, or harborer of the 673  
~~companion~~animal, the officer shall post the notice on the door 674  
of the residence or in another conspicuous place on the premises 675  
at which the ~~companion~~animal was seized. The notice shall 676  
include a statement that a hearing will be held not later than 677  
ten days after the notice is provided or at the next available 678  
court date to determine whether the officer had probable cause 679  
to seize the ~~companion~~animal and, if applicable, to determine 680  
the amount of a bond or cash deposit that is needed to provide 681  
for the ~~companion~~animal's care and keeping for not less than 682  
thirty days beginning on the date on which the ~~companion~~animal 683  
was impounded. 684

(D) ~~A companion~~ An animal that is seized under this  
section may be humanely destroyed immediately or at any time  
during impoundment if a licensed veterinarian determines it to  
be necessary because the ~~companion~~ animal is suffering. 685  
686  
687  
688

(E) (1) Not later than ten days after notice is provided or  
at the next available court date, the court shall hold a hearing  
to determine whether the officer impounding ~~a companion~~ an  
animal had probable cause to seize the ~~companion~~ animal. If the  
court determines that probable cause exists, the court shall  
determine the amount of a bond or cash deposit that is ~~needed~~  
necessary and reasonable to provide for the ~~companion~~ animal's  
care and keeping for not less than thirty days beginning on the  
date on which the ~~companion~~ animal was impounded. 689  
690  
691  
692  
693  
694  
695  
696  
697

(2) If the court determines that probable cause does not  
exist, the court immediately shall order the impounding agency  
to return the ~~companion~~ animal to its owner if possible. If the  
~~companion~~ animal cannot be returned because it has died as a  
result of neglect or other misconduct by the impounding agency  
or if the ~~companion~~ animal is injured as a result of neglect or  
other misconduct by the impounding agency, the court shall order  
the impounding agency to pay the owner an amount determined by  
the court to be equal to the reasonable market value of the  
~~companion~~ animal at the time that it was impounded plus  
statutory interest as defined in section 1343.03 of the Revised  
Code from the date of the impoundment or an amount determined by  
the court to be equal to the reasonable cost of treatment of the  
injury to the ~~companion~~ animal, as applicable. The requirement  
established in division (E) (2) of this section regarding the  
payment of the reasonable market value of the ~~companion~~ animal  
shall not apply in the case of a dog that, in violation of  
section 955.01 of the Revised Code, was not registered at the 698  
699  
700  
701  
702  
703  
704  
705  
706  
707  
708  
709  
710  
711  
712  
713  
714  
715

time it was seized and impounded.

716

(3) If the court determines that probable cause exists and  
determines the amount of a bond or cash deposit, the case shall  
continue and the owner shall post a bond or cash deposit to  
provide for the ~~companion~~-animal's care and keeping for not less  
than thirty days beginning on the date on which the ~~companion~~-  
animal was impounded. The owner may renew a bond or cash deposit  
by posting, not later than ten days following the expiration of  
the period for which a previous bond or cash deposit was posted,  
a new bond or cash deposit in an amount that the court, in  
consultation with the impounding agency, determines is  
sufficient-necessary and reasonable to provide for the ~~companion~~-  
animal's care and keeping for not less than thirty days  
beginning on the date on which the previous period expired. If  
no bond or cash deposit is posted or if a bond or cash deposit  
expires and is not renewed, the impounding agency may determine  
the disposition of the ~~companion~~-animal unless the court issues  
an order that specifies otherwise.

717

718

719

720

721

722

723

724

725

726

727

728

729

730

731

732

733

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

734

735

736

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

737

738

739

740

741

742

(2) An order permanently terminating the person's right to  
possession, title, custody, or care of the ~~companion~~-animal that  
was involved in the offense. If the court issues such an order,

743

744

745

the court shall order the disposition of the ~~companion~~-animal. 746

(G) If a person is found not guilty of committing an 747  
offense, the court immediately shall order the impounding agency 748  
to return the ~~companion~~-animal to its owner if possible and to 749  
return the entire amount of any bond or cash deposit posted 750  
under division (E) of this section. If the ~~companion~~-animal 751  
cannot be returned because it has died as a result of neglect or 752  
other misconduct by the impounding agency or if the ~~companion~~- 753  
animal is injured as a result of neglect or other misconduct by 754  
the impounding agency, the court shall order the impounding 755  
agency to pay the owner an amount determined by the court to be 756  
equal to the reasonable market value of the ~~companion~~-animal at 757  
the time that it was impounded plus statutory interest as 758  
defined in section 1343.03 of the Revised Code from the date of 759  
the impoundment or an amount determined by the court to be equal 760  
to the reasonable cost of treatment of the injury to the 761  
~~companion~~-animal, as applicable. The requirements established in 762  
this division regarding the return of a bond or cash deposit and 763  
the payment of the reasonable market value of the ~~companion~~- 764  
animal shall not apply in the case of a dog that, in violation 765  
of section 955.01 of the Revised Code, was not registered at the 766  
time it was seized and impounded. 767

(H) If charges are filed under section 959.131 of the 768  
Revised Code against the custodian or caretaker of a companion 769  
animal, but the companion animal that is the subject of the 770  
charges is not impounded, the court in which the charges are 771  
pending may order the owner or person having custody of the 772  
companion animal to provide to the companion animal the 773  
necessities described in division (D)(2), (D)(3), (E)(2), (E) 774  
(3), (F)(2), or (F)(3) of section 959.131 of the Revised Code 775  
until the final disposition of the charges. If the court issues 776

an order of that nature, the court also may authorize an officer  
or another person to visit the place where the companion animal  
is being kept, at the times and under the conditions that the  
court may set, to determine whether the companion animal is  
receiving those necessities and to remove and impound the  
companion animal if the companion animal is not receiving those  
necessities.

777  
778  
779  
780  
781  
782  
783

**Sec. 959.134.** (A) As used in this section:

784

(1) "Chemical capture" and "certified officer" have the  
same meanings as in section 955.151 of the Revised Code.

785  
786

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

787  
788

(B) Chemical capture of a companion animal by a certified  
officer in accordance with the laws of this state is not an act  
of cruelty.

789  
790  
791

**Sec. 959.15.** (A) No person shall knowingly do either of  
the following:

792  
793

(1) Engage do either of the following:

794

(1) Engage in cockfighting, bearbaiting, or pitting an  
animal against another;

795  
796

(2) Use  
(2) Use, train, or possess any animal for seizing,  
detaining, or maltreating a domestic animal.

797  
798

(B) No person shall knowingly do either of the following:

799

(1) Be employed at cockfighting, bearbaiting, or pitting  
an animal against another;

800  
801

(2) Do any of the following regarding an event involving  
cockfighting, bearbaiting, or pitting an animal against another.

802  
803

<del>(a) Wager money or anything else of value on the results of the event;</del>	804 805
<del>(b) Pay money or give anything else of value in exchange for admission to or being present at the event;</del>	806 807
<del>(c) Receive money or anything else of value in exchange for the admission of another person to the event or for another person to be present at the event;</del>	808 809 810
<del>(d) Use, possess, or permit or cause to be present at the event any device or substance intended to enhance an animal's ability to fight or to inflict injury on another animal;</del>	811 812 813
<del>(e) Permit or cause a minor to be present at the event if any person present at or involved with the event is conducting any of the activities described in division (B) (1) or (B) (2) (a), (b), (c), or (d) of this section.</del>	814 815 816 817
<del>(f) A person who knowingly witnesses cockfighting, bearbaiting, or an event in which one animal is pitted against another when a violation of division (B) of this section is occurring at the cockfighting, bearbaiting, or event is an aider and abettor and has committed a violation of this division. (B)</del> <u>No person shall knowingly do either of the following:</u>	818 819 820 821 822 823
<u>(1) Be employed at cockfighting, bearbaiting, or pitting an animal against another;</u>	824 825
<u>(2) Do any of the following regarding an event involving cockfighting, bearbaiting, or pitting an animal against another:</u>	826 827
<u>(a) Wager money or anything else of value on the results of the event;</u>	828 829
<u>(b) Pay money or give anything else of value in exchange for admission to or being present at the event;</u>	830 831

<u>(c) Receive money or anything else of value in exchange for the admission of another person to the event or for another person to be present at the event;</u>	832 833 834
<u>(d) Use, possess, or permit or cause to be present at the event any device or substance intended to enhance an animal's ability to fight or to inflict injury on another animal;</u>	835 836 837
<u>(e) Permit or cause a minor to be present at the event if any person present at or involved with the event is conducting any of the activities described in division (B) (1) or (B) (2) (a), (b), (c), or (d) of this section.</u>	838 839 840 841
<u>(C) A person who knowingly witnesses cockfighting, bearbaiting, or an event in which one animal is pitted against another when a violation of division (B) of this section is occurring at the cockfighting, bearbaiting, or event is an aider and abettor and has committed a violation of this division.</u>	842 843 844 845 846
<b>Sec. 959.21. (A) As used in this section:</b>	847
<u>(1) "Animal" means a nonhuman mammal, bird, reptile, or amphibian, either dead or alive.</u>	848 849
<u>(2) "Offense" means a violation of this section or an attempt, in violation of section 2923.02 of the Revised Code, to violate this section.</u>	850 851 852
<u>(3) "Officer" has the same meaning as in section 959.132 of the Revised Code.</u>	853 854
<u>(4) "Sexual conduct" means either of the following committed for the purpose of sexual gratification:</u>	855 856
<u>(a) Any act done between a person and animal that involves contact of the penis of one and the vulva of the other, the penis of one and the penis of the other, the penis of one and</u>	857 858 859

the anus of the other, the mouth of one and the penis of the  
other, the mouth of one and the anus of the other, the vulva of  
one and the vulva of the other, the mouth of one and the vulva  
of the other, any other contact between a reproductive organ of  
one and a reproductive organ of the other, or any other  
insertion of a reproductive organ of one into an orifice of the  
other;

(b) Without a bona fide veterinary or animal husbandry  
purpose to do so, the insertion, however slight, of any part of  
a person's body or any instrument, apparatus, or other object  
into the vaginal, anal, or reproductive opening of an animal.

(B) No person shall knowingly engage in sexual conduct  
with an animal or knowingly possess, sell, or purchase an animal  
with the intent that it be subjected to sexual conduct.

(C) No person shall knowingly organize, promote, aid, or  
abet in the conduct of an act involving any sexual conduct with  
an animal.

(D) An officer may seize and cause to be impounded at an  
impounding agency an animal that the officer has probable cause  
to believe is the subject of an offense. With respect to an  
animal so seized and impounded, all procedures and requirements  
that are established in section 959.132 of the Revised Code, and  
all other provisions of that section, apply to the seizure,  
impoundment, and disposition of the animal. References in  
section 959.132 of the Revised Code to "section 959.131 of the  
Revised Code," "companion animal," and "offense" shall be  
construed, respectively, as being references to "section 959.21  
of the Revised Code" and to "animal" and "offense" as defined in  
this section, for purposes of application under this section  
only. (A) As used in this section:

<u>(1) "Animal" means a nonhuman mammal, bird, reptile, or amphibian, either dead or alive.</u>	890 891
<u>(2) "Offense" means a violation of this section or an attempt, in violation of section 2923.02 of the Revised Code, to violate this section.</u>	892 893 894
<u>(3) "Officer" has the same meaning as in section 959.132 of the Revised Code.</u>	895 896
<u>(4) "Sexual conduct" means either of the following committed for the purpose of sexual gratification:</u>	897 898
<u>(a) Any act done between a person and animal that involves contact of the penis of one and the vulva of the other, the penis of one and the penis of the other, the penis of one and the anus of the other, the mouth of one and the penis of the other, the mouth of one and the anus of the other, the vulva of one and the vulva of the other, the mouth of one and the vulva of the other, any other contact between a reproductive organ of one and a reproductive organ of the other, or any other insertion of a reproductive organ of one into an orifice of the other;</u>	899 900 901 902 903 904 905 906 907 908
<u>(b) Without a bona fide veterinary or animal husbandry purpose to do so, the insertion, however slight, of any part of a person's body or any instrument, apparatus, or other object into the vaginal, anal, or reproductive opening of an animal.</u>	909 910 911 912
<u>(B) No person shall knowingly engage in sexual conduct with an animal or knowingly possess, sell, or purchase an animal with the intent that it be subjected to sexual conduct.</u>	913 914 915
<u>(C) No person shall knowingly organize, promote, aid, or abet in the conduct of an act involving any sexual conduct with an animal.</u>	916 917 918

- Sec. 959.99.** (A) Whoever violates section 959.18 or 959.19  
of the Revised Code is guilty of a minor misdemeanor. 919  
920
- (B) Except as otherwise provided in this division, whoever  
violates section 959.02 of the Revised Code is guilty of a  
misdemeanor of the second degree. If the value of the animal  
killed or the injury done amounts to three hundred dollars or  
more, whoever violates section 959.02 of the Revised Code is  
guilty of a misdemeanor of the first degree. 921  
922  
923  
924  
925  
926
- (C) Whoever violates section 959.03, 959.06, 959.12, or  
~~959.17 or division (A) of section 959.15 or division (A) of~~ 927  
~~section 959.15~~ of the Revised Code is guilty of a misdemeanor of  
the fourth degree. 928  
929  
930
- (D) Whoever violates division (A) of section 959.13 or  
~~section 959.21 or section 959.21~~ of the Revised Code is guilty  
of a misdemeanor of the second degree. In addition, the court  
may order the offender to forfeit the animal or livestock and  
may provide for its disposition, including, but not limited to,  
the sale of the animal or livestock. If an animal or livestock  
is forfeited and sold pursuant to this division, the proceeds  
from the sale first shall be applied to pay the expenses  
incurred with regard to the care of the animal from the time it  
was taken from the custody of the former owner. The balance of  
the proceeds from the sale, if any, shall be paid to the former  
owner of the animal. 931  
932  
933  
934  
935  
936  
937  
938  
939  
940  
941  
942
- (E) (1) Whoever violates division (B) of section 959.131 of  
the Revised Code is guilty of a misdemeanor of the first degree  
on a first offense and a felony of the fifth degree on each  
subsequent offense. 943  
944  
945  
946
- (2) Whoever violates division (C) of section 959.131 of 947

the Revised Code is guilty of a felony of the fifth degree. 948

(3) Whoever violates section 959.01 of the Revised Code or 949  
division (D) of section 959.131 of the Revised Code is guilty of 950  
a misdemeanor of the second degree on a first offense and a 951  
misdemeanor of the first degree on each subsequent offense. 952

(4) Whoever violates division (E) of section 959.131 of 953  
the Revised Code is guilty of a felony of the fifth degree. 954

(5) Whoever violates division (F) of section 959.131 of 955  
the Revised Code is guilty of a misdemeanor of the first degree. 956

(6) (a) A court may order a person who is convicted of or 957  
pleads guilty to a violation of section 959.131 of the Revised 958  
Code to forfeit to an impounding agency, as defined in section 959  
959.132 of the Revised Code, any or all of the companion animals 960  
in that person's ownership or care. The court also may prohibit 961  
or place limitations on the person's ability to own or care for 962  
any companion animals for a specified or indefinite period of 963  
time. 964

(b) A court may order a person who is convicted of or 965  
pleads guilty to a violation of division (A) of section 959.13 966  
or section 959.131 of the Revised Code to reimburse an 967  
impounding agency for the reasonably reasonable and necessary 968  
costs incurred by the agency for the care of a companion an 969  
animal or livestock that the agency impounded as a result of the 970  
investigation or prosecution of the violation, provided that the 971  
costs were not otherwise paid under section 959.132 of the 972  
Revised Code. 973

(7) If a court has reason to believe that a person who is 974  
convicted of or pleads guilty to a violation of section 959.131 975  
~~or 959.21 or 959.21~~ of the Revised Code suffers from a mental or 976

emotional disorder that contributed to the violation, the court  
may impose as a community control sanction or as a condition of  
probation a requirement that the offender undergo psychological  
evaluation or counseling. The court shall order the offender to  
pay the costs of the evaluation or counseling.

