

As Introduced

133rd General Assembly

Regular Session

2019-2020

H. B. No. 37

Representatives Antani, Holmes, G.

Cosponsor: Representative Green

A BILL

To amend sections 109.73, 715.23, 901.80, 955.01, 1
955.02, 955.04, 955.10, 955.11, 955.12, 955.16, 2
955.21, 955.22, 955.221, 955.222, 955.23, 3
955.24, 955.25, 955.261, 955.39, 955.43, 955.44, 4
955.50, and 955.54; to enact sections 955.13, 5
955.223, 955.224, 955.225, and 955.60; and to 6
repeal section 955.99 of the Revised Code to 7
revise the laws governing nuisance, dangerous, 8
and vicious dogs. 9

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

Section 1. That sections 109.73, 715.23, 901.80, 955.01, 10
955.02, 955.04, 955.10, 955.11, 955.12, 955.16, 955.21, 955.22, 11
955.221, 955.222, 955.23, 955.24, 955.25, 955.261, 955.39, 12
955.43, 955.44, 955.50, and 955.54 be amended and sections 13
955.13, 955.223, 955.224, 955.225, and 955.60 of the Revised 14
Code be enacted to read as follows: 15

Sec. 109.73. (A) The Ohio peace officer training 16
commission shall recommend rules to the attorney general with 17
respect to all of the following: 18

(1) The approval, or revocation of approval, of peace officer training schools administered by the state, counties, municipal corporations, public school districts, technical college districts, and the department of natural resources;

(2) Minimum courses of study, attendance requirements, and equipment and facilities to be required at approved state, county, municipal, and department of natural resources peace officer training schools;

(3) Minimum qualifications for instructors at approved state, county, municipal, and department of natural resources peace officer training schools;

(4) The requirements of minimum basic training that peace officers appointed to probationary terms shall complete before being eligible for 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 to a probationary term;

(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 49
3113.31 of the Revised Code, crisis intervention training, and 50
training in the handling of missing children and child abuse and 51
neglect cases, and training in handling violations of section 52
2905.32 of the Revised Code, and the time within which such 53
basic training shall be completed following appointment on other 54
than a permanent basis; 55

(6) Categories or classifications of advanced in-service 56
training programs for peace officers, including programs in the 57
handling of the offense of domestic violence, other types of 58
domestic violence-related offenses and incidents, and protection 59
orders and consent agreements issued or approved under section 60
2919.26 or 3113.31 of the Revised Code, in crisis intervention, 61
and in the handling of missing children and child abuse and 62
neglect cases, and in handling violations of section 2905.32 of 63
the Revised Code, and minimum courses of study and attendance 64
requirements with respect to such categories or classifications; 65

(7) Permitting persons, who are employed as members of a 66
campus police department appointed under section 1713.50 of the 67
Revised Code; who are employed as police officers by a qualified 68
nonprofit corporation police department pursuant to section 69
1702.80 of the Revised Code; who are appointed and commissioned 70
as bank, savings and loan association, savings bank, credit 71
union, or association of banks, savings and loan associations, 72
savings banks, or credit unions police officers, as railroad 73
police officers, or as hospital police officers pursuant to 74
sections 4973.17 to 4973.22 of the Revised Code; or who are 75
appointed and commissioned as amusement park police officers 76
pursuant to section 4973.17 of the Revised Code, to attend 77
approved peace officer training schools, including the Ohio 78
peace officer training academy, and to receive certificates of 79

satisfactory completion of basic training programs, if the 80
private college or university that established the campus police 81
department; qualified nonprofit corporation police department; 82
bank, savings and loan association, savings bank, credit union, 83
or association of banks, savings and loan associations, savings 84
banks, or credit unions; railroad company; hospital; or 85
amusement park sponsoring the police officers pays the entire 86
cost of the training and certification and if trainee vacancies 87
are available; 88

(8) Permitting undercover drug agents to attend approved 89
peace officer training schools, other than the Ohio peace 90
officer training academy, and to receive certificates of 91
satisfactory completion of basic training programs, if, for each 92
undercover drug agent, the county, township, or municipal 93
corporation that employs that undercover drug agent pays the 94
entire cost of the training and certification; 95

(9) (a) The requirements for basic training programs for 96
bailiffs and deputy bailiffs of courts of record of this state 97
and for criminal investigators employed by the state public 98
defender that those persons shall complete before they may carry 99
a firearm while on duty; 100

(b) The requirements for any training received by a 101
bailiff or deputy bailiff of a court of record of this state or 102
by a criminal investigator employed by the state public defender 103
prior to June 6, 1986, that is to be considered equivalent to 104
the training described in division (A) (9) (a) of this section. 105

(10) Establishing minimum qualifications and requirements 106
for certification for dogs utilized by law enforcement agencies; 107

(11) Establishing minimum requirements for certification 108

of persons who are employed as correction officers in a full- 109
service jail, five-day facility, or eight-hour holding facility 110
or who provide correction services in such a jail or facility; 111

(12) Establishing requirements for the training of agents 112
of a county humane society under section 1717.06 of the Revised 113
Code, including, without limitation, a requirement that the 114
agents receive instruction on traditional animal husbandry 115
methods and training techniques, including customary owner- 116
performed practices; 117

(13) Permitting tactical medical professionals to attend 118
approved peace officer training schools, including the Ohio 119
peace officer training academy, to receive training of the type 120
described in division (A) (14) of this section and to receive 121
certificates of satisfactory completion of training programs 122
described in that division; 123

(14) The requirements for training programs that tactical 124
medical professionals shall complete to qualify them to carry 125
firearms while on duty under section 109.771 of the Revised 126
Code, which requirements shall include at least the firearms 127
training specified in division (A) of section 109.748 of the 128
Revised Code; 129

(15) Establishing requirements for the training of dog 130
wardens and deputies for the purposes of division (E) of section 131
955.12 of the Revised Code that include forty-two hours of 132
initial training and ten hours of continuing education within a 133
time period established by the commission. 134

(B) The commission shall appoint an executive director, 135
with the approval of the attorney general, who shall hold office 136
during the pleasure of the commission. The executive director 137

shall perform such duties assigned by the commission. The 138
executive director shall receive a salary fixed pursuant to 139
Chapter 124. of the Revised Code and reimbursement for expenses 140
within the amounts available by appropriation. The executive 141
director may appoint officers, employees, agents, and 142
consultants as the executive director considers necessary, 143
prescribe their duties, and provide for reimbursement of their 144
expenses within the amounts available for reimbursement by 145
appropriation and with the approval of the commission. 146

(C) The commission may do all of the following: 147

(1) Recommend studies, surveys, and reports to be made by 148
the executive director regarding the carrying out of the 149
objectives and purposes of sections 109.71 to 109.77 of the 150
Revised Code; 151

(2) Visit and inspect any peace officer training school 152
that has been approved by the executive director or for which 153
application for approval has been made; 154

