

As Introduced

**135th General Assembly
Regular Session
2023-2024**

H. B. No. 647

Representative Miller, J.

A BILL

To amend sections 955.20 and 955.221 of the Revised Code to require a county auditor to transfer certain funds from the county's dog and kennel fund to municipal corporations within the county that employ dog wardens.

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

Section 1. That sections 955.20 and 955.221 of the Revised Code be amended to read as follows:

Sec. 955.20. The registration fees provided for in sections 955.01 to 955.14 of the Revised Code constitute a special fund known as "the dog and kennel fund." The fees shall be deposited by the county auditor in the county treasury daily as collected. Money in the fund shall be used for the purpose of defraying the cost of furnishing all blanks, records, tags, nets, and other equipment, for the purpose of paying the compensation of county dog wardens, deputies, poundkeepers, and other employees necessary to carry out and enforce sections 955.01 to 955.261 of the Revised Code, and in accordance with section 955.27 and division (B) (3) (b) of section 955.221 of the Revised Code. The board of county commissioners, by resolution,

shall appropriate sufficient funds out of the dog and kennel 20
fund, not more than fifteen per cent of which shall be expended 21
by the auditor for registration tags, blanks, records, and clerk 22
hire, for the purpose of defraying the necessary expenses of 23
registering, seizing, impounding, and destroying dogs in 24
accordance with sections 955.01 to 955.27 of the Revised Code, 25
and for the purpose of covering any additional expenses incurred 26
by the county auditor as authorized by division (E) (3) of 27
section 955.14 of the Revised Code. 28

If the funds so appropriated in any calendar year are 29
found by the board to be insufficient to defray the necessary 30
cost and expense of the county dog warden in enforcing sections 31
955.01 to 955.27 of the Revised Code, the board, by resolution 32
so provided, may appropriate further funds for the use and 33
purpose of the county dog warden in administering those 34
sections. 35

Sec. 955.221. (A) For the purposes of this section, 36
ordinances or resolutions to control dogs include, but are not 37
limited to, ordinances or resolutions concerned with the 38
ownership, keeping, or harboring of dogs, the restraint of dogs, 39
dogs as public nuisances, and dogs as a threat to public health, 40
safety, and welfare, except that such ordinances or resolutions 41
as permitted in division (B) of this section shall not prohibit 42
the use of any dog which is lawfully engaged in hunting or 43
training for the purpose of hunting while accompanied by a 44
licensed hunter. However, such dogs at all other times and in 45
all other respects shall be subject to the ordinance or 46
resolution permitted by this section, unless actually in the 47
field and engaged in hunting or in legitimate training for such 48
purpose. 49

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

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

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

(b) If a municipal corporation employs one or more dog wardens, deputies, poundkeepers, or other employees to implement and enforce ordinances adopted under division (B) (3) (a) of this section, the applicable county auditor shall transfer to the municipal corporation all dog registration fees paid by residents of that municipal corporation. The county auditor shall make such payments from the applicable county's dog and kennel fund created under section 955.20 of the Revised Code. The municipal corporation shall use the funds so received to pay for the compensation of such dog wardens, deputies,

poundkeepers, and other employees necessary to carry out and 80
enforce sections 955.01 to 955.261 of the Revised Code and 81
similar municipal ordinances. 82

(C) No person shall violate any resolution or ordinance 83
adopted under this section. 84

Section 2. That existing sections 955.20 and 955.221 of 85
the Revised Code are hereby repealed. 86