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

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

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

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

**Sec. 1717.01.** As used in sections 1717.01 to 1717.14,  
inclusive, 1717.18 of the Revised Code, and in every law  
relating to animals:

(A) "Animal" includes every living dumb creature;

(B) "Cruelty," "torment," and "torture" include every act,  
omission, or neglect by which unnecessary or unjustifiable pain  
or suffering is caused, permitted, or allowed to continue, when  
there is a reasonable remedy or relief;

(C) "Owner" and "person" include corporations. For the

purpose of this section the knowledge and acts of the agents and 1005  
employees of a corporation, in regard to animals transported, 1006  
owned, or employed by, or in the custody of, such agents and 1007  
employees, are the knowledge and acts of the corporation. 1008

**Sec. 1717.02.** The objects of ~~the Ohio humane society, and~~ 1009  
all societies organized under section 1717.05 of the Revised 1010  
Code, shall be the inculcation of humane principles and the 1011  
enforcement of laws for the prevention of cruelty, ~~especially~~ to 1012  
~~children and~~ animals. To promote those objects such societies 1013  
may acquire property, real or personal, by purchase or gift. All 1014  
property acquired by such a society, by gift, devise, or 1015  
bequest, for special purposes, shall be vested in its board of 1016  
trustees, which shall consist of three members elected by the 1017  
society. The board shall manage such property and apply it in 1018  
accordance with the terms of the gift, devise, or bequest, and 1019  
may sell it and reinvest the proceeds. 1020

**Sec. 1717.05.** (A) A county humane society for the 1021  
prevention of acts of cruelty to animals may be organized in any 1022  
county by the association of not less than seven persons. 1023

(B) The members of such-a county humane society, at a 1024  
meeting called for the purpose, shall elect not less than three 1025  
of their members as its board of directors, and such directors 1026  
~~shall~~ continue in office until their successors are duly chosen. 1027

(C) The secretary or clerk of such-the meeting shall make 1028  
a true record of the proceedings thereat and certify and forward 1029  
such-the record to the secretary of state, who shall record it. 1030  
~~Such-The~~ record ~~shall~~ must contain the name by which the 1031  
association is to be known, ~~and from~~. On and after its filing 1032  
with the secretary of state, ~~the~~ the board of directors and the 1033  
associates, ~~and~~ their successors, ~~shall~~ have the powers, 1034

privileges, and immunities incident to incorporated companies. A  
copy of ~~such the~~ record, certified by the secretary of state,  
~~shall must~~ be taken in all courts and places in this state as  
evidence that ~~such the county humane~~ society is a duly organized  
and incorporated body.

~~Such~~ (D) A county humane society may elect ~~such~~ officers,  
and make ~~such~~ rules, regulations, and bylaws, as are deemed  
expedient by its members for its own government and the proper  
management of its affairs.

(E) A humane society that organized as a branch of the  
Ohio humane society prior to the effective date of this  
amendment shall continue to have the same powers and duties that  
were authorized on March 1, 2019. Such a humane society is  
considered to be a county humane society organized under this  
section for purposes of this chapter and any other laws  
regarding county humane societies.

**Sec. 1717.06.** (A) A county humane society organized under  
section 1717.05 of the Revised Code may appoint humane society  
agents for the purpose of prosecuting any person guilty of an  
act of cruelty to ~~persons or~~ animals. Such agents may arrest any  
person found violating this chapter or any other law for  
protecting ~~persons or~~ animals or preventing acts of cruelty  
thereto. Upon making an arrest, the humane society agent  
~~forthwith~~ shall convey the person arrested before ~~some a~~ court  
or magistrate having jurisdiction of the offense, and there make  
complaint against the person on oath or affirmation of the  
offense.

~~All appointments of agents~~ (B) A humane society agent that  
was appointed prior to the effective date of this amendment by a  
branch of the Ohio humane society is considered to be a humane

society agent appointed under this section for purposes of this chapter and any other laws regarding humane society agents. 1065  
1066

(C) (1) The appointment of an agent under this section is subject to the requirements of section 1717.061 of the Revised Code, and is not final until the appointment has been approved under division (C) (2) of this section. 1067  
1068  
1069  
1070

(2) The appointment of an agent under this section shall be does not take effect unless it has been approved by the mayor of the municipal corporation for which they are it is made. If the society exists operates outside a municipal corporation, such appointments shall be the appointment does not take effect until it has been approved by the probate judge of the county for which they are it is made. The mayor or probate judge shall keep a record of such the appointments and shall maintain as a public record a copy of the proof of successful completion of training for each humane society agent acting within the approving authority's jurisdiction. 1071  
1072  
1073  
1074  
1075  
1076  
1077  
1078  
1079  
1080  
1081

In order to qualify for appointment as a humane agent under this section, a person first shall successfully complete a minimum of twenty hours of training on issues relating to the investigation and prosecution of cruelty to and neglect of animals. The training shall comply with rules recommended by the peace officer training commission under section 109.73 of the Revised Code and shall include, without limitation, instruction regarding animal husbandry practices as described in division (A) (12) of that section. A person who has been appointed as a humane agent under this section prior to April 9, 2003, may continue to act as a humane agent for a period of time on and after April 9, 2003, without completing the training. However, on or before December 31, 2004, a person who has been appointed 1082  
1083  
1084  
1085  
1086  
1087  
1088  
1089  
1090  
1091  
1092  
1093  
1094

~~as a humane agent under this section prior to April 9, 2003,~~ 1095  
~~shall successfully complete the training described in this~~ 1096  
~~paragraph and submit proof of its successful completion to the~~ 1097  
~~appropriate appointing mayor or probate judge in order to~~ 1098  
~~continue to act as a humane agent after December 31, 2004.~~ 1099

(D) The approving authority shall notify the appropriate 1100  
county sheriff and the board of county commissioners when the 1101  
appointment of a humane society agent has been approved and, not 1102  
later than two business days after the appointment has been 1103  
approved, shall file a copy of the proof of successful 1104  
completion of training with the sheriff. The county sheriff 1105  
shall maintain as a public record a copy of the proof for each 1106  
humane society agent that is operating in the county. 1107

(E) A humane society shall notify the county sheriff and 1108  
the approving authority when all approved humane society agents 1109  
have ceased to perform the duties of the appointment and there 1110  
are no humane society agents operating in the county. 1111

~~An agent of a county~~ (F) A humane society agent only has 1112  
the specific authority granted to the agent under ~~this section~~ 1113  
and ~~section 1717.08 of the Revised Code.~~ 1114

Sec. 1717.061. In order to qualify for appointment as a 1115  
humane society agent under section 1717.06 of the Revised Code, 1116  
an individual shall do both of the following: 1117

(A) Successfully complete a minimum of twenty hours of 1118  
training on issues relating to the investigation and prosecution 1119  
of cruelty to and neglect of animals. The training shall comply 1120  
with rules recommended by the peace officer training commission 1121  
under section 109.73 of the Revised Code and shall include, 1122  
without limitation, instruction regarding animal husbandry 1123

practices as described in division (A) (12) of that section. 1124

(B) Present proof of successful completion of training, 1125  
that has been signed by the chief executive officer of the 1126  
organization or entity that provided the training, or the 1127  
officer's designee, to the current active approving authority 1128  
for approval. 1129

**Sec. 1717.062.** (A) An individual who has reasonable cause 1130  
to believe that a humane society agent has not successfully 1131  
completed the training that is required under section 1717.061 1132  
of the Revised Code or who has reasonable cause to believe that 1133  
an agent's proof of successful completion of training contains 1134  
false or misleading information may file a complaint, in the 1135  
form of a affidavit sworn to by the individual, with the current 1136  
acting authority that is responsible for considering approval of 1137  
agent appointments within the jurisdiction. The authority shall 1138  
notify the agent's humane society, and shall investigate the 1139  
complaint. 1140

(B) If the authority finds that the agent has not provided 1141  
signed proof of successful completion of training as required 1142  
under section 1717.061 of the Revised Code, the authority shall 1143  
provide written notification to the agent's humane society to 1144  
inform the society that the agent has a right to cure period of 1145  
thirty days from the date of the notification. If the agent has 1146  
not provided signed proof by the end of the right to cure 1147  
period, the authority shall rescind the approval of the 1148  
appointment and order the applicable humane society to revoke 1149  
the appointment. 1150

(C) If the authority finds that the agent knowingly 1151  
provided proof of successful completion of training that 1152  
contains false or misleading information, the authority shall 1153

<u>rescind the approval of the appointment and order the applicable</u>	1154
<u>humane society to revoke the appointment.</u>	1155
<u>(D) The applicable humane society shall file written</u>	1156
<u>notice with the county sheriff of the revocation under this</u>	1157
<u>section of a humane society agent's appointment.</u>	1158
<b>Sec. 1717.07.</b> Upon the approval by the mayor of a	1159
municipal corporation of the appointment of an agent under	1160
section 1717.06 of the Revised Code, the legislative authority	1161
of such municipal corporation shall pay monthly to such agent,	1162
from the general revenue fund of the municipal corporation, <u>such-</u>	1163
<u>the salary as that the legislative authority deems considers</u>	1164
just and reasonable. Upon the approval by the probate judge of a	1165
county of such an appointment, the board of county commissioners	1166
of <u>such the</u> county shall pay monthly to <u>such the</u> agent, from the	1167
general <u>revenue</u> fund of the county, <u>such or from the dog and</u>	1168
<u>kennel fund of the county, the salary as that the board deems</u>	1169
<u>considers</u> just and reasonable. Such board and such legislative	1170
authority may agree upon the amount each is to pay <u>such the</u>	1171
agent monthly. The salary to be paid monthly to <u>such the</u> agent	1172
by the legislative authority of a village shall be not less than	1173
<u>five twenty-five</u> dollars; by the legislative authority of a	1174
city, not less than <u>twenty one hundred twenty-five</u> dollars; and	1175
by the board of county commissioners of a county, not less than	1176
<u>twenty five one hundred fifty</u> dollars. <u>Beginning January 1,</u>	1177
<u>2020, and on the first day of January every five years</u>	1178
<u>thereafter, these minimum salary amounts shall increase by five</u>	1179
<u>dollars.</u> Not more than one such agent in each county shall	1180
receive remuneration from the board under this section.	1181
<b>Sec. 1717.08.</b> An officer, agent, or member <u>of the Ohio</u>	1182
<u>humane society or</u> of a county humane society may interfere to	1183

prevent the perpetration of any act of cruelty to animals in ~~his~~  
~~the officer's, agent's, or member's~~ presence, may use such force 1184  
as is necessary to prevent it, and to that end may summon to 1185  
~~his~~ ~~the officer's, agent's, or member's~~ aid any bystanders. 1186  
1187

**Sec. 1717.09.** A member ~~of the Ohio humane society or of a~~ 1188  
county humane society may require the sheriff of any county, the 1189  
constable of any township, the marshal or a ~~policeman police~~ 1190  
officer of any municipal corporation, or any agent of such a 1191  
society, to arrest any person found violating the laws in 1192  
relation to ~~persons or animals~~, and to take 1193  
possession of any animal cruelly treated in their respective 1194  
counties or municipal corporations, and deliver such animal to 1195  
the proper officers of the society. 1196

**Sec. 1717.10.** For all services rendered in carrying out 1197  
sections 1717.01 to ~~1717.14, inclusive,~~ 1717.18 of the Revised 1198  
Code, a sheriff, constable, marshal, or ~~policeman police officer~~ 1199  
shall be paid such fees as ~~he~~ the sheriff, constable, marshal, 1200  
or police officer is allowed for like services in other cases. 1201  
Such fees must be charged as costs, and reimbursed to the humane 1202  
society by the person convicted. 1203

**Sec. 1717.16.** (A) Annually, a county humane society shall 1204  
submit enforcement activity reports to the county sheriff. 1205

(B) Records of an enforcement activity by a humane society 1206  
agent are public records under section 149.43 of the Revised 1207  
Code, except that any such records that are confidential law 1208  
enforcement investigatory records, as defined in division (A) (2) 1209  
of section 149.43 of the Revised Code, are not public records. 1210

**Sec. 1717.17.** (A) A probate judge of a county in which a 1211  
humane society agent operates may revoke the approval of an 1212

appointment for just cause, under the procedure established in 1213  
division (B) of this section. 1214

(B) (1) A movant may commence the procedure by filing with 1215  
the probate court a motion to revoke the appointment, in the 1216  
form of an affidavit sworn to by the movant, describing the 1217  
conduct that constitutes just cause for the motion. The probate 1218  
judge, upon a review of the facts, may dismiss the motion 1219  
without a hearing, or shall direct the clerk of the probate 1220  
court to serve the humane society agent and the humane society 1221  
with a summons and a copy of the motion and any accompanying 1222  
memorandum in accordance with the Rules of Civil Procedure. The 1223  
summons must state the time and place at which the probate court 1224  
will conduct a hearing on the motion. 1225

(2) The humane society agent may waive the right to a 1226  
hearing. If the humane society agent waives the right to a 1227  
hearing, the probate judge shall revoke the humane society 1228  
agent's approval of appointment as prayed for in the motion. If 1229  
the humane society agent does not waive the right to a hearing, 1230  
the probate judge shall conduct a hearing on the motion. 1231

(3) The humane society agent is entitled to the assistance 1232  
of counsel at the hearing. The Rules of Evidence govern conduct 1233  
of the hearing. At the hearing, the movant has the burden of 1234  
proving, by a preponderance of the evidence, that just cause 1235  
exists for the revocation of the humane society agent's 1236  
appointment. 1237