(3) Make recommendations, from time to time, to the 155
executive director, the attorney general, and the general 156
assembly regarding the carrying out of the purposes of sections 157
109.71 to 109.77 of the Revised Code; 158

(4) Report to the attorney general from time to time, and 159
to the governor and the general assembly at least annually, 160
concerning the activities of the commission; 161

(5) Establish fees for the services the commission offers 162
under sections 109.71 to 109.79 of the Revised Code, including, 163
but not limited to, fees for training, certification, and 164
testing; 165

(6) Perform such other acts as are necessary or 166

appropriate to carry out the powers and duties of the commission 167
as set forth in sections 109.71 to 109.77 of the Revised Code. 168

(D) In establishing the requirements, under division (A) 169
(12) of this section, the commission may consider any portions 170
of the curriculum for instruction on the topic of animal 171
husbandry practices, if any, of the Ohio state university 172
college of veterinary medicine. No person or entity that fails 173
to provide instruction on traditional animal husbandry methods 174
and training techniques, including customary owner-performed 175
practices, shall qualify to train a humane agent for appointment 176
under section 1717.06 of the Revised Code. 177

Sec. 715.23. Except as otherwise provided in section 178
~~955.221~~955.02 of the Revised Code regarding dogs, a municipal 179
corporation may regulate, restrain, or prohibit the running at 180
large, within the municipal corporation, of cattle, horses, 181
swine, sheep, goats, geese, chickens, or other fowl or animals, 182
impound and hold the fowl or animals, and, on notice to the 183
owners, authorize the sale of the fowl or animals for the 184
penalty imposed by any ordinance, and the cost and expenses of 185
the proceedings. 186

Sec. 901.80. (A) As used in this section: 187

(1) "Agricultural production" has the same meaning as in 188
section 929.01 of the Revised Code. 189

(2) "Agritourism" means an agriculturally related 190
educational, entertainment, historical, cultural, or 191
recreational activity, including you-pick operations or farm 192
markets, conducted on a farm that allows or invites members of 193
the general public to observe, participate in, or enjoy that 194
activity. 195

(3) "Agritourism provider" means a person who owns,	196
operates, provides, or sponsors an agritourism activity or an	197
employee of such a person who engages in or provides agritourism	198
activities whether or not for a fee.	199
(4) "Farm" means land that is composed of tracts, lots, or	200
parcels totaling not less than ten acres devoted to agricultural	201
production or totaling less than ten acres devoted to	202
agricultural production if the land produces an average yearly	203
gross income of at least twenty-five hundred dollars from	204
agricultural production.	205
(5) "Participant" means an individual, other than an	206
agritourism provider, who observes or participates in an	207
agritourism activity.	208
(6) "Risk inherent in an agritourism activity" means a	209
danger or condition that is an integral part of an agritourism	210
activity, including all of the following:	211
(a) The surface and subsurface conditions of land;	212
(b) The behavior or actions of wild animals not kept by or	213
under the control of an agritourism provider;	214
(c) The behavior or actions of domestic animals other than	215
vicious or dangerous dogs as defined in section 955.11 <u>955.21</u> of	216
the Revised Code;	217
(d) The ordinary dangers associated with structures or	218
equipment ordinarily used in farming or ranching operations;	219
(e) The possibility of contracting illness resulting from	220
physical contact with animals, animal feed, animal waste, or	221
surfaces contaminated by animal waste;	222
(f) The possibility that a participant may act in a	223

negligent manner, including by failing to follow instructions 224
given by the agritourism provider or by failing to exercise 225
reasonable caution while engaging in the agritourism activity 226
that may contribute to injury to that participant or another 227
participant. 228

(B) In a civil action, an agritourism provider is immune 229
from liability for any harm a participant sustains during an 230
agritourism activity if the participant is harmed as a result of 231
a risk inherent in an agritourism activity. Nothing in this 232
section requires an agritourism provider to eliminate risks 233
inherent in agritourism activities. 234

(C) An agritourism provider is not immune from civil 235
liability for harm sustained by a participant if any of the 236
following applies: 237

(1) The agritourism provider acts with a willful or wanton 238
disregard for the safety of the participant and proximately 239
causes harm to the participant. 240

(2) The agritourism provider purposefully causes harm to 241
the participant. 242

(3) The agritourism provider's actions or inactions 243
constitute criminal conduct and cause harm to the participant. 244

(4) The agritourism provider fails to post and maintain 245
signs as required by division (D) of this section. 246

(5) The agritourism provider has actual knowledge or 247
should have actual knowledge of an existing dangerous condition 248
on the land or regarding facilities or equipment on the land 249
that is not an inherent risk and does not make the dangerous 250
condition known to the participant, and the dangerous condition 251
proximately causes injury or damage to or the death of the 252

participant. 253

(D) An agritourism provider shall post and maintain signs 254
that contain the warning notice specified in this division. The 255
provider shall place a sign in a clearly visible location at or 256
near each entrance to the agritourism location or at the site of 257
each agritourism activity. The warning notice shall consist of a 258
sign in black letters with each letter to be a minimum of one 259
inch in height. The signs shall contain the following notice of 260
warning: "WARNING: Under Ohio law, there is no liability for an 261
injury to or death of a participant in an agritourism activity 262
conducted at this agritourism location if that injury or death 263
results from the inherent risks of that agritourism activity. 264
Inherent risks of agritourism activities include, but are not 265
limited to, the risk of injury inherent to land, equipment, and 266
animals as well as the potential for you as a participant to act 267
in a negligent manner that may contribute to your injury or 268
death. You are assuming the risk of participating in this 269
agritourism activity." 270

Sec. 955.01. (A) (1) Except as otherwise provided in this 271
section or in sections 955.011, 955.012, and 955.16 of the 272
Revised Code, every person who owns, keeps, or harbors a dog 273
more than three months of age shall file, on or after the first 274
day of ~~the applicable~~ December, but before the thirty-first day 275
of ~~the applicable~~ January, in the office of the county auditor 276
of the county in which the dog is kept or harbored, an 277
application for registration for a period of one year or three 278
years or an application for a permanent registration. The board 279
of county commissioners, by resolution, may extend the period 280
for filing the application. The ~~application~~ applicant shall 281
state the age, sex, color, character of hair, whether short or 282
long, and breed, if known, of the dog and the name and address 283

of the owner of the dog on the application. ~~A-Along with the~~ 284
application, the applicant shall submit a registration fee of 285
two dollars for each year of registration for a one-year or 286
three-year registration or twenty dollars for a permanent 287
registration for each dog ~~shall accompany the application~~. 288
However, the fee may exceed that amount if a greater fee has 289
been established under division (A) (2) of this section or under 290
section 955.14 of the Revised Code. 291

(2) A board of county commissioners may establish a 292
registration fee higher than the one provided for in division 293
(A) (1) of this section for ~~dogs~~ a dog more than nine months of 294
age that ~~have~~ has not been spayed or neutered, except that the 295
higher registration fee permitted by this division ~~shall~~ does 296
not apply if ~~a~~ the person registering ~~a~~ the dog furnishes any of 297
the following with the application ~~either a~~ : 298