(4) If, after the hearing, the probate judge finds that 1238  
the movant has not sustained the burden of proof, the probate 1239  
judge shall deny the motion. If, after the hearing, the probate 1240  
judge finds that the movant has sustained the burden of proof, 1241  
the probate judge shall grant the motion and revoke the humane 1242

society agent's approval of appointment. 1243

**Sec. 1717.18.** (A) A humane society may not enter into a 1244  
written agreement with a person, wherein the humane society 1245  
agrees not to prosecute the person for an alleged violation of 1246  
law, unless the proposed agreement has been reviewed and 1247  
approved by the judge that has presided over the hearing that is 1248  
required to determine if the officer had probable cause to seize 1249  
the animal, and which is related to the case that is the subject 1250  
of the agreement. As part of the review, if bond has previously 1251  
been set, the judge shall reconsider whether or not the amount 1252  
of the bond determined by the court to be needed for the 1253  
animal's care is necessary and reasonable. A judge shall not 1254  
approve a nonprosecution agreement that requires a person to 1255  
provide financial compensation that is in excess of what is 1256  
necessary and reasonable for the animal's care for the duration 1257  
of the impoundment. 1258

(B) A nonprosecution agreement between a humane society 1259  
and a person, as described in division (A) of this section, is 1260  
void and unenforceable unless it has been approved under 1261  
division (A) of this section. 1262

**Sec. 2151.421.** (A) (1) (a) No person described in division 1263  
(A) (1) (b) of this section who is acting in an official or 1264  
professional capacity and knows, or has reasonable cause to 1265  
suspect based on facts that would cause a reasonable person in a 1266  
similar position to suspect, that a child under eighteen years 1267  
of age, or a person under twenty-one years of age with a 1268  
developmental disability or physical impairment, has suffered or 1269  
faces a threat of suffering any physical or mental wound, 1270  
injury, disability, or condition of a nature that reasonably 1271  
indicates abuse or neglect of the child shall fail to 1272

immediately report that knowledge or reasonable cause to suspect 1273  
to the entity or persons specified in this division. Except as 1274  
otherwise provided in this division or section 5120.173 of the 1275  
Revised Code, the person making the report shall make it to the 1276  
public children services agency or a peace officer in the county 1277  
in which the child resides or in which the abuse or neglect is 1278  
occurring or has occurred. If the person making the report is a 1279  
peace officer, the officer shall make it to the public children 1280  
services agency in the county in which the child resides or in 1281  
which the abuse or neglect is occurring or has occurred. In the 1282  
circumstances described in section 5120.173 of the Revised Code, 1283  
the person making the report shall make it to the entity 1284  
specified in that section. 1285

(b) Division (A)(1)(a) of this section applies to any 1286  
person who is an attorney; health care professional; 1287  
practitioner of a limited branch of medicine as specified in 1288  
section 4731.15 of the Revised Code; licensed school 1289  
psychologist; independent marriage and family therapist or 1290  
marriage and family therapist; coroner; administrator or 1291  
employee of a child day-care center; administrator or employee 1292  
of a residential camp, child day camp, or private, nonprofit 1293  
therapeutic wilderness camp; administrator or employee of a 1294  
certified child care agency or other public or private children 1295  
services agency; school teacher; school employee; school 1296  
authority; peace officer; ~~agent of a county~~ humane society 1297  
agent; person, other than a cleric, rendering spiritual 1298  
treatment through prayer in accordance with the tenets of a 1299  
well-recognized religion; employee of a county department of job 1300  
and family services who is a professional and who works with 1301  
children and families; superintendent or regional administrator 1302  
employed by the department of youth services; superintendent, 1303

board member, or employee of a county board of developmental disabilities; investigative agent contracted with by a county board of developmental disabilities; employee of the department of developmental disabilities; employee of a facility or home that provides respite care in accordance with section 5123.171 of the Revised Code; employee of an entity that provides homemaker services; a person performing the duties of an assessor pursuant to Chapter 3107. or 5103. of the Revised Code; third party employed by a public children services agency to assist in providing child or family related services; court appointed special advocate; or guardian ad litem.	1304 1305 1306 1307 1308 1309 1310 1311 1312 1313 1314
(c) If two or more health care professionals, after providing health care services to a child, determine or suspect that the child has been or is being abused or neglected, the health care professionals may designate one of the health care professionals to report the abuse or neglect. A single report made under this division shall meet the reporting requirements of division (A)(1) of this section.	1315 1316 1317 1318 1319 1320 1321
(2) Except as provided in division (A)(3) of this section, an attorney or a physician is not required to make a report pursuant to division (A)(1) of this section concerning any communication the attorney or physician receives from a client or patient in an attorney-client or physician-patient relationship, if, in accordance with division (A) or (B) of section 2317.02 of the Revised Code, the attorney or physician could not testify with respect to that communication in a civil or criminal proceeding.	1322 1323 1324 1325 1326 1327 1328 1329 1330
(3) The client or patient in an attorney-client or physician-patient relationship described in division (A)(2) of this section is deemed to have waived any testimonial privilege	1331 1332 1333

under division (A) or (B) of section 2317.02 of the Revised Code	1334
with respect to any communication the attorney or physician	1335
receives from the client or patient in that attorney-client or	1336
physician-patient relationship, and the attorney or physician	1337
shall make a report pursuant to division (A)(1) of this section	1338
with respect to that communication, if all of the following	1339
apply:	1340
(a) The client or patient, at the time of the	1341
communication, is a child under eighteen years of age or is a	1342
person under twenty-one years of age with a developmental	1343
disability or physical impairment.	1344
(b) The attorney or physician knows, or has reasonable	1345
cause to suspect based on facts that would cause a reasonable	1346
person in similar position to suspect that the client or patient	1347
has suffered or faces a threat of suffering any physical or	1348
mental wound, injury, disability, or condition of a nature that	1349
reasonably indicates abuse or neglect of the client or patient.	1350
(c) The abuse or neglect does not arise out of the	1351
client's or patient's attempt to have an abortion without the	1352
notification of her parents, guardian, or custodian in	1353
accordance with section 2151.85 of the Revised Code.	1354
(4) (a) No cleric and no person, other than a volunteer,	1355
designated by any church, religious society, or faith acting as	1356
a leader, official, or delegate on behalf of the church,	1357
religious society, or faith who is acting in an official or	1358
professional capacity, who knows, or has reasonable cause to	1359
believe based on facts that would cause a reasonable person in a	1360
similar position to believe, that a child under eighteen years	1361
of age, or a person under twenty-one years of age with a	1362
developmental disability or physical impairment, has suffered or	1363

faces a threat of suffering any physical or mental wound,	1364
injury, disability, or condition of a nature that reasonably	1365
indicates abuse or neglect of the child, and who knows, or has	1366
reasonable cause to believe based on facts that would cause a	1367
reasonable person in a similar position to believe, that another	1368
cleric or another person, other than a volunteer, designated by	1369
a church, religious society, or faith acting as a leader,	1370
official, or delegate on behalf of the church, religious	1371
society, or faith caused, or poses the threat of causing, the	1372
wound, injury, disability, or condition that reasonably	1373
indicates abuse or neglect shall fail to immediately report that	1374
knowledge or reasonable cause to believe to the entity or	1375
persons specified in this division. Except as provided in	1376
section 5120.173 of the Revised Code, the person making the	1377
report shall make it to the public children services agency or a	1378
peace officer in the county in which the child resides or in	1379
which the abuse or neglect is occurring or has occurred. In the	1380
circumstances described in section 5120.173 of the Revised Code,	1381
the person making the report shall make it to the entity	1382
specified in that section.	1383
(b) Except as provided in division (A) (4) (c) of this	1384
section, a cleric is not required to make a report pursuant to	1385
division (A) (4) (a) of this section concerning any communication	1386
the cleric receives from a penitent in a cleric-penitent	1387
relationship, if, in accordance with division (C) of section	1388
2317.02 of the Revised Code, the cleric could not testify with	1389
respect to that communication in a civil or criminal proceeding.	1390
(c) The penitent in a cleric-penitent relationship	1391
described in division (A) (4) (b) of this section is deemed to	1392
have waived any testimonial privilege under division (C) of	1393
section 2317.02 of the Revised Code with respect to any	1394

communication the cleric receives from the penitent in that  
cleric-penitent relationship, and the cleric shall make a report  
pursuant to division (A)(4)(a) of this section with respect to  
that communication, if all of the following apply:

(i) The penitent, at the time of the communication, is a  
child under eighteen years of age or is a person under twenty-  
one years of age with a developmental disability or physical  
impairment.

(ii) The cleric knows, or has reasonable cause to believe  
based on facts that would cause a reasonable person in a similar  
position to believe, as a result of the communication or any  
observations made during that communication, the penitent has  
suffered or faces a threat of suffering any physical or mental  
wound, injury, disability, or condition of a nature that  
reasonably indicates abuse or neglect of the penitent.

(iii) The abuse or neglect does not arise out of the  
penitent's attempt to have an abortion performed upon a child  
under eighteen years of age or upon a person under twenty-one  
years of age with a developmental disability or physical  
impairment without the notification of her parents, guardian, or  
custodian in accordance with section 2151.85 of the Revised  
Code.

(d) Divisions (A)(4)(a) and (c) of this section do not  
apply in a cleric-penitent relationship when the disclosure of  
any communication the cleric receives from the penitent is in  
violation of the sacred trust.

(e) As used in divisions (A)(1) and (4) of this section,  
"cleric" and "sacred trust" have the same meanings as in section  
2317.02 of the Revised Code.

(B) Anyone who knows, or has reasonable cause to suspect based on facts that would cause a reasonable person in similar circumstances to suspect, that a child under eighteen years of age, or a person under twenty-one years of age with a developmental disability or physical impairment, has suffered or faces a threat of suffering any physical or mental wound, injury, disability, or other condition of a nature that reasonably indicates abuse or neglect of the child may report or cause reports to be made of that knowledge or reasonable cause to suspect to the entity or persons specified in this division.	1424 1425 1426 1427 1428 1429 1430 1431 1432 1433 1434 1435 1436 1437 1438 1439 1440 1441
Except as provided in section 5120.173 of the Revised Code, a person making a report or causing a report to be made under this division shall make it or cause it to be made to the public children services agency or to a peace officer. In the circumstances described in section 5120.173 of the Revised Code, a person making a report or causing a report to be made under this division shall make it or cause it to be made to the entity specified in that section.	1442 1443 1444 1445 1446
(C) Any report made pursuant to division (A) or (B) of this section shall be made forthwith either by telephone or in person and shall be followed by a written report, if requested by the receiving agency or officer. The written report shall contain:	1447 1448 1449
(1) The names and addresses of the child and the child's parents or the person or persons having custody of the child, if known;	1450 1451 1452 1453
(2) The child's age and the nature and extent of the child's injuries, abuse, or neglect that is known or reasonably suspected or believed, as applicable, to have occurred or of the threat of injury, abuse, or neglect that is known or reasonably	1450 1451 1452 1453

suspected or believed, as applicable, to exist, including any evidence of previous injuries, abuse, or neglect;	1454 1455
(3) Any other information, including, but not limited to, results and reports of any medical examinations, tests, or procedures performed under division (D) of this section, that might be helpful in establishing the cause of the injury, abuse, or neglect that is known or reasonably suspected or believed, as applicable, to have occurred or of the threat of injury, abuse, or neglect that is known or reasonably suspected or believed, as applicable, to exist.	1456 1457 1458 1459 1460 1461 1462 1463
(D) (1) Any person, who is required by division (A) of this section to report child abuse or child neglect that is known or reasonably suspected or believed to have occurred, may take or cause to be taken color photographs of areas of trauma visible on a child and, if medically necessary for the purpose of diagnosing or treating injuries that are suspected to have occurred as a result of child abuse or child neglect, perform or cause to be performed radiological examinations and any other medical examinations of, and tests or procedures on, the child.	1464 1465 1466 1467 1468 1469 1470 1471 1472
(2) The results and any available reports of examinations, tests, or procedures made under division (D)(1) of this section shall be included in a report made pursuant to division (A) of this section. Any additional reports of examinations, tests, or procedures that become available shall be provided to the public children services agency, upon request.	1473 1474 1475 1476 1477 1478
(3) If a health care professional provides health care services in a hospital, children's advocacy center, or emergency medical facility to a child about whom a report has been made under division (A) of this section, the health care professional may take any steps that are reasonably necessary for the release	1479 1480 1481 1482 1483

or discharge of the child to an appropriate environment. Before 1484  
the child's release or discharge, the health care professional 1485  
may obtain information, or consider information obtained, from 1486  
other entities or individuals that have knowledge about the 1487  
child. Nothing in division (D) (3) of this section shall be 1488  
construed to alter the responsibilities of any person under 1489  
sections 2151.27 and 2151.31 of the Revised Code. 1490

(4) A health care professional may conduct medical 1491  
examinations, tests, or procedures on the siblings of a child 1492  
about whom a report has been made under division (A) of this 1493  
section and on other children who reside in the same home as the 1494  
child, if the professional determines that the examinations, 1495  
tests, or procedures are medically necessary to diagnose or 1496  
treat the siblings or other children in order to determine 1497  
whether reports under division (A) of this section are warranted 1498  
with respect to such siblings or other children. The results of 1499  
the examinations, tests, or procedures on the siblings and other 1500  
children may be included in a report made pursuant to division 1501  
(A) of this section. 1502

(5) Medical examinations, tests, or procedures conducted 1503  
under divisions (D) (1) and (4) of this section and decisions 1504  
regarding the release or discharge of a child under division (D) 1505  
(3) of this section do not constitute a law enforcement 1506  
investigation or activity. 1507

(E) (1) When a peace officer receives a report made 1508  
pursuant to division (A) or (B) of this section, upon receipt of 1509  
the report, the peace officer who receives the report shall 1510  
refer the report to the appropriate public children services 1511  
agency, unless an arrest is made at the time of the report that 1512  
results in the appropriate public children services agency being 1513

contacted concerning the possible abuse or neglect of a child or the possible threat of abuse or neglect of a child.	1514 1515
(2) When a public children services agency receives a report pursuant to this division or division (A) or (B) of this section, upon receipt of the report, the public children services agency shall do both of the following:	1516 1517 1518 1519
(a) Comply with section 2151.422 of the Revised Code;	1520
(b) If the county served by the agency is also served by a children's advocacy center and the report alleges sexual abuse of a child or another type of abuse of a child that is specified in the memorandum of understanding that creates the center as being within the center's jurisdiction, comply regarding the report with the protocol and procedures for referrals and investigations, with the coordinating activities, and with the authority or responsibility for performing or providing functions, activities, and services stipulated in the interagency agreement entered into under section 2151.428 of the Revised Code relative to that center.	1521 1522 1523 1524 1525 1526 1527 1528 1529 1530 1531
(F) No peace officer shall remove a child about whom a report is made pursuant to this section from the child's parents, stepparents, or guardian or any other persons having custody of the child without consultation with the public children services agency, unless, in the judgment of the officer, and, if the report was made by physician, the physician, immediate removal is considered essential to protect the child from further abuse or neglect. The agency that must be consulted shall be the agency conducting the investigation of the report as determined pursuant to section 2151.422 of the Revised Code.	1532 1533 1534 1535 1536 1537 1538 1539 1540 1541 1542

(G) (1) Except as provided in section 2151.422 of the Revised Code or in an interagency agreement entered into under section 2151.428 of the Revised Code that applies to the particular report, the public children services agency shall investigate, within twenty-four hours, each report of child abuse or child neglect that is known or reasonably suspected or believed to have occurred and of a threat of child abuse or child neglect that is known or reasonably suspected or believed to exist that is referred to it under this section to determine the circumstances surrounding the injuries, abuse, or neglect or the threat of injury, abuse, or neglect, the cause of the injuries, abuse, neglect, or threat, and the person or persons responsible. The investigation shall be made in cooperation with the law enforcement agency and in accordance with the memorandum of understanding prepared under division (K) of this section. A representative of the public children services agency shall, at the time of initial contact with the person subject to the investigation, inform the person of the specific complaints or allegations made against the person. The information shall be given in a manner that is consistent with division (I)(1) of this section and protects the rights of the person making the report under this section.

A failure to make the investigation in accordance with the memorandum is not grounds for, and shall not result in, the dismissal of any charges or complaint arising from the report or the suppression of any evidence obtained as a result of the report and does not give, and shall not be construed as giving, any rights or any grounds for appeal or post-conviction relief to any person. The public children services agency shall report each case to the uniform statewide automated child welfare information system that the department of job and family

services shall maintain in accordance with section 5101.13 of  
the Revised Code. The public children services agency shall  
submit a report of its investigation, in writing, to the law  
enforcement agency. 1574  
1575  
1576  
1577

(2) The public children services agency shall make any  
recommendations to the county prosecuting attorney or city  
director of law that it considers necessary to protect any  
children that are brought to its attention. 1578  
1579  
1580  
1581

(H) (1) (a) Except as provided in divisions (H) (1) (b) and  
(I) (3) of this section, any person, health care professional,  
hospital, institution, school, health department, or agency  
shall be immune from any civil or criminal liability for injury,  
death, or loss to person or property that otherwise might be  
incurred or imposed as a result of any of the following: 1582  
1583  
1584  
1585  
1586  
1587

(i) Participating in the making of reports pursuant to  
division (A) of this section or in the making of reports in good  
faith, pursuant to division (B) of this section; 1588  
1589  
1590

(ii) Participating in medical examinations, tests, or  
procedures under division (D) of this section; 1591  
1592

(iii) Providing information used in a report made pursuant  
to division (A) of this section or providing information in good  
faith used in a report made pursuant to division (B) of this  
section; 1593  
1594  
1595  
1596

(iv) Participating in a judicial proceeding resulting from  
a report made pursuant to division (A) of this section or  
participating in good faith in a proceeding resulting from a  
report made pursuant to division (B) of this section. 1597  
1598  
1599  
1600

(b) Immunity under division (H) (1) (a) (ii) of this section  
shall not apply when a health care provider has deviated from 1601  
1602

the standard of care applicable to the provider's profession. 1603

(c) Notwithstanding section 4731.22 of the Revised Code, 1604  
the physician-patient privilege shall not be a ground for 1605  
excluding evidence regarding a child's injuries, abuse, or 1606  
neglect, or the cause of the injuries, abuse, or neglect in any 1607  
judicial proceeding resulting from a report submitted pursuant 1608  
to this section. 1609

(2) In any civil or criminal action or proceeding in which 1610  
it is alleged and proved that participation in the making of a 1611  
report under this section was not in good faith or participation 1612  
in a judicial proceeding resulting from a report made under this 1613  
section was not in good faith, the court shall award the 1614  
prevailing party reasonable attorney's fees and costs and, if a 1615  
civil action or proceeding is voluntarily dismissed, may award 1616  
reasonable attorney's fees and costs to the party against whom 1617  
the civil action or proceeding is brought. 1618

(I) (1) Except as provided in divisions (I)(4) and (O) of 1619  
this section, a report made under this section is confidential. 1620  
The information provided in a report made pursuant to this 1621  
section and the name of the person who made the report shall not 1622  
be released for use, and shall not be used, as evidence in any 1623  
civil action or proceeding brought against the person who made 1624  
the report. Nothing in this division shall preclude the use of 1625  
reports of other incidents of known or suspected abuse or 1626  
neglect in a civil action or proceeding brought pursuant to 1627  
division (N) of this section against a person who is alleged to 1628  
have violated division (A)(1) of this section, provided that any 1629  
information in a report that would identify the child who is the 1630  
subject of the report or the maker of the report, if the maker 1631  
of the report is not the defendant or an agent or employee of 1632

the defendant, has been redacted. In a criminal proceeding, the 1633  
report is admissible in evidence in accordance with the Rules of 1634  
Evidence and is subject to discovery in accordance with the 1635  
Rules of Criminal Procedure. 1636

(2) (a) Except as provided in division (I)(2)(b) of this 1637  
section, no person shall permit or encourage the unauthorized 1638  
dissemination of the contents of any report made under this 1639  
section. 1640

(b) A health care professional that obtains the same 1641  
information contained in a report made under this section from a 1642  
source other than the report may disseminate the information, if 1643  
its dissemination is otherwise permitted by law. 1644

(3) A person who knowingly makes or causes another person 1645  
to make a false report under division (B) of this section that 1646  
alleges that any person has committed an act or omission that 1647  
resulted in a child being an abused child or a neglected child 1648  
is guilty of a violation of section 2921.14 of the Revised Code. 1649

(4) If a report is made pursuant to division (A) or (B) of 1650  
this section and the child who is the subject of the report dies 1651  
for any reason at any time after the report is made, but before 1652  
the child attains eighteen years of age, the public children 1653  
services agency or peace officer to which the report was made or 1654  
referred, on the request of the child fatality review board or 1655  
the director of health pursuant to guidelines established under 1656  
section 3701.70 of the Revised Code, shall submit a summary 1657  
sheet of information providing a summary of the report to the 1658  
review board of the county in which the deceased child resided 1659  
at the time of death or to the director. On the request of the 1660  
review board or director, the agency or peace officer may, at 1661  
its discretion, make the report available to the review board or 1662

director. If the county served by the public children services agency is also served by a children's advocacy center and the report of alleged sexual abuse of a child or another type of abuse of a child is specified in the memorandum of understanding that creates the center as being within the center's jurisdiction, the agency or center shall perform the duties and functions specified in this division in accordance with the interagency agreement entered into under section 2151.428 of the Revised Code relative to that advocacy center.

(5) A public children services agency shall advise a person alleged to have inflicted abuse or neglect on a child who is the subject of a report made pursuant to this section, including a report alleging sexual abuse of a child or another type of abuse of a child referred to a children's advocacy center pursuant to an interagency agreement entered into under section 2151.428 of the Revised Code, in writing of the disposition of the investigation. The agency shall not provide to the person any information that identifies the person who made the report, statements of witnesses, or police or other investigative reports.

(J) Any report that is required by this section, other than a report that is made to the state highway patrol as described in section 5120.173 of the Revised Code, shall result in protective services and emergency supportive services being made available by the public children services agency on behalf of the children about whom the report is made, in an effort to prevent further neglect or abuse, to enhance their welfare, and, whenever possible, to preserve the family unit intact. The agency required to provide the services shall be the agency conducting the investigation of the report pursuant to section 2151.422 of the Revised Code.

(K) (1) Each public children services agency shall prepare	1694
a memorandum of understanding that is signed by all of the	1695
following:	1696
(a) If there is only one juvenile judge in the county, the	1697
juvenile judge of the county or the juvenile judge's	1698
representative;	1699
(b) If there is more than one juvenile judge in the	1700
county, a juvenile judge or the juvenile judges' representative	1701
selected by the juvenile judges or, if they are unable to do so	1702
for any reason, the juvenile judge who is senior in point of	1703
service or the senior juvenile judge's representative;	1704
(c) The county peace officer;	1705
(d) All chief municipal peace officers within the county;	1706
(e) Other law enforcement officers handling child abuse	1707
and neglect cases in the county;	1708
(f) The prosecuting attorney of the county;	1709
(g) If the public children services agency is not the	1710
county department of job and family services, the county	1711
department of job and family services;	1712
(h) The county humane society;	1713
(i) If the public children services agency participated in	1714
the execution of a memorandum of understanding under section	1715
2151.426 of the Revised Code establishing a children's advocacy	1716
center, each participating member of the children's advocacy	1717
center established by the memorandum.	1718
(2) A memorandum of understanding shall set forth the	1719
normal operating procedure to be employed by all concerned	1720

officials in the execution of their respective responsibilities 1721  
under this section and division (C) of section 2919.21, division 1722  
(B) (1) of section 2919.22, division (B) of section 2919.23, and 1723  
section 2919.24 of the Revised Code and shall have as two of its 1724  
primary goals the elimination of all unnecessary interviews of 1725  
children who are the subject of reports made pursuant to 1726  
division (A) or (B) of this section and, when feasible, 1727  
providing for only one interview of a child who is the subject 1728  
of any report made pursuant to division (A) or (B) of this 1729  
section. A failure to follow the procedure set forth in the 1730  
memorandum by the concerned officials is not grounds for, and 1731  
shall not result in, the dismissal of any charges or complaint 1732  
arising from any reported case of abuse or neglect or the 1733  
suppression of any evidence obtained as a result of any reported 1734  
child abuse or child neglect and does not give, and shall not be 1735  
construed as giving, any rights or any grounds for appeal or 1736  
post-conviction relief to any person. 1737

(3) A memorandum of understanding shall include all of the 1738  
following: 1739

(a) The roles and responsibilities for handling emergency 1740  
and nonemergency cases of abuse and neglect; 1741

(b) Standards and procedures to be used in handling and 1742  
coordinating investigations of reported cases of child abuse and 1743  
reported cases of child neglect, methods to be used in 1744  
interviewing the child who is the subject of the report and who 1745  
allegedly was abused or neglected, and standards and procedures 1746  
addressing the categories of persons who may interview the child 1747  
who is the subject of the report and who allegedly was abused or 1748  
neglected. 1749

(4) If a public children services agency participated in 1750

the execution of a memorandum of understanding under section 1751  
2151.426 of the Revised Code establishing a children's advocacy 1752  
center, the agency shall incorporate the contents of that 1753  
memorandum in the memorandum prepared pursuant to this section. 1754

(5) The clerk of the court of common pleas in the county 1755  
may sign the memorandum of understanding prepared under division 1756  
(K) (1) of this section. If the clerk signs the memorandum of 1757  
understanding, the clerk shall execute all relevant 1758  
responsibilities as required of officials specified in the 1759  
memorandum. 1760

(L) (1) Except as provided in division (L) (4) or (5) of 1761  
this section, a person who is required to make a report pursuant 1762  
to division (A) of this section may make a reasonable number of 1763  
requests of the public children services agency that receives or 1764  
is referred the report, or of the children's advocacy center 1765  
that is referred the report if the report is referred to a 1766  
children's advocacy center pursuant to an interagency agreement 1767  
entered into under section 2151.428 of the Revised Code, to be 1768  
provided with the following information: 1769

(a) Whether the agency or center has initiated an 1770  
investigation of the report; 1771

(b) Whether the agency or center is continuing to 1772  
investigate the report; 1773

(c) Whether the agency or center is otherwise involved 1774  
with the child who is the subject of the report; 1775

(d) The general status of the health and safety of the 1776  
child who is the subject of the report; 1777

(e) Whether the report has resulted in the filing of a 1778  
complaint in juvenile court or of criminal charges in another 1779

court.	1780
(2) A person may request the information specified in division (L)(1) of this section only if, at the time the report is made, the person's name, address, and telephone number are provided to the person who receives the report.	1781 1782 1783 1784
When a peace officer or employee of a public children services agency receives a report pursuant to division (A) or (B) of this section the recipient of the report shall inform the person of the right to request the information described in division (L)(1) of this section. The recipient of the report shall include in the initial child abuse or child neglect report that the person making the report was so informed and, if provided at the time of the making of the report, shall include the person's name, address, and telephone number in the report.	1785 1786 1787 1788 1789 1790 1791 1792 1793
Each request is subject to verification of the identity of the person making the report. If that person's identity is verified, the agency shall provide the person with the information described in division (L)(1) of this section a reasonable number of times, except that the agency shall not disclose any confidential information regarding the child who is the subject of the report other than the information described in those divisions.	1794 1795 1796 1797 1798 1799 1800 1801
(3) A request made pursuant to division (L)(1) of this section is not a substitute for any report required to be made pursuant to division (A) of this section.	1802 1803 1804
(4) If an agency other than the agency that received or was referred the report is conducting the investigation of the report pursuant to section 2151.422 of the Revised Code, the agency conducting the investigation shall comply with the	1805 1806 1807 1808

requirements of division (L) of this section. 1809

(5) A health care professional who made a report under 1810  
division (A) of this section, or on whose behalf such a report 1811  
was made as provided in division (A)(1)(c) of this section, may 1812  
authorize a person to obtain the information described in 1813  
division (L)(1) of this section if the person requesting the 1814  
information is associated with or acting on behalf of the health 1815  
care professional who provided health care services to the child 1816  
about whom the report was made. 1817

(M) The director of job and family services shall adopt 1818  
rules in accordance with Chapter 119. of the Revised Code to 1819  
implement this section. The department of job and family 1820  
services may enter into a plan of cooperation with any other 1821  
governmental entity to aid in ensuring that children are 1822  
protected from abuse and neglect. The department shall make 1823  
recommendations to the attorney general that the department 1824  
determines are necessary to protect children from child abuse 1825  
and child neglect. 1826

(N) Whoever violates division (A) of this section is 1827  
liable for compensatory and exemplary damages to the child who 1828  
would have been the subject of the report that was not made. A 1829  
person who brings a civil action or proceeding pursuant to this 1830  
division against a person who is alleged to have violated 1831  
division (A)(1) of this section may use in the action or 1832  
proceeding reports of other incidents of known or suspected 1833  
abuse or neglect, provided that any information in a report that 1834  
would identify the child who is the subject of the report or the 1835  
maker of the report, if the maker is not the defendant or an 1836  
agent or employee of the defendant, has been redacted. 1837

(O) (1) As used in this division: 1838

(a) "Out-of-home care" includes a nonchartered nonpublic school if the alleged child abuse or child neglect, or alleged threat of child abuse or child neglect, described in a report received by a public children services agency allegedly occurred in or involved the nonchartered nonpublic school and the alleged perpetrator named in the report holds a certificate, permit, or license issued by the state board of education under section 3301.071 or Chapter 3319. of the Revised Code. 1839  
1840  
1841  
1842  
1843  
1844  
1845  
1846

(b) "Administrator, director, or other chief administrative officer" means the superintendent of the school district if the out-of-home care entity subject to a report made pursuant to this section is a school operated by the district. 1847  
1848  
1849  
1850