(a) A certificate from a licensed veterinarian verifying 299
that the dog should not be spayed or neutered because of its age 300
or medical condition ~~or~~ ; 301

(b) A certificate from a licensed veterinarian verifying 302
that the dog should not be spayed or neutered because the dog is 303
used or intended for use for show or breeding purposes ~~or a~~ ; 304

(c) A certificate from the owner of the dog declaring that 305
the owner holds a valid hunting license issued by the division 306
of wildlife of the department of natural resources and that the 307
dog is used or intended for use for hunting purposes. 308

(3) If the board establishes ~~such~~ a fee under division (A) 309
(2) of this section, the application for registration shall 310
state whether the dog is spayed or neutered, and whether a 311
licensed veterinarian has certified that the dog should not be 312

spayed or neutered or the owner has stated that the dog is used 313
or intended to be used for hunting purposes. The board may 314
require a person who is registering a spayed or neutered dog to 315
furnish with the application a certificate from a licensed 316
veterinarian verifying that the dog is spayed or neutered. 317

(4) No person shall furnish a certificate under this 318
division that the person knows to be false. 319

(B) If the application for registration is not filed and 320
the registration fee paid, on or before the thirty-first day of 321
the applicable January of each year or, if the board of county 322
commissioners by resolution has extended the date to a date 323
later than the thirty-first day of January, the date established 324
by the board, the auditor shall assess a penalty in an amount 325
equal to the registration fee for one year upon the owner, 326
keeper, or harbinger, which shall be paid with the registration 327
fee. 328

(C) An animal shelter that keeps or harbors a dog more 329
than three months of age is exempt from paying any fees imposed 330
under division (A) or (B) of this section if it is a nonprofit 331
organization that is exempt from federal income taxation under 332
subsection 501(a) and described in subsection 501(c)(3) of the 333
"Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C. 1. 334

(D) Whoever violates division (A)(4) of this section is 335
guilty of a misdemeanor of the first degree. 336

~~Sec. 955.02. As used in this chapter, "dog kennel" or~~ 337
~~"kennel" means an establishment that keeps, houses, and~~ 338
~~maintains adult dogs, as defined in section 956.01 of the~~ 339
~~Revised Code, for the purpose of breeding the dogs for a fee or~~ 340
~~other consideration received through a sale, exchange, or lease~~ 341

~~and that is not a high volume breeder licensed under Chapter 342
956. of the Revised Code. 343~~

(A) For the purposes of this section, ordinances or 344
resolutions to control dogs include, but are not limited to, 345
ordinances or resolutions concerned with the ownership, keeping, 346
or harboring of dogs, the restraint of dogs, dogs as public 347
nuisances, and dogs as a threat to public health, safety, and 348
welfare. However, such ordinances or resolutions as permitted in 349
division (B) of this section shall not prohibit the use of any 350
dog which is lawfully engaged in hunting or training for the 351
purpose of hunting while accompanied by a licensed hunter. A dog 352
at all other times and in all other respects is subject to the 353
ordinances or resolutions permitted by this section, unless 354
actually in the field and engaged in hunting or in legitimate 355
training for such purpose. 356

(B) (1) A board of county commissioners may adopt and 357
enforce resolutions to control dogs within the unincorporated 358
areas of the county that are not otherwise in conflict with any 359
other provision of the Revised Code. 360

(2) A board of township trustees may adopt and enforce 361
resolutions to control dogs within the township that are not 362
otherwise in conflict with any other provision of the Revised 363
Code, if the township is located in a county where the board of 364
county commissioners has not adopted resolutions to control dogs 365
within the unincorporated areas of the county under this 366
section. In the event that the board of county commissioners 367
adopts resolutions to control dogs in the county after a board 368
of township trustees has adopted resolutions to control dogs 369
within the township, the resolutions adopted by the county board 370
of commissioners prevail over the resolutions adopted by the 371

board of township trustees. 372

(3) A municipal corporation may adopt and enforce 373
ordinances to control dogs within the municipal corporation that 374
are not otherwise in conflict with any other provision of the 375
Revised Code. 376

(C) No person shall violate any resolution or ordinance 377
adopted under this section. 378

(D) Whoever violates division (C) of this section is 379
guilty of a minor misdemeanor. Each day of continued violation 380
constitutes a separate offense. The mayor or clerk of the 381
municipal or county court shall distribute fines levied and 382
collected for violations of that division in accordance with 383
section 733.40, division (F) of section 1901.31, or division (C) 384
of section 1907.20 of the Revised Code to the treasury of the 385
county, township, or municipal corporation whose resolution or 386
ordinance was violated. 387

Sec. 955.04. (A) As used in this chapter, "dog kennel" or 388
"kennel" means an establishment that keeps, houses, and 389
maintains adult dogs, as defined in section 956.01 of the 390
Revised Code, for the purpose of breeding the dogs for a fee or 391
other consideration received through a sale, exchange, or lease 392
and that is not a high volume breeder licensed under Chapter 393
956. of the Revised Code. 394

(B) Every owner of a dog kennel ~~of dogs~~ shall, in like 395
manner as provided in section 955.01 of the Revised Code, make 396
application for the registration of such kennel, and pay to the 397
county auditor a registration fee of ten dollars for each such 398
kennel, unless a greater fee has been established under section 399
955.14 of the Revised Code. If ~~such~~ the application is not filed 400

and the fee paid, on or before the thirty-first day of January 401
of each year, the auditor shall assess a penalty in an amount 402
equal to the registration fee upon the owner of such kennel. The 403
payment of ~~such the~~ kennel registration fee ~~shall entitle~~ 404
entitles the licensee to not more than five tags, to bear 405
consecutive numbers and to be issued in like manner and have 406
like effect when worn by any dog owned in good faith by such 407
licensee as the tags provided for in section 955.08 of the 408
Revised Code. Upon application to the county auditor, additional 409
tags, in excess of the five tags, may be issued upon payment of 410
an additional fee of one dollar per tag. 411

Sec. 955.10. (A) No owner of a dog, except a dog 412
constantly confined to a dog kennel registered under this 413
chapter or ~~one~~ licensed under Chapter 956. of the Revised Code, 414
shall fail to require the dog to wear, at all times, a valid tag 415
issued in connection with a certificate of registration. A dog 416
found not wearing at any time a valid tag ~~shall be~~ is prima- 417
facie evidence of lack of registration and shall subject any dog 418
found not wearing such a tag to impounding, sale, or 419
destruction. 420

(B) Whoever violates division (A) of this section is 421
guilty of a minor misdemeanor. 422

Sec. 955.11. ~~(A) As used in this section:~~ 423

~~(1) (a) "Dangerous dog" means a dog that, without~~ 424
~~provocation, and subject to division (A) (1) (b) of this section,~~ 425
~~has done any of the following:~~ 426