(2) No later than the end of the day following the day on which a public children services agency receives a report of alleged child abuse or child neglect, or a report of an alleged threat of child abuse or child neglect, that allegedly occurred in or involved an out-of-home care entity, the agency shall provide written notice of the allegations contained in and the person named as the alleged perpetrator in the report to the administrator, director, or other chief administrative officer of the out-of-home care entity that is the subject of the report unless the administrator, director, or other chief administrative officer is named as an alleged perpetrator in the report. If the administrator, director, or other chief administrative officer of an out-of-home care entity is named as an alleged perpetrator in a report of alleged child abuse or child neglect, or a report of an alleged threat of child abuse or child neglect, that allegedly occurred in or involved the out-of-home care entity, the agency shall provide the written notice to the owner or governing board of the out-of-home care entity that is the subject of the report. The agency shall not 1851  
1852  
1853  
1854  
1855  
1856  
1857  
1858  
1859  
1860  
1861  
1862  
1863  
1864  
1865  
1866  
1867  
1868  
1869

provide witness statements or police or other investigative reports.	1870 1871
(3) No later than three days after the day on which a public children services agency that conducted the investigation as determined pursuant to section 2151.422 of the Revised Code makes a disposition of an investigation involving a report of alleged child abuse or child neglect, or a report of an alleged threat of child abuse or child neglect, that allegedly occurred in or involved an out-of-home care entity, the agency shall send written notice of the disposition of the investigation to the administrator, director, or other chief administrative officer and the owner or governing board of the out-of-home care entity. The agency shall not provide witness statements or police or other investigative reports.	1872 1873 1874 1875 1876 1877 1878 1879 1880 1881 1882 1883
(P) As used in this section:	1884
(1) "Children's advocacy center" and "sexual abuse of a child" have the same meanings as in section 2151.425 of the Revised Code.	1885 1886 1887
(2) "Health care professional" means an individual who provides health-related services including a physician, hospital intern or resident, dentist, podiatrist, registered nurse, licensed practical nurse, visiting nurse, licensed psychologist, speech pathologist, audiologist, person engaged in social work or the practice of professional counseling, and employee of a home health agency. "Health care professional" does not include a practitioner of a limited branch of medicine as specified in section 4731.15 of the Revised Code, licensed school psychologist, independent marriage and family therapist or marriage and family therapist, or coroner.	1888 1889 1890 1891 1892 1893 1894 1895 1896 1897 1898

(3) "Investigation" means the public children services agency's response to an accepted report of child abuse or neglect through either an alternative response or a traditional response.	1899 1900 1901 1902
(4) "Peace officer" means a sheriff, deputy sheriff, constable, police officer of a township or joint police district, marshal, deputy marshal, municipal police officer, or a state highway patrol trooper.	1903 1904 1905 1906
<b>Sec. 2921.02.</b> (A) No person, with purpose to corrupt a public servant or party official, or improperly to influence a public servant or party official with respect to the discharge of the public servant's or party official's duty, whether before or after the public servant or party official is elected, appointed, qualified, employed, summoned, or sworn, shall promise, offer, or give any valuable thing or valuable benefit.	1907 1908 1909 1910 1911 1912 1913
(B) No person, either before or after the person is elected, appointed, qualified, employed, summoned, or sworn as a public servant or party official, shall knowingly solicit or accept for self or another person any valuable thing or valuable benefit to corrupt or improperly influence the person or another public servant or party official with respect to the discharge of the person's or the other public servant's or party official's duty.	1914 1915 1916 1917 1918 1919 1920 1921
(C) No person, with purpose to corrupt a witness or improperly to influence a witness with respect to the witness's testimony in an official proceeding, either before or after the witness is subpoenaed or sworn, shall promise, offer, or give the witness or another person any valuable thing or valuable benefit.	1922 1923 1924 1925 1926 1927

(D) No person, either before or after the person is subpoenaed or sworn as a witness, shall knowingly solicit or accept for self or another person any valuable thing or valuable benefit to corrupt or improperly influence self or another person with respect to testimony given in an official proceeding.	1928 1929 1930 1931 1932 1933
(E) No person, with purpose to corrupt a director, officer, or employee of a municipal school district transformation alliance established under section 3311.86 of the Revised Code, or improperly to influence a director, officer, or employee of a municipal school district transformation alliance with respect to the discharge of the director's, officer's, or employee's duties, whether before or after the director, officer, or employee is appointed or employed, shall promise, offer, or give the director, officer, or employee any valuable thing or valuable benefit.	1934 1935 1936 1937 1938 1939 1940 1941 1942 1943
(F) No person, either before or after the person is appointed or employed as a director, officer, or employee of a municipal school district transformation alliance established under section 3311.86 of the Revised Code, shall knowingly solicit or accept for self or another person any valuable thing or valuable benefit to corrupt or improperly influence the person or another director, officer, or employee of a municipal school district transformation alliance with respect to the discharge of the person's or other director's, officer's, or employee's duties.	1944 1945 1946 1947 1948 1949 1950 1951 1952 1953
(G) <u>As used in this section, "public servant" includes a humane society agent approved under section 1717.06 of the Revised Code.</u>	1954 1955 1956
(H) <u>Whoever violates this section is guilty of bribery, a</u>	1957

felony of the third degree. 1958

(H) (I) A public servant or party official, or director, 1959  
officer, or employee of a municipal school district 1960  
transformation alliance established under section 3311.86 of the 1961  
Revised Code, who is convicted of bribery is forever 1962  
disqualified from holding any public office, employment, or 1963  
position of trust in this state. 1964

**Sec. 2931.18.** (A) A humane society or its agent may employ 1965  
appoint an attorney, and may also employ appoint one or more 1966  
assistant attorneys, to prosecute violations of law relating to 1967

(1) Except the prevention of cruelty to animals, except as 1968  
provided in division (B) of this section, prevention of cruelty 1969  
to animals or children; 1970

(2) Abandonment, nonsupport, or ill treatment of a child 1971  
by its parent; 1972

(3) Employment of a child under fourteen years of age in 1973  
public exhibitions or vocations injurious to health, life, or 1974  
morals or which cause or permit such child to suffer unnecessary 1975  
physical or mental pain; 1976

(4) Neglect or refusal of an adult to support a destitute 1977  
parent. 1978

Such The attorneys shall be paid out of the county 1979  
treasury, from the general fund of the county or from the dog 1980  
and kennel fund of the county, in an amount approved as just and 1981  
reasonable by the board of county commissioners of that county. 1982

(B) A humane society or its agent shall not employ an 1983  
attorney or one or more assistant attorneys to prosecute a 1984  
felony violation of section 959.131 of the Revised Code. 1985

<b>Sec. 4729.01.</b> As used in this chapter:	1986
(A) "Pharmacy," except when used in a context that refers to the practice of pharmacy, means any area, room, rooms, place of business, department, or portion of any of the foregoing where the practice of pharmacy is conducted.	1987 1988 1989 1990
(B) "Practice of pharmacy" means providing pharmacist care requiring specialized knowledge, judgment, and skill derived from the principles of biological, chemical, behavioral, social, pharmaceutical, and clinical sciences. As used in this division, "pharmacist care" includes the following:	1991 1992 1993 1994 1995
(1) Interpreting prescriptions;	1996
(2) Dispensing drugs and drug therapy related devices;	1997
(3) Compounding drugs;	1998
(4) Counseling individuals with regard to their drug therapy, recommending drug therapy related devices, and assisting in the selection of drugs and appliances for treatment of common diseases and injuries and providing instruction in the proper use of the drugs and appliances;	1999 2000 2001 2002 2003
(5) Performing drug regimen reviews with individuals by discussing all of the drugs that the individual is taking and explaining the interactions of the drugs;	2004 2005 2006
(6) Performing drug utilization reviews with licensed health professionals authorized to prescribe drugs when the pharmacist determines that an individual with a prescription has a drug regimen that warrants additional discussion with the prescriber;	2007 2008 2009 2010 2011
(7) Advising an individual and the health care professionals treating an individual with regard to the	2012 2013

individual's drug therapy;	2014
(8) Acting pursuant to a consult agreement with one or more physicians authorized under Chapter 4731. of the Revised Code to practice medicine and surgery or osteopathic medicine and surgery, if an agreement has been established;	2015 2016 2017 2018
(9) Engaging in the administration of immunizations to the extent authorized by section 4729.41 of the Revised Code;	2019 2020
(10) Engaging in the administration of drugs to the extent authorized by section 4729.45 of the Revised Code.	2021 2022
(C) "Compounding" means the preparation, mixing, assembling, packaging, and labeling of one or more drugs in any of the following circumstances:	2023 2024 2025
(1) Pursuant to a prescription issued by a licensed health professional authorized to prescribe drugs;	2026 2027
(2) Pursuant to the modification of a prescription made in accordance with a consult agreement;	2028 2029
(3) As an incident to research, teaching activities, or chemical analysis;	2030 2031
(4) In anticipation of orders for drugs pursuant to prescriptions, based on routine, regularly observed dispensing patterns;	2032 2033 2034
(5) Pursuant to a request made by a licensed health professional authorized to prescribe drugs for a drug that is to be used by the professional for the purpose of direct administration to patients in the course of the professional's practice, if all of the following apply:	2035 2036 2037 2038 2039
(a) At the time the request is made, the drug is not	2040

commercially available regardless of the reason that the drug is  
not available, including the absence of a manufacturer for the  
drug or the lack of a readily available supply of the drug from  
a manufacturer.

(b) A limited quantity of the drug is compounded and  
provided to the professional.

(c) The drug is compounded and provided to the  
professional as an occasional exception to the normal practice  
of dispensing drugs pursuant to patient-specific prescriptions.

(D) "Consult agreement" means an agreement that has been  
entered into under section 4729.39 of the Revised Code.

(E) "Drug" means:

(1) Any article recognized in the United States  
pharmacopoeia and national formulary, or any supplement to them,  
intended for use in the diagnosis, cure, mitigation, treatment,  
or prevention of disease in humans or animals;

(2) Any other article intended for use in the diagnosis,  
cure, mitigation, treatment, or prevention of disease in humans  
or animals;

(3) Any article, other than food, intended to affect the  
structure or any function of the body of humans or animals;

(4) Any article intended for use as a component of any  
article specified in division (E) (1), (2), or (3) of this  
section; but does not include devices or their components,  
parts, or accessories.

"Drug" does not include "hemp" or a "hemp product" as  
those terms are defined in section 928.01 of the Revised Code.

(F) "Dangerous drug" means any of the following:	2068
(1) Any drug to which either of the following applies:	2069
(a) Under the "Federal Food, Drug, and Cosmetic Act," 52 Stat. 1040 (1938), 21 U.S.C.A. 301, as amended, the drug is required to bear a label containing the legend "Caution: Federal law prohibits dispensing without prescription" or "Caution: Federal law restricts this drug to use by or on the order of a licensed veterinarian" or any similar restrictive statement, or the drug may be dispensed only upon a prescription;	2070 2071 2072 2073 2074 2075 2076
(b) Under Chapter 3715. or 3719. of the Revised Code, the drug may be dispensed only upon a prescription.	2077 2078
(2) Any drug that contains a schedule V controlled substance and that is exempt from Chapter 3719. of the Revised Code or to which that chapter does not apply;	2079 2080 2081
(3) Any drug intended for administration by injection into the human body other than through a natural orifice of the human body;	2082 2083 2084
(4) Any drug that is a biological product, as defined in section 3715.01 of the Revised Code.	2085 2086
(G) "Federal drug abuse control laws" has the same meaning as in section 3719.01 of the Revised Code.	2087 2088
(H) "Prescription" means all of the following:	2089
(1) A written, electronic, or oral order for drugs or combinations or mixtures of drugs to be used by a particular individual or for treating a particular animal, issued by a licensed health professional authorized to prescribe drugs;	2090 2091 2092 2093
(2) For purposes of sections 2925.61, 4723.488, 4730.431,	2094

and 4731.94 of the Revised Code, a written, electronic, or oral  
order for naloxone issued to and in the name of a family member,  
friend, or other individual in a position to assist an  
individual who there is reason to believe is at risk of  
experiencing an opioid-related overdose. 2095  
2096  
2097  
2098  
2099

(3) For purposes of section 4729.44 of the Revised Code, a  
written, electronic, or oral order for naloxone issued to and in  
the name of either of the following: 2100  
2101  
2102

(a) An individual who there is reason to believe is at  
risk of experiencing an opioid-related overdose; 2103  
2104

(b) A family member, friend, or other individual in a  
position to assist an individual who there is reason to believe  
is at risk of experiencing an opioid-related overdose. 2105  
2106  
2107

(4) For purposes of sections 4723.4810, 4729.282,  
4730.432, and 4731.93 of the Revised Code, a written,  
electronic, or oral order for a drug to treat chlamydia,  
gonorrhea, or trichomoniasis issued to and in the name of a  
patient who is not the intended user of the drug but is the  
sexual partner of the intended user; 2108  
2109  
2110  
2111  
2112  
2113

(5) For purposes of sections 3313.7110, 3313.7111,  
3314.143, 3326.28, 3328.29, 4723.483, 4729.88, 4730.433,  
4731.96, and 5101.76 of the Revised Code, a written, electronic,  
or oral order for an epinephrine autoinjector issued to and in  
the name of a school, school district, or camp; 2114  
2115  
2116  
2117  
2118

(6) For purposes of Chapter 3728. and sections 4723.483,  
4729.88, 4730.433, and 4731.96 of the Revised Code, a written,  
electronic, or oral order for an epinephrine autoinjector issued  
to and in the name of a qualified entity, as defined in section  
3728.01 of the Revised Code. 2119  
2120  
2121  
2122  
2123

(I) "Licensed health professional authorized to prescribe drugs" or "prescriber" means an individual who is authorized by law to prescribe drugs or dangerous drugs or drug therapy related devices in the course of the individual's professional practice, including only the following:	2124 2125 2126 2127 2128
(1) A dentist licensed under Chapter 4715. of the Revised Code;	2129 2130
(2) A clinical nurse specialist, certified nurse-midwife, or certified nurse practitioner who holds a current, valid license to practice nursing as an advanced practice registered nurse issued under Chapter 4723. of the Revised Code;	2131 2132 2133 2134
(3) An optometrist licensed under Chapter 4725. of the Revised Code to practice optometry under a therapeutic pharmaceutical agents certificate;	2135 2136 2137
(4) A physician authorized under Chapter 4731. of the Revised Code to practice medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery;	2138 2139 2140
(5) A physician assistant who holds a license to practice as a physician assistant issued under Chapter 4730. of the Revised Code, holds a valid prescriber number issued by the state medical board, and has been granted physician-delegated prescriptive authority;	2141 2142 2143 2144 2145
(6) A veterinarian licensed under Chapter 4741. of the Revised Code.	2146 2147
(J) "Sale" or "sell" includes any transaction made by any person, whether as principal proprietor, agent, or employee, to do or offer to do any of the following: deliver, distribute, broker, exchange, gift or otherwise give away, or transfer, whether the transfer is by passage of title, physical movement,	2148 2149 2150 2151 2152

or both. 2153

(K) "Wholesale sale" and "sale at wholesale" mean any sale 2154  
in which the purpose of the purchaser is to resell the article 2155  
purchased or received by the purchaser. 2156

(L) "Retail sale" and "sale at retail" mean any sale other 2157  
than a wholesale sale or sale at wholesale. 2158

(M) "Retail seller" means any person that sells any 2159  
dangerous drug to consumers without assuming control over and 2160  
responsibility for its administration. Mere advice or 2161  
instructions regarding administration do not constitute control 2162  
or establish responsibility. 2163

(N) "Price information" means the price charged for a 2164  
prescription for a particular drug product and, in an easily 2165  
understandable manner, all of the following: 2166