~~(i) Caused injury, other than killing or serious injury,~~ 427
~~to any person;~~ 428

~~(ii) Killed another dog;~~ 429

~~(iii) Been the subject of a third or subsequent violation of division (C) of section 955.22 of the Revised Code.~~ 430
431

~~(b) "Dangerous dog" does not include a police dog that has caused injury, other than killing or serious injury, to any person or has killed another dog while the police dog is being used to assist one or more law enforcement officers in the performance of their official duties.~~ 432
433
434
435
436

~~(2) "Menacing fashion" means that a dog would cause any person being chased or approached to reasonably believe that the dog will cause physical injury to that person.~~ 437
438
439

~~(3) (a) Subject to division (A) (3) (b) of this section, "nuisance dog" means a dog that without provocation and while off the premises of its owner, keeper, or harborer has chased or approached a person in either a menacing fashion or an apparent attitude of attack or has attempted to bite or otherwise endanger any person.~~ 440
441
442
443
444
445

~~(b) "Nuisance dog" does not include a police dog that while being used to assist one or more law enforcement officers in the performance of official duties has chased or approached a person in either a menacing fashion or an apparent attitude of attack or has attempted to bite or otherwise endanger any person.~~ 446
447
448
449
450
451

~~(4) "Police dog" means a dog that has been trained, and may be used, to assist one or more law enforcement officers in the performance of their official duties.~~ 452
453
454

~~(5) "Serious injury" means any of the following:~~ 455

~~(a) Any physical harm that carries a substantial risk of death;~~ 456
457

~~(b) Any physical harm that involves a permanent incapacity, whether partial or total, or a temporary, substantial incapacity;~~ 458
459
460

~~(c) Any physical harm that involves a permanent disfigurement or a temporary, serious disfigurement;~~ 461
462

~~(d) Any physical harm that involves acute pain of a duration that results in substantial suffering or any degree of prolonged or intractable pain.~~ 463
464
465

~~(6) (a) "Vicious dog" means a dog that, without provocation and subject to division (A) (6) (b) of this section, has killed or caused serious injury to any person.~~ 466
467
468

~~(b) "Vicious dog" does not include either of the following:~~ 469
470

~~(i) A police dog that has killed or caused serious injury to any person while the police dog is being used to assist one or more law enforcement officers in the performance of their official duties;~~ 471
472
473
474

~~(ii) A dog that has killed or caused serious injury to any person while a person was committing or attempting to commit a trespass or other criminal offense on the property of the owner, keeper, or harbinger of the dog.~~ 475
476
477
478

~~(7) "Without provocation" means that a dog was not teased, tormented, or abused by a person, or that the dog was not coming to the aid or the defense of a person who was not engaged in illegal or criminal activity and who was not using the dog as a means of carrying out such activity.~~ 479
480
481
482
483

~~(B) Upon the transfer of ownership of any dog, the seller of the dog shall give the buyer a transfer of ownership~~ 484
485

~~certificate that shall be signed by the seller. The certificate shall contain the registration number of the dog, the name of the seller, and a brief description of the dog. Blank forms of the certificate may be obtained from the county auditor. A transfer of ownership shall be recorded by the auditor upon presentation of a transfer of ownership certificate that is signed by the former owner of a dog and that is accompanied by a fee of five dollars.~~ 486
487
488
489
490
491
492
493

~~(C) Prior to the transfer of ownership or possession of any dog, upon the buyer's or other transferee's request, the seller or other transferor of the dog shall give to the person a written notice relative to the behavior and propensities of the dog.~~ 494
495
496
497
498

~~(D) Within ten days after the transfer of ownership or possession of any dog, if the seller or other transferor of the dog has knowledge that the dog is a dangerous dog, the seller or other transferor shall give to the buyer or other transferee, the board of health for the district in which the buyer or other transferee resides, and the dog warden of the county in which the buyer or other transferee resides, a completed copy of a written form on which the seller shall furnish the following information:~~ 499
500
501
502
503
504
505
506
507

~~(1) The name and address of the buyer or other transferee of the dog;~~ 508
509

~~(2) The age, sex, color, breed, and current registration number of the dog.~~ 510
511

~~In addition, the seller shall answer the following questions, which shall be specifically stated on the form as follows:~~ 512
513
514

~~"Has the dog ever chased or attempted to attack or bite a person? If yes, describe the incident(s) in which the behavior occurred."~~ 515
516
517

~~"Has the dog ever bitten a person? If yes, describe the incident(s) in which the behavior occurred."~~ 518
519

~~"Has the dog ever seriously injured or killed a person? If yes, describe the incident(s) in which the behavior occurred."~~ 520
521

~~The dog warden of the county in which the seller resides shall furnish the form to the seller at no cost.~~ 522
523

~~(E) No seller or other transferor of a dog shall fail to comply with the applicable requirements of divisions (B) to (D) of this section.~~ 524
525
526

(A) No owner, keeper, or harbinger of a dog more than three months of age or an owner of a dog kennel shall fail to file the registration application required by section 955.01 of the Revised Code. No such owner, keeper, harbinger, or dog kennel owner shall fail to pay the associated legal fee. 527
528
529
530
531

(B) Whoever violates division (A) of this section shall be fined not less than twenty-five dollars or more than one hundred dollars on a first offense, and on each subsequent offense, not less than seventy-five dollars or more than two hundred fifty dollars and may be imprisoned for not more than thirty days. 532
533
534
535
536

Sec. 955.12. (A) Except as provided in section 955.121 of Revised Code, a board of county commissioners shall appoint or employ a county dog warden and deputies in such number, for such periods of time, and at such compensation as the board considers necessary to enforce sections 955.01 to 955.27 and, 955.50 to 955.53 955.54, and 955.60 of the Revised Code. 537
538
539
540
541
542

The warden and deputies shall give bond in a sum not less 543
than five hundred dollars and not more than two thousand 544
dollars, as set by the board, conditioned for the faithful 545
performance of their duties. The bond or bonds may, in the 546
discretion of the board, be individual or blanket bonds. The 547
bonds shall be filed with the county auditor of their respective 548
counties. 549

(B) The warden and deputies shall make a record of all 550
dogs owned, kept, and harbored in their respective counties. 551
They shall patrol their respective counties and seize and 552
impound on sight all dogs found running at large and all dogs 553
more than three months of age found not wearing a valid 554
registration tag, except any dog that wears a valid registration 555
tag and is: on the premises of its owner, keeper, or harborer, 556
under the reasonable control of its owner or some other person, 557
hunting with its owner or its handler at a field trial, kept 558
constantly confined in a dog kennel registered under this 559
chapter or one licensed under Chapter 956. of the Revised Code, 560
or acquired by, and confined on the premises of, an institution 561
or organization of the type described in section 955.16 of the 562
Revised Code. A dog that wears a valid registration tag may be 563
seized on the premises of its owner, keeper, or harborer and 564
impounded only in the event of a natural disaster. 565

(C) If a dog warden has reason to believe that a dog is 566
being treated inhumanely on the premises of its owner, keeper, 567
or harborer, the warden shall apply to the court of common pleas 568
for the county in which the premises are located for an order to 569
enter the premises, and if necessary, seize the dog. If the 570
court finds probable cause to believe that the dog is being 571
treated inhumanely, it shall issue such an order. 572

(D) The warden and deputies shall also make weekly 573
reports, in writing, to the board in their respective counties 574
of all dogs seized, impounded, redeemed, and destroyed. 575

(E) The wardens and deputies ~~shall~~ have the same police 576
powers, including the authority to make arrests, as are 577
conferred upon sheriffs and police officers in the performance 578
of their duties as prescribed by sections 955.01 to 955.27 ~~and~~ 579
955.50 to 955.53-955.54, and 955.60 of the Revised Code. They 580
~~shall~~ also have power to summon the assistance of bystanders in 581
performing their duties and may serve writs and other legal 582
processes issued by any court in their respective counties with 583
reference to enforcing those sections. County auditors may 584
deputize the wardens or deputies to issue dog licenses as 585
provided in sections 955.01 and 955.14 of the Revised Code. 586

(F) Whenever any person files an affidavit in a court of 587
competent jurisdiction that there is a dog running at large that 588
is not kept constantly confined either in a dog kennel 589
registered under this chapter or one licensed under Chapter 956. 590
of the Revised Code or on the premises of an institution or 591
organization of the type described in section 955.16 of the 592
Revised Code or that a dog is kept or harbored in the warden's 593
jurisdiction without being registered as required by law, the 594
court shall immediately order the warden to seize and impound 595
the dog. Thereupon the warden shall immediately seize and 596
impound the dog complained of. The warden shall give immediate 597
notice by certified mail to the owner, keeper, or harborer of 598
the dog seized and impounded by the warden, if the owner, 599
keeper, or harborer can be determined from the current year's 600
registration list maintained by the warden and the county 601
auditor of the county where the dog is registered, that the dog 602
has been impounded and that, unless the dog is redeemed within 603

fourteen days of the date of the notice, it may thereafter be 604
sold or destroyed according to law. If the owner, keeper, or 605
harborer cannot be determined from the current year's 606
registration list maintained by the warden and the county 607
auditor of the county where the dog is registered, the officer 608
shall post a notice in the pound or animal shelter both 609
describing the dog and place where seized and advising the 610
unknown owner that, unless the dog is redeemed within three 611
days, it may thereafter be sold or destroyed according to law. 612

Sec. 955.13. (A) Upon the transfer of ownership of any 613
dog, the seller of the dog shall give the buyer a transfer of 614
ownership certificate signed by the seller. The seller shall 615
include on the certificate the registration number of the dog, 616
the name of the seller, and a brief description of the dog. The 617
county auditor shall provide blank forms of the certificate upon 618
request. The county auditor shall record a transfer of ownership 619
upon presentation of a transfer of ownership certificate that is 620
signed by the former owner of a dog and that is accompanied by a 621
fee of five dollars. 622

(B) Prior to the transfer of ownership or possession of a 623
dog, upon the buyer's or other transferee's request, the seller 624
or other transferor of the dog shall give to the person a 625
written notice relative to the behavior and propensities of the 626
dog. 627

(C) Not later than ten days after the transfer of 628
ownership or possession of any dog, if the seller or other 629
transferor of the dog has knowledge that the dog is a dangerous 630
dog, the seller or other transferor shall give to the buyer or 631
other transferee, the board of health of the health district in 632
which the buyer or other transferee resides, and the dog warden 633

of the county in which the buyer or other transferee resides a 634
completed copy of a written form on which the seller shall 635
furnish the following information: 636

(1) The name and address of the buyer or other transferee 637
of the dog; 638

(2) The age, sex, color, breed, and current registration 639
number of the dog. 640

In addition, the seller shall answer the following 641
questions that shall be specifically stated on the form as 642
follows: 643

"Has the dog ever chased or attempted to attack or bite a 644
person? If yes, describe the incident(s) in which the behavior 645
occurred." 646

"Has the dog ever bitten a person? If yes, describe the 647
incident(s) in which the behavior occurred." 648

"Has the dog ever seriously injured or killed a person? If 649
yes, describe the incident(s) in which the behavior occurred." 650

The dog warden of the county in which the seller resides 651
shall furnish the form to the seller at no cost. 652

(D) No seller or other transferor of a dog shall fail to 653
comply with the applicable requirements of this section. 654

(E) Whoever violates division (D) of this section is 655
guilty of a misdemeanor of the fourth degree on a first offense 656
and a misdemeanor of the third degree on each subsequent 657
offense. 658

Sec. 955.16. (A) Dogs that have been seized by the county 659
dog warden and impounded shall be kept, housed, and fed for 660

three days for the purpose of redemption, as provided by section 661
955.18 of the Revised Code, unless any of the following applies: 662

(1) Immediate humane destruction of the dog is necessary 663
because of obvious disease or injury. If the diseased or injured 664
dog is registered, as determined from the current year's 665
registration list maintained by the warden and the county 666
auditor of the county where the dog is registered, the necessity 667
of destroying the dog shall be certified by a licensed 668
veterinarian or a registered veterinary technician. If the dog 669
is not registered, the decision to destroy it shall be made by 670
the warden. 671

(2) The dog is currently registered on the registration 672
list maintained by the warden and the auditor of the county 673
where the dog is registered and the attempts to notify the 674
owner, keeper, or harborer under section 955.12 of the Revised 675
Code have failed, in which case the dog shall be kept, housed, 676
and fed for fourteen days for the purpose of redemption. 677

(3) The warden has contacted the owner, keeper, or 678
harborer under section 955.12 of the Revised Code, and the 679
owner, keeper, or harborer has requested that the dog remain in 680
the pound or animal shelter until the owner, harborer, or keeper 681
redeems the dog. The time for such redemption shall be not more 682
than forty-eight hours following the end of the appropriate 683
redemption period. 684

At any time after such periods of redemption, any dog not 685
redeemed shall be donated to any nonprofit special agency that 686
is engaged in the training of any type of assistance dogs and 687
that requests that the dog be donated to it. Any dog not 688
redeemed that is not requested by such an agency may be sold, 689
except that no dog sold to a person other than a nonprofit 690

teaching or research institution or organization of the type 691
described in division (B) of this section shall be discharged 692
from the pound or animal shelter until the animal has been 693
registered and furnished with a valid registration tag. 694