(1) The proprietary name of the drug product; 2167

(2) The established (generic) name of the drug product; 2168

(3) The strength of the drug product if the product 2169  
contains a single active ingredient or if the drug product 2170  
contains more than one active ingredient and a relevant strength 2171  
can be associated with the product without indicating each 2172  
active ingredient. The established name and quantity of each 2173  
active ingredient are required if such a relevant strength 2174  
cannot be so associated with a drug product containing more than 2175  
one ingredient. 2176

(4) The dosage form; 2177

(5) The price charged for a specific quantity of the drug 2178  
product. The stated price shall include all charges to the 2179  
consumer, including, but not limited to, the cost of the drug 2180

product, professional fees, handling fees, if any, and a 2181  
statement identifying professional services routinely furnished 2182  
by the pharmacy. Any mailing fees and delivery fees may be 2183  
stated separately without repetition. The information shall not 2184  
be false or misleading. 2185

(O) "Wholesale distributor of dangerous drugs" or 2186  
"wholesale distributor" means a person engaged in the sale of 2187  
dangerous drugs at wholesale and includes any agent or employee 2188  
of such a person authorized by the person to engage in the sale 2189  
of dangerous drugs at wholesale. 2190

(P) "Manufacturer of dangerous drugs" or "manufacturer" 2191  
means a person, other than a pharmacist or prescriber, who 2192  
manufactures dangerous drugs and who is engaged in the sale of 2193  
those dangerous drugs. 2194

(Q) "Terminal distributor of dangerous drugs" or "terminal 2195  
distributor" means a person who is engaged in the sale of 2196  
dangerous drugs at retail, or any person, other than a 2197  
manufacturer, repackager, outsourcing facility, third-party 2198  
logistics provider, wholesale distributor, or pharmacist, who 2199  
has possession, custody, or control of dangerous drugs for any 2200  
purpose other than for that person's own use and consumption. 2201  
"Terminal distributor" includes pharmacies, hospitals, nursing 2202  
homes, and laboratories and all other persons who procure 2203  
dangerous drugs for sale or other distribution by or under the 2204  
supervision of a pharmacist, licensed health professional 2205  
authorized to prescribe drugs, or other person authorized by the 2206  
state board of pharmacy. 2207

(R) "Promote to the public" means disseminating a 2208  
representation to the public in any manner or by any means, 2209  
other than by labeling, for the purpose of inducing, or that is 2210

likely to induce, directly or indirectly, the purchase of a  
dangerous drug at retail. 2211  
2212

(S) "Person" includes any individual, partnership,  
association, limited liability company, or corporation, the  
state, any political subdivision of the state, and any district,  
department, or agency of the state or its political  
subdivisions. 2213  
2214  
2215  
2216  
2217

(T) (1) "Animal shelter" means a facility operated by a  
humane society or any society organized under Chapter 1717. of  
the Revised Code or a dog pound operated pursuant to Chapter  
955. of the Revised Code. 2218  
2219  
2220  
2221

(2) "County dog warden" means a dog warden or deputy dog  
warden appointed or employed under section 955.12 of the Revised  
Code. 2222  
2223  
2224

(U) "Food" has the same meaning as in section 3715.01 of  
the Revised Code. 2225  
2226

(V) "Pain management clinic" has the same meaning as in  
section 4731.054 of the Revised Code. 2227  
2228

(W) "Investigational drug or product" means a drug or  
product that has successfully completed phase one of the United  
States food and drug administration clinical trials and remains  
under clinical trial, but has not been approved for general use  
by the United States food and drug administration. 2229  
2230  
2231  
2232  
2233  
"Investigational drug or product" does not include controlled  
substances in schedule I, as defined in section 3719.01 of the  
Revised Code. 2234  
2235  
2236

(X) "Product," when used in reference to an  
investigational drug or product, means a biological product,  
other than a drug, that is made from a natural human, animal, or  
2237  
2238  
2239

microorganism source and is intended to treat a disease or	2240
medical condition.	2241
(Y) "Third-party logistics provider" means a person that	2242
provides or coordinates warehousing or other logistics services	2243
pertaining to dangerous drugs including distribution, on behalf	2244
of a manufacturer, wholesale distributor, or terminal	2245
distributor of dangerous drugs, but does not take ownership of	2246
the drugs or have responsibility to direct the sale or	2247
disposition of the drugs.	2248
(Z) "Repackager of dangerous drugs" or "repackager" means	2249
a person that repacks and relabels dangerous drugs for sale or	2250
distribution.	2251
(AA) "Outsourcing facility" means a facility that is	2252
engaged in the compounding and sale of sterile drugs and is	2253
registered as an outsourcing facility with the United States	2254
food and drug administration.	2255
(BB) "Laboratory" means a laboratory licensed under this	2256
chapter as a terminal distributor of dangerous drugs and	2257
entrusted to have custody of any of the following drugs and to	2258
use the drugs for scientific and clinical purposes and for	2259
purposes of instruction: dangerous drugs that are not controlled	2260
substances, as defined in section 3719.01 of the Revised Code;	2261
dangerous drugs that are controlled substances, as defined in	2262
that section; and controlled substances in schedule I, as	2263
defined in that section.	2264
<b>Sec. 4729.531.</b> (A) The state board of pharmacy may issue a	2265
limited license to <u>an animal shelters shelter or county dog</u>	2266
<u>warden</u> solely for the purpose of purchasing, possessing, and	2267
administering <del>combination</del> drugs that <del>contain pentobarbital and</del>	2268

~~at least one noncontrolled substance ingredient, are distributed~~ 2269  
~~in a manufactured dosage form, whose only indication is for~~ 2270  
~~euthanizing animals, or other substances as described in~~ 2271  
section 4729.532 of the Revised Code. ~~No Unless otherwise~~ 2272  
~~approved by the board, no such license shall authorize or permit~~ 2273  
the distribution of these drugs to any person other than the 2274  
originating wholesale distributor of the drugs. An application 2275  
for licensure shall include the information the board requires 2276  
by rule under this section. If the application meets the 2277  
requirements of the rules adopted under this section, the board 2278  
shall issue the license. 2279

(B) The board, in accordance with Chapter 119. of the 2280  
Revised Code, shall adopt any rules necessary to administer and 2281  
enforce this section. The rules shall do all of the following: 2282

(1) Require as a condition of licensure ~~of the facility~~ 2283  
that an agent or employee of an animal shelter or an agent or 2284  
employee of a county dog warden, other than a registered 2285  
veterinary technician as defined in section 4741.01 of the 2286  
Revised Code, has successfully completed a euthanasia technician 2287  
certification course described in section 4729.532 of the 2288  
Revised Code; 2289

(2) Specify the information the animal shelter or county 2290  
dog warden must provide the board for issuance or renewal of a 2291  
license; 2292

(3) Establish criteria for the board to use in determining 2293  
~~whether to refuse to issue or renew, suspend, or revoke a~~ 2294  
~~license issued under this section;~~ 2295

(4) Address any other matters the board considers 2296  
necessary or appropriate for the administration and enforcement 2297

of this section. 2298

**Sec. 4729.532.** (A) No agent or employee of an animal 2299  
shelter and no county dog warden or agent or employee of a 2300  
county dog warden shall perform euthanasia by means of lethal 2301  
injection on an animal by use of any substance other than 2302  
~~combination drugs that contain pentobarbital and at least one~~ 2303  
~~noncontrolled a substance active ingredient, in a manufactured~~ 2304  
dosage form, ~~whose only indication is for euthanizing animals,~~ 2305  
~~or other substance~~ that the state veterinary medical licensing 2306  
board ~~and, in consultation with~~ the state board of pharmacy ~~both~~ 2307  
~~approve, approves~~ by rule adopted in accordance with Chapter 2308  
119. of the Revised Code. 2309

The agent or employee of an animal shelter, county dog 2310  
warden, or agent or employee of a county dog warden when using a 2311  
lethal solution to perform euthanasia on an animal shall use 2312  
~~such the~~ solution in accordance with the following methods ~~and~~ 2313  
~~in the following order of preference:~~ 2314

- (1) Intravenous injection by hypodermic needle; 2315
- (2) Intraperitoneal injection by hypodermic needle; 2316
- (3) Intracardial injection by hypodermic needle, but only 2317  
~~on a sedated or unconscious an animal verified to be~~ 2318  
unconscious; 2319
- (4) ~~Solution Oral administration of solution or powder~~ 2320  
~~added to food.~~ 2321

~~(B) Except as provided in division (D) of this section, no~~ 2322  
Before euthanasia, a euthanasia technician may administer a 2323  
solution of one or more drugs exclusively for the purpose of 2324  
inducing anesthesia, sedation, or unconsciousness prior to 2325  
euthanasia. Only those drugs that have been approved by rule 2326

adopted in accordance with Chapter 119. of the Revised Code by 2327  
the state board of pharmacy, in consultation with the state 2328  
veterinary medical licensing board, may be used. 2329

(C) No agent or employee of an animal shelter and no 2330  
county dog warden or agent or employee of a county dog warden, 2331  
other than a registered veterinary technician as defined in 2332  
section 4741.01 of the Revised Code, shall perform euthanasia by 2333  
means of lethal injection on an animal or administer pre- 2334  
euthanasia drugs that induce anesthesia, sedation, or 2335  
unconsciousness unless he the agent or employee or county dog 2336  
warden has received certification after successfully completing 2337  
a euthanasia technician certification course as described in 2338  
this division. 2339

The curriculum for a euthanasia technician certification 2340  
course shall be one that has been approved by the state 2341  
veterinary medical licensing board, shall be at least sixteen 2342  
hours in length, and shall include information in at least all 2343  
of the following areas: 2344

(1) The pharmacology, proper administration, and storage 2345  
of euthanasia, sedation, and anesthesia solutions; 2346

(2) Federal and state laws regulating the storage and 2347  
accountability of euthanasia, sedation, and anesthesia 2348  
solutions; 2349

(3) Euthanasia technician stress management; 2350

(4) Proper disposal of euthanized animals. 2351

(E) (1) Except as provided in division (D) of this section, 2352  
no (D) (1) No agent or employee of an animal shelter shall 2353  
perform euthanasia by means of lethal injection on animals or 2354  
administer pre-euthanasia drugs that induce anesthesia, 2355

sedation, or unconsciousness under this section unless the 2356  
facility in which he the agent or employee works or is employed 2357  
is licensed with the state board of pharmacy under section 2358  
4729.531 of the Revised Code. No agent or employee of a county 2359  
dog warden shall perform euthanasia by means of lethal injection 2360  
on animals or administer pre-euthanasia drugs that induce 2361  
anesthesia, sedation, or unconsciousness under this section 2362  
unless the county dog warden is licensed under section 4729.531 2363  
of the Revised Code. 2364

(2) Any agent or employee of an animal shelter or county 2365  
dog warden performing euthanasia by means of lethal injection or 2366  
administering pre-euthanasia drugs that induce anesthesia, 2367  
sedation, or unconsciousness shall do so only in a humane and 2368  
proficient manner that is in conformity with the methods 2369  
described in division divisions (A) and (B) of this section and 2370  
not in violation of Chapter 959. of the Revised Code. 2371

(D) An agent or employee of an animal shelter who is 2372  
performing euthanasia by means of lethal injection on animals on 2373  
or before the effective date of this section may continue to 2374  
perform such euthanasia and is not required to be certified in 2375  
compliance with division (B) of this section until ninety days 2376  
after the effective date of the rules adopted in compliance with 2377  
Section 3 of House Bill No. 88 of the 120th general assembly. 2378

(E) Nothing in this section precludes a licensed 2379  
veterinarian or registered veterinary technician as defined in 2380  
section 4741.01 of the Revised Code from engaging in the 2381  
practice of veterinary medicine as authorized in Chapter 4741. 2382  
of the Revised Code. 2383

**Sec. 4729.533.** (A) As used in this section and sections 2384  
4729.534 and 4729.535 of the Revised Code, "certified officer" 2385

and "chemical capture" have the same meanings as in section 2386  
955.151 of the Revised Code. 2387

(B) Upon application of an animal shelter or county dog 2388  
warden that holds a limited license issued under section 2389  
4729.531 of the Revised Code, the state board of pharmacy may 2390  
grant a chemical capture classification to the limited license. 2391  
The classification permits the holder to purchase, possess, and 2392  
administer a combination of drugs for chemical capture. Unless 2393  
otherwise approved by the board, no such classification shall 2394  
authorize or permit the distribution of these drugs to any 2395  
person other than the originating wholesale distributor of the 2396  
drugs. 2397

(C) To qualify for a chemical capture classification under 2398  
this section, an applicant shall appoint or employ a certified 2399  
officer. 2400

(D) If an applicant meets the requirements of this section 2401  
and rules adopted under it, the board shall grant the 2402  
classification. The board may suspend or revoke a classification 2403  
or refuse to issue or renew a classification for any violation 2404  
of this section, section 4729.535 of the Revised Code, or rules 2405  
adopted under this section. 2406

(E) The state board of pharmacy, in accordance with 2407  
Chapter 119. of the Revised Code and in consultation with the 2408  
state veterinary medical licensing board, shall adopt rules that 2409  
do all of the following: 2410

(1) Specify the information an applicant must provide for 2411  
issuance or renewal of a chemical capture classification; 2412

(2) Specify all of the following: 2413

(a) The drugs to be used in chemical capture; 2414

<u>(b) The proper storage, administration, and use of approved drugs;</u>	2415 2416
<u>(c) The proper storage, maintenance, and use of instruments and equipment used in chemical capture;</u>	2417 2418
<u>(d) The proper disposal of instruments used in chemical capture.</u>	2419 2420
<u>(3) Establish criteria for all of the following:</u>	2421
<u>(a) Determining when chemical capture is appropriate;</u>	2422
<u>(b) The care of a companion animal immediately upon capture;</u>	2423 2424
<u>(c) Recordkeeping for the drugs used and actions taken during a chemical capture.</u>	2425 2426
<u>(4) Address any other matters the board considers necessary or appropriate for administration and enforcement of this section and sections 4729.534 and 4729.535 of the Revised Code.</u>	2427 2428 2429 2430
<b><u>Sec. 4729.534.</u></b> <u>(A) As used in this section, "companion animal" has the same meaning as in section 959.131 of the Revised Code.</u>	2431 2432 2433
<u>(B) An individual is considered a certified officer if the individual does one of the following:</u>	2434 2435
<u>(1) Successfully completes a chemical capture course that has a curriculum approved in accordance with division (C) of this section;</u>	2436 2437 2438
<u>(2) Successfully completes training acceptable to the state veterinary medical licensing board from the national animal control association or safe capture international, inc.</u>	2439 2440 2441