(B) Any dog that is not redeemed within the applicable 695
period as specified in this section or section 955.12 of the 696
Revised Code from the time notice is mailed to its owner, 697
keeper, or harborer or is posted at the pound or animal shelter, 698
as required by section 955.12 of the Revised Code, and that is 699
not required to be donated to a nonprofit special agency engaged 700
in the training of any type of assistance dogs may, upon payment 701
to the dog warden or poundkeeper of the sum of three dollars, be 702
sold to any nonprofit Ohio institution or organization that is 703
certified by the director of health as being engaged in teaching 704
or research concerning the prevention and treatment of diseases 705
of human beings or animals. Any dog that is donated to a 706
nonprofit special agency engaged in the training of any type of 707
assistance dogs in accordance with division (A) of this section 708
and any dog that is sold to any nonprofit teaching or research 709
institution or organization shall be discharged from the pound 710
or animal shelter without registration and may be kept by the 711
agency or by the institution or organization without 712
registration so long as the dog is being trained, or is being 713
used for teaching and research purposes. 714

Any institution or organization certified by the director 715
that obtains dogs for teaching and research purposes pursuant to 716
this section shall, at all reasonable times, make the dogs 717
available for inspection by agents of the Ohio humane society, 718
appointed pursuant to section 1717.04 of the Revised Code, and 719
agents of county humane societies, appointed pursuant to section 720
1717.06 of the Revised Code, in order that the agents may 721

prevent the perpetration of any act of cruelty, as defined in 722
section 1717.01 of the Revised Code, to the dogs. 723

(C) Any dog that the dog warden or poundkeeper is unable 724
to dispose of, in the manner provided by this section and 725
section 955.18 of the Revised Code, may be humanely destroyed, 726
except that no dog shall be destroyed until twenty-four hours 727
after it has been offered to a nonprofit teaching or research 728
institution or organization, as provided in this section, that 729
has made a request for dogs to the dog warden or poundkeeper. 730

(D) An owner of a dog that is wearing a valid registration 731
tag who presents the dog to the dog warden or poundkeeper may 732
specify in writing that the dog shall not be offered to a 733
nonprofit teaching or research institution or organization, as 734
provided in this section. 735

(E) A record of all dogs impounded, the disposition of the 736
same, the owner's name and address, if known, and a statement of 737
costs assessed against the dogs shall be kept by the 738
poundkeeper, and the poundkeeper shall furnish a transcript 739
thereof to the county treasurer quarterly. 740

A record of all dogs received and the source that supplied 741
them shall be kept, for a period of three years from the date of 742
acquiring the dogs, by all institutions or organizations engaged 743
in teaching or research concerning the prevention and treatment 744
of diseases of human beings or animals. 745

(F) No person shall destroy any dog by the use of a high 746
altitude decompression chamber or by any method other than a 747
method that immediately and painlessly renders the dog initially 748
unconscious and subsequently dead. 749

(G) Whoever violates division (F) of this section is 750

guilty of a misdemeanor of the fourth degree. 751

~~Sec. 955.21. No owner, keeper, or harborer of a dog more~~ 752
~~than three months of age, nor owner of a dog kennel, shall fail-~~ 753
~~to file the application for registration required by section-~~ 754
~~955.01 of the Revised Code, nor shall he fail to pay the legal-~~ 755
~~fee therefor.~~ As used in this chapter: 756

(A) (1) "Dangerous dog" means a dog to which any of the 757
following apply: 758

(a) The dog has caused injury to any person. 759

(b) The dog has caused injury, serious injury, or death to 760
another dog. 761

(c) The dog has been the subject of three or more 762
violations of division (B) of section 955.22 of the Revised Code 763
and the owner, keeper, or harborer of the dog has plead guilty 764
to or been convicted of three or more of those violations. 765

(2) "Dangerous dog" does not include any of the following: 766

(a) A police dog that has caused injury, serious injury, 767
or death to any person or dog while the police dog is being used 768
to assist one or more law enforcement officers in the 769
performance of their official duties; 770

(b) A dog that has caused injury to any person while a 771
person was committing or attempting to commit a trespass or 772
other criminal offense on the property of the owner, keeper, or 773
harborer of the dog; 774

(c) A dog that is kept or harbored on a farm that has 775
injured, seriously injured, or killed another dog that has 776
either come onto the property of the farm or disrupted the 777
duties of the farm dog. 778

(B) "Death" includes death of a dog by euthanasia when 779
recommended by a veterinarian, registered veterinary technician, 780
or county dog warden after evaluation of a dog's injuries. 781

(C) "Menacing fashion" means that a dog would cause any 782
person being chased or approached to reasonably believe that the 783
dog will cause physical injury to that person. 784

(D) (1) "Nuisance dog" means a dog that, while off the 785
premises of its owner, keeper, or harbinger, has chased or 786
approached a person in either a menacing fashion or an apparent 787
attitude of attack or has attempted to bite or otherwise 788
endanger any person. 789

(2) "Nuisance dog" does not include a police dog that 790
while being used to assist one or more law enforcement officers 791
in the performance of their official duties has chased or 792
approached a person in either a menacing fashion or an apparent 793
attitude of attack or has attempted to bite or otherwise 794
endanger any person. 795

(E) "Police dog" means a dog that has been trained, and 796
may be used, to assist one or more law enforcement officers in 797
the performance of their official duties. 798

(F) "Serious injury" means any of the following: 799

(1) Any physical harm that carries a substantial risk of 800
death; 801

(2) Any physical harm that involves a permanent 802
incapacity, whether partial or total, or a temporary, 803
substantial incapacity; 804

(3) Any physical harm that involves a permanent 805
disfigurement or a temporary, serious disfigurement; 806

(4) Any physical harm that involves acute pain of a 807
duration that results in substantial suffering or any degree of 808
prolonged or intractable pain. 809

(G) (1) "Vicious dog" means a dog that has done any of the 810
following: 811

(a) Caused serious injury or death to any person; 812

(b) Caused injury to any person after being designated a 813
dangerous dog in accordance with section 955.222 of the Revised 814
Code; 815

(c) Caused serious injury or death to another dog after 816
being designated a dangerous dog in accordance with section 817
955.222 of the Revised Code. 818

(2) "Vicious dog" does not include any of the following: 819

(a) A police dog that has caused injury, serious injury, 820
or death to any person or dog while the police dog is being used 821
to assist one or more law enforcement officers in the 822
performance of their official duties; 823

(b) A dog that has injured, seriously injured, or killed 824
any person or dog while a person was committing or attempting to 825
commit a trespass or other criminal offense on the property of 826
the owner, keeper, or harbinger of the dog; 827

(c) A dog that is kept or harbored on a farm that has 828
injured, seriously injured, or killed another dog that has 829
either come onto the property of the farm or disrupted the 830
duties of the farm dog. 831

~~**Sec. 955.22.** (A) As used in this section, "dangerous dog"~~ 832
~~has the same meaning as in section 955.11 of the Revised Code.~~ 833

~~(B)~~—No owner, keeper, or harborer of any female dog shall 834
permit ~~it~~ the dog to go beyond the premises of the owner, 835
keeper, or harborer at any time the dog is in heat unless the 836
dog is properly in leash. 837

~~(C)~~—(B) Except when a dog is lawfully engaged in hunting 838
and accompanied by the owner, keeper, harborer, or handler of 839
the dog, no owner, keeper, or harborer of any dog shall fail at 840
any time to do either of the following: 841

(1) Keep the dog physically confined or restrained upon 842
the premises of the owner, keeper, or harborer by a leash, 843
tether, adequate fence, supervision, or secure enclosure to 844
prevent escape; 845

(2) Keep the dog under the reasonable control of some 846
person. 847

~~(D)~~ Except when a dangerous dog is lawfully engaged in 848
hunting or training for the purpose of hunting and is 849
accompanied by the owner, keeper, harborer, or handler of the 850
dog, no owner, keeper, or harborer of a dangerous dog shall fail 851
to do either of the following: 852

~~(1)~~ While that dog is on the premises of the owner, 853
keeper, or harborer, securely confine it at all times in a 854
locked pen that has a top, locked fenced yard, or other locked 855
enclosure that has a top; 856

~~(2)~~ While that dog is off the premises of the owner, 857
keeper, or harborer, keep that dog on a chain link leash or 858
tether that is not more than six feet in length and additionally 859
do at least one of the following: 860

~~(a)~~ Keep that dog in a locked pen that has a top, locked 861
fenced yard, or other locked enclosure that has a top; 862

~~(b) Have the leash or tether controlled by a person who is 863
of suitable age and discretion or securely attach, tie, or affix 864
the leash or tether to the ground or a stationary object or 865
fixture so that the dog is adequately restrained and station- 866
such a person in close enough proximity to that dog so as to 867
prevent it from causing injury to any person; 868~~

~~(c) Muzzle that dog. 869~~

~~(E) No person who has been convicted of or pleaded guilty to 870
three or more violations of division (C) of this section 871
involving the same dog and no owner, keeper, or harbinger of a 872
dangerous dog shall fail to do the following: 873~~

~~(1) Obtain liability insurance with an insurer authorized 874
to write liability insurance in this state providing coverage in 875
each occurrence because of damage or bodily injury to or death 876
of a person caused by the dangerous dog if so ordered by a court 877
and provide proof of that liability insurance upon request to 878
any law enforcement officer, county dog warden, or public health 879
official charged with enforcing this section; 880~~

~~(2) Obtain a dangerous dog registration certificate from 881
the county auditor pursuant to division (I) of this section, 882
affix a tag that identifies the dog as a dangerous dog to the 883
dog's collar, and ensure that the dog wears the collar and tag 884
at all times; 885~~

~~(3) Notify the local dog warden immediately if any of the 886
following occurs: 887~~

~~(a) The dog is loose or unconfined. 888~~

~~(b) The dog bites a person, unless the dog is on the 889
property of the owner of the dog, and the person who is bitten 890
is unlawfully trespassing or committing a criminal act within 891~~

the boundaries of that property.	892
(c) The dog attacks another animal while the dog is off-	893
the property of the owner of the dog.	894
(4) If the dog is sold, given to another person, or dies,	895
notify the county auditor within ten days of the sale, transfer,	896
or death.	897
(F) No person shall do any of the following:	898
(1) Debark or surgically silence a dog that the person-	899
knows or has reason to believe is a dangerous dog;	900
(2) Possess a dangerous dog if the person knows or has-	901
reason to believe that the dog has been debarked or surgically-	902
silenced;	903
(3) Falsely attest on a waiver form provided by the-	904
veterinarian under division (C) of this section that the-	905
person's dog is not a dangerous dog or otherwise provide false-	906
information on that written waiver form.	907
(G) Before a veterinarian debarks or surgically silences a	908
dog, the veterinarian may give the owner of the dog a written-	909
waiver form that attests that the dog is not a dangerous dog.-	910
The written waiver form shall include all of the following:	911
(1) The veterinarian's license number and current business	912
address;	913
(2) The number of the license of the dog if the dog is-	914
licensed;	915
(3) A reasonable description of the age, coloring, and-	916
gender of the dog as well as any notable markings on the dog;	917
(4) The signature of the owner of the dog attesting that-	918

~~the owner's dog is not a dangerous dog;~~ 919

~~(5) A statement that division (F) of section 955.22 of the Revised Code prohibits any person from doing any of the following:~~ 920
921
922

~~(a) Debarking or surgically silencing a dog that the person knows or has reason to believe is a dangerous dog;~~ 923
924

~~(b) Possessing a dangerous dog if the person knows or has reason to believe that the dog has been debarked or surgically silenced;~~ 925
926
927

~~(c) Falsely attesting on a waiver form provided by the veterinarian under division (G) of section 955.22 of the Revised Code that the person's dog is not a dangerous dog or otherwise provide false information on that written waiver form.~~ 928
929
930
931

~~(H) It is an affirmative defense to a charge of a violation of division (F) of this section that the veterinarian who is charged with the violation obtained, prior to debarking or surgically silencing the dog, a written waiver form that complies with division (G) of this section and that attests that the dog is not a dangerous dog.~~ 932
933
934
935
936
937

~~(I) (1) The county auditor shall issue a dangerous dog registration certificate to a person who is the owner of a dog, who is eighteen years of age or older, and who provides the following to the county auditor:~~ 938
939
940
941

~~(a) A fee of fifty dollars;~~ 942

~~(b) The person's address, phone number, and other appropriate means for the local dog warden or county auditor to contact the person;~~ 943
944
945

~~(c) With respect to the person and the dog for which the~~ 946

~~registration is sought, all of the following:~~ 947

~~(i) Either satisfactory evidence of the dog's current rabies vaccination or a statement from a licensed veterinarian that a rabies vaccination is medically contraindicated for the dog;~~ 948
949
950
951

~~(ii) Either satisfactory evidence of the fact that the dog has been neutered or spayed or a statement from a licensed veterinarian that neutering or spaying of the dog is medically contraindicated;~~ 952
953
954
955

~~(iii) Satisfactory evidence of the fact that the person has posted and will continue to post clearly visible signs at the person's residence warning both minors and adults of the presence of a dangerous dog on the property;~~ 956
957
958
959

~~(iv) Satisfactory evidence of the fact that the dog has been permanently identified by means of a microchip and the dog's microchip number.~~ 960
961
962

~~(2) Upon the issuance of a dangerous dog registration certificate to the owner of a dog, the county auditor shall provide the owner with a uniformly designed tag that identifies the animal as a dangerous dog. The owner shall renew the certificate annually for the same fee and in the same manner as the initial certificate was obtained. If a certificate holder relocates to a new county, the certificate holder shall follow the procedure in division (I) (3) (b) of this section and, upon the expiration of the certificate issued in the original county, shall renew the certificate in the new county.~~ 963
964
965
966
967
968
969
970
971
972

~~(3) (a) If the owner of a dangerous dog for whom a registration certificate has previously been obtained relocates to a new address within the same county, the owner shall provide~~ 973
974
975