<u>(C) To be approved as a chemical capture curriculum for purposes of division (B) (1) of this section, a curriculum shall include all of the following topics:</u>	2442 2443 2444
<u>(1) The pharmacology, proper administration, storage, and recordkeeping of drugs used in chemical capture;</u>	2445 2446
<u>(2) Federal and state laws regulating the storage and accountability of drugs used in chemical capture;</u>	2447 2448
<u>(3) Chemical capture technology, animal behavior, postimmobilization procedures, proper public and personnel safety, and marksmanship training;</u>	2449 2450 2451
<u>(4) Any other topic specified by the state veterinary medical licensing board.</u>	2452 2453
<u>(D) In a civil action, a certified officer is immune from liability for any harm the officer causes to a companion animal, livestock, or a wild animal if the officer is acting within the scope of the officer's employment and is in compliance with rules established under division (E) of section 4729.533 of the Revised Code.</u>	2454 2455 2456 2457 2458 2459
<u><b>Sec. 4729.535. No person shall perform chemical capture with a drug or combination of drugs other than the drugs specified in rules adopted under section 4729.533 of the Revised Code.</b></u>	2460 2461 2462 2463
<u>No animal shelter or county dog warden shall permit an individual to perform chemical capture unless the shelter or warden holds a chemical capture classification granted under section 4729.533 of the Revised Code and the individual is a certified officer.</u>	2464 2465 2466 2467 2468
<u>No individual shall perform chemical capture unless the</u>	2469

<u>individual is a certified officer and is appointed or employed by an animal shelter or county dog warden that holds a chemical capture classification.</u>	2470
	2471
	2472
<u>Nothing in this section precludes a licensed veterinarian or registered veterinary technician as defined in section 4741.01 of the Revised Code from engaging in the practice of veterinary medicine as authorized in Chapter 4741. of the Revised Code.</u>	2473
	2474
	2475
	2476
	2477
<b>Sec. 4729.54.</b> (A) As used in this section:	2478
(1) "Category II" means any dangerous drug that is not included in category III.	2479
	2480
(2) "Category III" means any controlled substance that is contained in schedule I, II, III, IV, or V.	2481
	2482
(3) "Emergency medical service organization" has the same meaning as in section 4765.01 of the Revised Code.	2483
	2484
(4) "Emergency medical service organization satellite" means a location where dangerous drugs are stored that is separate from, but associated with, the headquarters of an emergency medical service organization. "Emergency medical service organization satellite" does not include the units under the control of the emergency medical service organization.	2485
	2486
	2487
	2488
	2489
	2490
(5) "Person" includes an emergency medical service organization or an emergency medical service organization satellite.	2491
	2492
	2493
(6) "Schedule I," "schedule II," "schedule III," "schedule IV," and "schedule V" have the same meanings as in section 3719.01 of the Revised Code.	2494
	2495
	2496
(B) (1) A person seeking to be licensed as a terminal	2497

distributor of dangerous drugs shall file with the executive 2498  
director of the state board of pharmacy a verified application. 2499  
After it is filed, the application may not be withdrawn without 2500  
approval of the board. 2501

(2) An application shall contain all the following that 2502  
apply in the applicant's case: 2503

(a) Information that the board requires relative to the 2504  
qualifications of a terminal distributor of dangerous drugs set 2505  
forth in section 4729.55 of the Revised Code; 2506

(b) A statement as to whether the person is seeking to be 2507  
licensed as a category II, category III, limited category II, or 2508  
limited category III terminal distributor of dangerous drugs; 2509

(c) If the person is seeking to be licensed as a limited 2510  
category II or limited category III terminal distributor of 2511  
dangerous drugs, a list of the dangerous drugs that the person 2512  
is seeking to possess, have custody or control of, and 2513  
distribute, which list shall also specify the purpose for which 2514  
those drugs will be used and their source; 2515

(d) If the person is an emergency medical service 2516  
organization, the information that is specified in divisions (C) 2517  
(1) and (2) of this section, and if the person is an emergency 2518  
medical service organization satellite, the information required 2519  
under division (D) of this section; 2520

(e) Except with respect to the units under the control of 2521  
an emergency medical service organization, the identity of the 2522  
one establishment or place at which the person intends to engage 2523  
in the sale or other distribution of dangerous drugs at retail, 2524  
and maintain possession, custody, or control of dangerous drugs 2525  
for purposes other than the person's own use or consumption; 2526

(f) If the application pertains to a pain management clinic, information that demonstrates, to the satisfaction of the board, compliance with division (A) of section 4729.552 of the Revised Code; 2527  
2528  
2529  
2530

(g) If the application pertains to a facility, clinic, or other location described in division (B) of section 4729.553 of the Revised Code that must hold a category III terminal distributor of dangerous drugs license with an office-based opioid treatment classification, information that demonstrates, to the satisfaction of the board, compliance with division (C) of that section. 2531  
2532  
2533  
2534  
2535  
2536  
2537

(C) (1) Each emergency medical service organization that applies for a terminal distributor of dangerous drugs license shall submit with its application all of the following: 2538  
2539  
2540

(a) A copy of its standing orders or protocol, which orders or protocol shall be signed by a physician; 2541  
2542

(b) A list of the dangerous drugs that the units under its control may carry, expressed in standard dose units, which shall be signed by a physician; 2543  
2544  
2545

(c) A list of the personnel employed or used by the organization to provide emergency medical services in accordance with Chapter 4765. of the Revised Code. 2546  
2547  
2548

In accordance with Chapter 119. of the Revised Code, the board shall adopt rules specifying when an emergency medical service organization that is licensed as a terminal distributor must notify the board of any changes in its documentation submitted pursuant to division (C) (1) of this section. 2549  
2550  
2551  
2552  
2553

(2) An emergency medical service organization seeking to be licensed as a terminal distributor of dangerous drugs shall 2554  
2555

list in its application for licensure the following additional information:	2556 2557
(a) The units under its control that the organization determines will possess dangerous drugs for the purpose of administering emergency medical services in accordance with Chapter 4765. of the Revised Code;	2558 2559 2560 2561
(b) With respect to each such unit, whether the dangerous drugs that the organization determines the unit will possess are in category II or III.	2562 2563 2564
(3) An emergency medical service organization that is licensed as a terminal distributor of dangerous drugs shall file a new application for such licensure if there is any change in the number or location of any of its units or if there is any change in the category of the dangerous drugs that any unit will possess.	2565 2566 2567 2568 2569 2570
(4) A unit listed in an application for licensure pursuant to division (C)(2) of this section may obtain the dangerous drugs it is authorized to possess from its emergency medical service organization or, on a replacement basis, from a hospital pharmacy. If units will obtain dangerous drugs from a hospital pharmacy, the organization shall file, and maintain in current form, the following items with the pharmacist who is responsible for the hospital's terminal distributor of dangerous drugs license:	2571 2572 2573 2574 2575 2576 2577 2578 2579
(a) A copy of its standing orders or protocol;	2580
(b) A list of the personnel employed or used by the organization to provide emergency medical services in accordance with Chapter 4765. of the Revised Code, who are authorized to possess the drugs, which list also shall indicate the personnel	2581 2582 2583 2584

who are authorized to administer the drugs. 2585

(D) Each emergency medical service organization satellite 2586  
that applies for a terminal distributor of dangerous drugs 2587  
license shall submit with its application all of the information 2588  
that the board requires to be submitted with the application, as 2589  
specified in rules the board shall adopt in accordance with 2590  
Chapter 119. of the Revised Code. 2591

(E) There shall be four categories of terminal distributor 2592  
of dangerous drugs licenses. The categories are as follows: 2593

(1) Category II license. A person who obtains this license 2594  
may possess, have custody or control of, and distribute only the 2595  
dangerous drugs described in category II. 2596

(2) Limited category II license. A person who obtains this 2597  
license may possess, have custody or control of, and distribute 2598  
only the dangerous drugs described in category II that were 2599  
listed in the application for licensure. 2600

(3) Category III license, which may include a pain 2601  
management clinic classification issued under section 4729.552 2602  
of the Revised Code. A person who obtains this license may 2603  
possess, have custody or control of, and distribute the 2604  
dangerous drugs described in category II and category III. If 2605  
the license includes a pain management clinic classification, 2606  
the person may operate a pain management clinic. 2607

(4) Limited category III license. A person who obtains 2608  
this license may possess, have custody or control of, and 2609  
distribute only the dangerous drugs described in category II or 2610  
category III that were listed in the application for licensure. 2611

(F) Except for an application made by a county dog warden 2612  
or on behalf of an animal shelter, if an applicant for a limited 2613

category II license or limited category III license intends to 2614  
administer dangerous drugs to a person or animal, the applicant 2615  
shall submit, with the application, a copy of its protocol or 2616  
standing orders. The protocol or orders shall be signed by a 2617  
licensed health professional authorized to prescribe drugs, 2618  
specify the dangerous drugs to be administered, and list 2619  
personnel who are authorized to administer the dangerous drugs 2620  
in accordance with federal law or the law of this state. An- 2621

An application made by a county dog warden or on behalf of 2622  
an animal shelter shall include a list of the dangerous drugs to 2623  
be administered to animals and the personnel who are authorized 2624  
to administer the drugs to animals in accordance with section 2625  
4729.532 of the Revised Code. 2626

In accordance with Chapter 119. of the Revised Code, the 2627  
board shall adopt rules specifying when a licensee must notify 2628  
the board of any changes in its documentation submitted pursuant 2629  
to this division. 2630

(G) (1) Each applicant for licensure as a terminal 2631  
distributor of dangerous drugs shall submit, with the 2632  
application, a license fee. The amount assessed shall not be 2633  
returned to the applicant if the applicant fails to qualify for 2634  
the license. 2635

(2) The following fees apply under division (G) (1) of this 2636  
section: 2637

(a) Except as provided in division (G) (2) (b) of this 2638  
section: 2639

(i) Three hundred twenty dollars for a category II or 2640  
limited category II license; 2641

(ii) Four hundred forty dollars for a category III 2642

license, including a license with a pain management clinic	2643
classification issued under section 4729.552 of the Revised	2644
Code, or a limited category III license.	2645
(b) One hundred twenty dollars for all of the following:	2646
(i) A person who is required to hold a license as a	2647
terminal distributor of dangerous drugs pursuant to division (D)	2648
of section 4729.541 of the Revised Code;	2649
(ii) A professional association, corporation, partnership,	2650
or limited liability company organized for the purpose of	2651
practicing veterinary medicine that is not included in division	2652
(G) (2) (b) (i) of this section;	2653
(iii) An emergency medical service organization satellite.	2654
(H) (1) The board shall issue a terminal distributor of	2655
dangerous drugs license to each person who submits an	2656
application for such licensure in accordance with this section,	2657
pays the required license fee, is determined by the board to	2658
meet the requirements set forth in section 4729.55 of the	2659
Revised Code, and satisfies any other applicable requirements of	2660
this section.	2661
(2) <u>The</u> Except for the license of a county dog warden, the	2662
license shall describe the one establishment or place at which	2663
the licensee may engage in the sale or other distribution of	2664
dangerous drugs at retail and maintain possession, custody, or	2665
control of dangerous drugs for purposes other than the	2666
licensee's own use or consumption. The one establishment or	2667
place shall be that which is identified in the application for	2668
licensure.	2669
No such license shall authorize or permit the terminal	2670
distributor of dangerous drugs named in it to engage in the sale	2671

or other distribution of dangerous drugs at retail or to 2672  
maintain possession, custody, or control of dangerous drugs for 2673  
any purpose other than the distributor's own use or consumption, 2674  
at any establishment or place other than that described in the 2675  
license, except that an agent or employee of an animal shelter 2676  
or county dog warden may possess and use dangerous drugs in the 2677  
course of business as provided in ~~division (D) of~~ section 2678  
4729.532 of the Revised Code. 2679

(3) The license of an emergency medical service 2680  
organization shall cover the organization's headquarters and, in 2681  
addition, shall cover and describe all the units of the 2682  
organization listed in its application for licensure. 2683

(I) (1) All licenses issued or renewed pursuant to this 2684  
section shall be effective for a period specified by the board 2685  
in rules adopted under section 4729.26 of the Revised Code. The 2686  
effective period for an initial or renewed license shall not 2687  
exceed twenty-four months unless the board extends the period in 2688  
rules to adjust license renewal schedules. A license shall be 2689  
renewed by the board according to the provisions of this 2690  
section, the standard renewal procedure of Chapter 4745. of the 2691  
Revised Code, and rules adopted by the board under section 2692  
4729.26 of the Revised Code. A person seeking to renew a license 2693  
shall submit an application for renewal and pay the required fee 2694  
on or before the date specified in the rules adopted by the 2695  
board. The fee required for the renewal of a license shall be 2696  
the same as the license fee paid under division (G) of this 2697  
section. 2698

(2) (a) Subject to division (I) (2) (b) of this section, a 2699  
license that has not been renewed by the date specified in rules 2700  
adopted by the board may be reinstated only upon payment of the 2701

required renewal fee and a penalty fee of one hundred ten	2702
dollars.	2703
(b) If an application for renewal has not been submitted	2704
by the sixty-first day after the renewal date specified in rules	2705
adopted by the board, the license is considered void and cannot	2706
be renewed, but the license holder may reapply for licensure.	2707
(3) A terminal distributor of dangerous drugs that fails	2708
to renew licensure in accordance with this section and rules	2709
adopted by the board is prohibited from engaging in the retail	2710
sale, possession, or distribution of dangerous drugs until a	2711
valid license is issued by the board.	2712
(J) (1) No emergency medical service organization that is	2713
licensed as a terminal distributor of dangerous drugs shall fail	2714
to comply with division (C)(1), (3), or (4) of this section.	2715
(2) No licensed terminal distributor of dangerous drugs	2716
shall possess, have custody or control of, or distribute	2717
dangerous drugs that the terminal distributor is not entitled to	2718
possess, have custody or control of, or distribute by virtue of	2719
its category of licensure.	2720
(3) No licensee that is required by division (F) of this	2721
section to notify the board of changes in its protocol or	2722
standing orders, or in personnel, shall fail to comply with that	2723
division.	2724
(K) The board may enter into agreements with other states,	2725
federal agencies, and other entities to exchange information	2726
concerning licensing and inspection of terminal distributors of	2727
dangerous drugs located within or outside this state and to	2728
investigate alleged violations of the laws and rules governing	2729
distribution of drugs by terminal distributors. Any information	2730

received pursuant to such an agreement is subject to the same  
confidentiality requirements applicable to the agency or entity  
from which it was received and shall not be released without  
prior authorization from that agency or entity. 2731  
2732  
2733  
2734

**Sec. 4729.542.** (A) An animal shelter or county dog warden  
that holds a limited license issued under section 4729.531 of  
the Revised Code may apply to the state board of pharmacy for a  
chemical capture classification. 2735  
2736  
2737  
2738

The application shall include a list of the dangerous  
drugs to be used in chemical capture and the certified officers  
employed by the applicant. 2739  
2740  
2741

(B) The holder of a limited license with a chemical  
capture classification shall notify the board prior to  
implementing any changes in the dangerous drugs to be used in  
chemical capture or by the certified officers employed by the  
holder. 2742  
2743  
2744  
2745  
2746

(C) An agent or employee of an animal shelter or county  
dog warden may possess and use dangerous drugs in the course of  
business as provided in sections 4729.532 and 4729.533 of the  
Revised Code. 2747  
2748  
2749  
2750

**Sec. 4729.55.** No license shall be issued to an applicant  
for licensure as a terminal distributor of dangerous drugs  
unless the applicant has furnished satisfactory proof to the  
state board of pharmacy that: 2751  
2752  
2753  
2754

(A) The applicant is equipped as to land, buildings, and  
equipment to properly carry on the business of a terminal  
distributor of dangerous drugs within the category of licensure  
approved by the board. 2755  
2756  
2757  
2758

(B) A pharmacist, licensed health professional authorized 2759

to prescribe drugs, other person authorized by the board, animal shelter or county dog warden licensed under section 4729.531 of the Revised Code, or laboratory will maintain supervision and control over the possession and custody of dangerous drugs and controlled substances that may be acquired by or on behalf of the applicant. 2760  
2761  
2762  
2763  
2764  
2765

(C) Adequate safeguards are assured to prevent the sale or other distribution of dangerous drugs by any person other than a pharmacist or licensed health professional authorized to prescribe drugs. 2766  
2767  
2768  
2769

(D) Adequate safeguards are assured that the applicant will carry on the business of a terminal distributor of dangerous drugs in a manner that allows pharmacists and pharmacy interns employed by the terminal distributor to practice pharmacy in a safe and effective manner. 2770  
2771  
2772  
2773  
2774

(E) If the applicant, or any agent or employee of the applicant, has been found guilty of violating section 4729.51 of the Revised Code, the "Federal Food, Drug, and Cosmetic Act," 52 Stat. 1040 (1938), 21 U.S.C.A. 301, the federal drug abuse control laws, Chapter 2925., 3715., 3719., or 4729. of the Revised Code, or any rule of the board, adequate safeguards are assured to prevent the recurrence of the violation. 2775  
2776  
2777  
2778  
2779  
2780  
2781

(F) In the case of an applicant who is a food processor or retail seller of food, the applicant will maintain supervision and control over the possession and custody of nitrous oxide. 2782  
2783  
2784

(G) In the case of an applicant who is a retail seller of oxygen in original packages labeled as required by the "Federal Food, Drug, and Cosmetic Act," the applicant will maintain supervision and control over the possession, custody, and retail 2785  
2786  
2787  
2788

sale of the oxygen.	2789
(H) If the application is made on behalf of an animal shelter <u>or county dog warden</u> , at least one of the agents or employees of the animal shelter <u>or county dog warden</u> is certified in compliance with section 4729.532 of the Revised Code.	2790 2791 2792 2793 2794
(I) In the case of an applicant who is a retail seller of peritoneal dialysis solutions in original packages labeled as required by the "Federal Food, Drug, and Cosmetic Act," 52 Stat. 1040 (1938), 21 U.S.C.A. 301, the applicant will maintain supervision and control over the possession, custody, and retail sale of the peritoneal dialysis solutions.	2795 2796 2797 2798 2799 2800
(J) In the case of an applicant who is a pain management clinic, the applicant meets the requirements to receive a license with a pain management clinic classification issued under section 4729.552 of the Revised Code.	2801 2802 2803 2804
(K) In the case of an applicant who is operating a facility, clinic, or other location described in division (B) of section 4729.553 of the Revised Code that must hold a category III terminal distributor of dangerous drugs license with an office-based opioid treatment classification, the applicant meets the requirements to receive that license with that classification.	2805 2806 2807 2808 2809 2810 2811
<u>Sec. 4729.991. Whoever purposely violates section 4729.535 of the Revised Code is guilty of a misdemeanor of the first degree.</u>	2812 2813 2814
<u>Sec. 4741.201. (A) As used in this section, "chemical capture" and "certified officer" have the same meanings as in section 955.151 of the Revised Code.</u>	2815 2816 2817

<u>(B) This chapter does not apply to an act of chemical capture by a certified officer in accordance with section 955.151 of the Revised Code.</u>	2818
	2819
	2820
<b>Sec. 5101.63.</b> (A) (1) Any individual listed in division (A) (2) of this section having reasonable cause to believe that an adult is being abused, neglected, or exploited, or is in a condition which is the result of abuse, neglect, or exploitation shall immediately report such belief to the county department of job and family services.	2821
	2822
	2823
	2824
	2825
	2826
(2) All of the following are subject to division (A) (1) of this section:	2827
	2828
(a) An attorney admitted to the practice of law in this state;	2829
	2830
(b) An individual authorized under Chapter 4731. of the Revised Code to practice medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery;	2831
	2832
	2833
(c) An individual licensed under Chapter 4734. of the Revised Code as a chiropractor;	2834
	2835
(d) An individual licensed under Chapter 4715. of the Revised Code as a dentist;	2836
	2837
(e) An individual licensed under Chapter 4723. of the Revised Code as a registered nurse or licensed practical nurse;	2838
	2839
(f) An individual licensed under Chapter 4732. of the Revised Code as a psychologist;	2840
	2841
(g) An individual licensed under Chapter 4757. of the Revised Code as a social worker, independent social worker, professional counselor, professional clinical counselor, marriage and family therapist, or independent marriage and	2842
	2843
	2844
	2845

family therapist;	2846
(h) An individual licensed under Chapter 4729. of the Revised Code as a pharmacist;	2847 2848
(i) An individual holding a certificate to practice as a dialysis technician issued under Chapter 4723. of the Revised Code;	2849 2850 2851
(j) An employee of a home health agency, as defined in section 3701.881 of the Revised Code;	2852 2853
(k) An employee of an outpatient health facility;	2854
(l) An employee of a hospital, as defined in section 3727.01 of the Revised Code;	2855 2856
(m) An employee of a hospital or public hospital, as defined in section 5122.01 of the Revised Code;	2857 2858
(n) An employee of a nursing home or residential care facility, as defined in section 3721.01 of the Revised Code;	2859 2860
(o) An employee of a residential facility licensed under section 5119.22 of the Revised Code that provides accommodations, supervision, and personal care services for three to sixteen unrelated adults;	2861 2862 2863 2864
(p) An employee of a health department operated by the board of health of a city or general health district or the authority having the duties of a board of health under section 3709.05 of the Revised Code;	2865 2866 2867 2868
(q) An employee of a community mental health agency, as defined in section 5122.01 of the Revised Code;	2869 2870
(r) <u>An agent of a county A humane society organized under agent appointed under section 1717.05-1717.06 of the Revised</u>	2871 2872

Code;	2873
(s) An individual who is a firefighter for a lawfully constituted fire department;	2874 2875
(t) An individual who is an ambulance driver for an emergency medical service organization, as defined in section 4765.01 of the Revised Code;	2876 2877 2878
(u) A first responder, emergency medical technician-basic, emergency medical technician-intermediate, or paramedic, as those terms are defined in section 4765.01 of the Revised Code;	2879 2880 2881
(v) An official employed by a local building department to conduct inspections of houses and other residential buildings;	2882 2883
(w) A peace officer;	2884
(x) A coroner;	2885
(y) A member of the clergy;	2886
(z) An individual who holds a certificate issued under Chapter 4701. of the Revised Code as a certified public accountant or is registered under that chapter as a public accountant;	2887 2888 2889 2890
(aa) An individual licensed under Chapter 4735. of the Revised Code as a real estate broker or real estate salesperson;	2891 2892
(bb) An individual appointed and commissioned under section 147.01 of the Revised Code as a notary public;	2893 2894
(cc) An employee of a bank, savings bank, savings and loan association, or credit union organized under the laws of this state, another state, or the United States;	2895 2896 2897
(dd) A dealer, investment adviser, sales person, or investment advisor representative licensed under Chapter 1707.	2898 2899

of the Revised Code;	2900
(ee) A financial planner accredited by a national accreditation agency;	2901 2902
(ff) Any other individual who is a senior service provider, other than a representative of the office of the state long-term care ombudsman program as defined in section 173.14 of the Revised Code.	2903 2904 2905 2906
(B) Any person having reasonable cause to believe that an adult has suffered abuse, neglect, or exploitation may report, or cause a report to be made of such belief to the county department of job and family services.	2907 2908 2909 2910
This division applies to a representative of the office of the state long-term care ombudsman program only to the extent permitted by federal law.	2911 2912 2913
(C) The reports made under this section shall be made orally or in writing except that oral reports shall be followed by a written report if a written report is requested by the department. Written reports shall include:	2914 2915 2916 2917
(1) The name, address, and approximate age of the adult who is the subject of the report;	2918 2919
(2) The name and address of the individual responsible for the adult's care, if any individual is, and if the individual is known;	2920 2921 2922
(3) The nature and extent of the alleged abuse, neglect, or exploitation of the adult;	2923 2924
(4) The basis of the reporter's belief that the adult has been abused, neglected, or exploited.	2925 2926

- (D) Any person with reasonable cause to believe that an adult is suffering abuse, neglect, or exploitation who makes a report pursuant to this section or who testifies in any administrative or judicial proceeding arising from such a report, or any employee of the state or any of its subdivisions who is discharging responsibilities under section 5101.65 of the Revised Code shall be immune from civil or criminal liability on account of such investigation, report, or testimony, except liability for perjury, unless the person has acted in bad faith or with malicious purpose. 2927  
2928  
2929  
2930  
2931  
2932  
2933  
2934  
2935  
2936
- (E) No employer or any other person with the authority to do so shall do any of the following as a result of an employee's having filed a report under this section: 2937  
2938  
2939
- (1) Discharge, demote, transfer, or prepare a negative work performance evaluation; 2940  
2941
- (2) Reduce benefits, pay, or work privileges; 2942
- (3) Take any other action detrimental to an employee or in any way retaliate against the employee. 2943  
2944
- (F) The written or oral report provided for in this section and the investigatory report provided for in section 5101.65 of the Revised Code are confidential and are not public records, as defined in section 149.43 of the Revised Code. In accordance with rules adopted by the department of job and family services, information contained in the report shall upon request be made available to the adult who is the subject of the report and to legal counsel for the adult. If it determines that there is a risk of harm to a person who makes a report under this section or to the adult who is the subject of the report, the county department of job and family services may redact the 2945  
2946  
2947  
2948  
2949  
2950  
2951  
2952  
2953  
2954  
2955

name and identifying information related to the person who made 2956  
the report. 2957

(G) The county department of job and family services shall 2958  
be available to receive the written or oral report provided for 2959  
in this section twenty-four hours a day and seven days a week. 2960

**Sec. 5147.22.** Except for prisoners participating in a 2961  
county jail industry program established under section 5147.30 2962  
of the Revised Code, the board of county commissioners, or 2963  
officer in charge of any workhouse or jail, shall place to the 2964  
credit of each prisoner the amount of the prisoner's earnings 2965  
that the board or officer considers equitable and just, taking 2966  
into consideration the character of the prisoner, the nature of 2967  
the crime for which ~~he~~ the prisoner is imprisoned, and the 2968  
prisoner's general deportment. The board or officer may cancel 2969  
any portion of that credit for violation of the rules, want of 2970  
propriety, or other misconduct. When such earnings are credited 2971  
to any such prisoner and the prisoner has a child under the age 2972  
of sixteen or a spouse, the board or officer in control of the 2973  
workhouse or jail shall pay the earnings weekly to the person 2974  
having custody of the child, ~~to any incorporated humane society~~ 2975  
~~that will serve as trustees for the child without compensation,~~ 2976  
or to the spouse of the prisoner, as the board or officer 2977  
determines. When the prisoner has no such child or spouse, the 2978  
earnings shall be paid to the prisoner upon discharge. 2979

**Section 2.** That existing sections 109.73, 935.19, 935.20, 2980  
955.16, 959.131, 959.132, 959.15, 959.21, 959.99, 1717.01, 2981  
1717.02, 1717.05, 1717.06, 1717.07, 1717.08, 1717.09, 1717.10, 2982  
2151.421, 2921.02, 2931.18, 4729.01, 4729.531, 4729.532, 2983  
4729.54, 4729.55, 5101.63, and 5147.22 of the Revised Code are 2984  
hereby repealed. 2985

**Section 3.** That sections 1717.03, 1717.04, 1717.14, and 2986  
3113.10 of the Revised Code are hereby repealed. 2987

**Section 4.** (A) Not later than six months after the 2988  
effective date of this act, an individual who is serving as a 2989  
humane society agent on that date shall obtain and present proof 2990  
of successful completion of training, as required under section 2991  
1717.061 of the Revised Code, to the current active approving 2992  
authority for approval. 2993

(B) The approving authority, not later than two business 2994  
days after having received the proof of successful completion of 2995  
training, shall notify the appropriate county sheriff and board 2996  
of county commissioners, and shall file with the sheriff a copy 2997  
of the proof of successful completion of training. For a humane 2998  
society agent that was appointed by a branch of the Ohio Humane 2999  
Society prior to the effective date of this act, the approving 3000  
authority is the mayor of the municipal corporation in which the 3001  
society operates. If that society operates outside a municipal 3002  
corporation, the approving authority is the probate judge of the 3003  
county in which the society operates. 3004

(C) An individual who has not presented the required proof 3005  
of successful completion of training to the approving authority, 3006  
as required by this section, is suspended as a humane society 3007  
agent by operation of law until the signed proof of successful 3008  
completion of training is filed with the county sheriff. 3009

**Section 5.** Not later than ninety days after the effective 3010  
date of this act, the probate judge of a county in which a 3011  
humane society agent operates shall send written notice to the 3012  
humane society informing the humane society of the requirements 3013  
of section 1717.16 of the Revised Code and Section 4 as enacted 3014  
in this act. 3015

<b>Section 6.</b> The State Board of Pharmacy in consultation	3016
with the State Veterinary Medical Licensing Board shall adopt	3017
the rules required by section 4729.533 of the Revised Code not	3018
later than two years after the effective date of this section.	3019
If the State Board of Pharmacy fails to meet this requirement,	3020
the Attorney General or a county prosecuting attorney may seek a	3021
court order requiring adoption of the rules.	3022
<b>Section 7.</b> The amendments to section 959.15 of the Revised	3023
Code, divisions (A), (B), and (C) of section 959.21 of the	3024
Revised Code, and divisions (C), (D), (E)(7), and (I) of section	3025
959.99 of the Revised Code by this act are intended to re-enact	3026
the amendments to those sections made by Sub. S.B. 331 of the	3027
131st General Assembly that were severed by the Sixth District	3028
Court of Appeals of Ohio in Toledo v. Ohio, 2018-Ohio-4534; 2018	3029
Ohio App. LEXIS 4854 (6th Dist.) due to the determination that	3030
those provisions violated the one subject rule established under	3031
Article II, Section 15(D) of the Ohio Constitution.	3032
<b>Section 8.</b> Section 959.99 of the Revised Code is presented	3033
in this act as a composite of the section as amended by both	3034
Sub. H.B. 60 and Sub. S.B. 331 of the 131st General Assembly.	3035
The General Assembly, applying the principle stated in division	3036
(B) of section 1.52 of the Revised Code that amendments are to	3037
be harmonized if reasonably capable of simultaneous operation,	3038
finds that the composite is the resulting version of the section	3039
in effect prior to the effective date of the section as	3040
presented in this act.	3041