~~notice of the new address to the county auditor within ten days
of relocating to the new address.~~ 976
977

~~(b) If the owner of a dangerous dog for whom a
registration certificate has previously been obtained relocates
to a new address within another county, the owner shall do both
of the following within ten days of relocating to the new
address:~~ 978
979
980
981
982

~~(i) Provide written notice of the new address and a copy
of the original dangerous dog registration certificate to the
county auditor of the new county;~~ 983
984
985

~~(ii) Provide written notice of the new address to the
county auditor of the county where the owner previously resided.~~ 986
987

~~(4) The owner of a dangerous dog shall present the
dangerous dog registration certificate upon being requested to
do so by any law enforcement officer, dog warden, or public
health official charged with enforcing this section.~~ 988
989
990
991

~~(5) The fees collected pursuant to this division shall be
deposited in the dog and kennel fund of the county.~~ 992
993

(C) In a prosecution for a violation of division (B) of
this section in connection with a dog that has caused injury or
serious injury to or the death of a person or dog, any of the
following may be asserted as an affirmative defense, as
applicable: 994
995
996
997
998

(1) The dog or the dog's offspring was willfully teased,
tormented, or abused by a person. 999
1000

(2) The dog was coming to the aid or defense of a person
who was not engaged in illegal or criminal activity and who was
not using the dog as a means of carrying out such activity. 1001
1002
1003

(3) The dog was responding to its own pain or injury. 1004

(4) The person toward whom the dog's behavior was directed 1005
was intervening between two or more animals engaged in 1006
aggressive behavior or fighting. 1007

(5) The dog caused injury or serious injury to a person or 1008
killed a person while the person was committing or attempting to 1009
commit a trespass or other criminal offense on the property of 1010
the owner, keeper, or harbinger of the dog. 1011

(D)(1) Unless division (G) of this section applies, 1012
whoever violates division (B) of this section that involves a 1013
dog that has not been designated a nuisance, dangerous, or 1014
vicious dog or whoever violates division (A) of this section 1015
shall be fined not less than twenty-five dollars or more than 1016
one hundred dollars on a first offense. On each subsequent 1017
offense, the offender shall be fined not less than seventy-five 1018
dollars or more than two hundred fifty dollars and may be 1019
imprisoned for not more than thirty days. 1020

(2) In addition to the penalties prescribed in division 1021
(D)(1) of this section, the court may order the offender to 1022
personally supervise the dog that the offender owns, keeps, or 1023
harbors, to require that dog to complete dog obedience training, 1024
or to do both. 1025

(E)(1) Unless division (G) of this section applies, 1026
whoever violates division (B) of this section that involves a 1027
dog that has been designated a nuisance dog is guilty of a minor 1028
misdemeanor on the first offense and a misdemeanor of the fourth 1029
degree on each subsequent offense involving the same dog. Upon a 1030
third offense of division (B) of this section involving the same 1031
dog that has been designated a nuisance dog, the court shall 1032

require the offender to register the dog as a dangerous dog. 1033

(2) In addition to the penalties prescribed in division (E)(1) of this section, the court may order the offender to personally supervise the nuisance dog that the offender owns, keeps, or harbors, to require that dog to complete dog obedience training, or to do both. 1034
1035
1036
1037
1038

(F) Unless division (G) of this section applies, whoever violates division (B) of this section that involves a dog that has been designated a dangerous or vicious dog is guilty of a misdemeanor of the fourth degree on a first offense and a misdemeanor of the third degree on each subsequent offense. Additionally, the court shall do one of the following: 1039
1040
1041
1042
1043
1044

(1) Order the offender to personally supervise the dangerous or vicious dog that the offender owns, keeps, or harbors, require that dog to complete dog obedience training, or do both and order the offender to obtain liability insurance pursuant to division (B) of section 955.223 of the Revised Code. 1045
1046
1047
1048
1049

(2) Order the dangerous or vicious dog to be humanely destroyed by a licensed veterinarian, the county dog warden, or the county humane society at the owner's expense. 1050
1051
1052

(G) Whoever violates division (B) of this section involving any dog that causes injury, serious injury, or death to a person or dog is guilty of one of the following, as applicable: 1053
1054
1055
1056

(1) A misdemeanor of the first degree if the dog causes injury, other than serious injury, to a person or causes injury, serious injury, or death to another dog. Additionally, if the dog causes injury to a person or injury or serious injury to another dog, the court may order that the dog be humanely 1057
1058
1059
1060
1061

destroyed by a licensed veterinarian, the county dog warden, or 1062
the county humane society at the owner's expense. If the dog 1063
kills another dog, the court shall order that the dog be 1064
humanely destroyed in such a manner. 1065

(2) A felony of the fifth degree if the dog kills or 1066
causes serious injury to a person. Additionally, if the dog 1067
kills a person, the court shall order that the dog be humanely 1068
destroyed by a licensed veterinarian, the county dog warden, or 1069
the county humane society at the owner's expense. If the dog 1070
causes serious injury to a person, the court may order that the 1071
dog be humanely destroyed in such a manner. 1072

(3) A felony of the fifth degree if the dog causes either 1073
injury, other than serious injury, to a person or causes injury, 1074
serious injury, or death to another dog and the offender has 1075
previously violated this section and been sentenced under 1076
division (G) (1) or (2) of this section. Additionally, if the dog 1077
causes injury to a person or injury or serious injury to another 1078
dog, the court may order that the dog be humanely destroyed by a 1079
licensed veterinarian, the county dog warden, or the county 1080
humane society at the owner's expense. If the dog kills another 1081
dog, the court shall order that the dog be humanely destroyed in 1082
such a manner. 1083

(4) A felony of the fourth degree if the dog kills or 1084
causes serious injury to a person and the offender has 1085
previously violated this section and been sentenced under 1086
division (G) (1), (2), or (3) of this section. Additionally, if 1087
the dog kills a person, the court shall order that the dog be 1088
humanely destroyed by a licensed veterinarian, the county dog 1089
warden, or the county humane society at the owner's expense. If 1090
the dog causes serious injury to a person, the court may order 1091

that the dog be humanely destroyed in such a manner. 1092

(H) If a violation of division (B) of this section 1093
involves a dog that has been designated a dangerous dog or 1094
involves a person that is subject to sentencing under divisions 1095
(G) (1) to (4) of this section, the dog that is the subject of 1096
the violation shall be confined or restrained in accordance with 1097
division (A) of section 955.223 of the Revised Code or at the 1098
county dog pound at the owner's expense until the court makes a 1099
final determination and during the pendency of any appeal of the 1100
violation. 1101

(I) If the court, when authorized to do so, does not order 1102
a dog to be humanely destroyed under division (G) of this 1103
section, the court shall issue an order that specifies that 1104
division (C) of section 955.13 and sections 955.223, 955.224, 1105
955.225, and 955.54 of the Revised Code apply with respect to 1106
the dog and the owner, keeper, or harbinger of the dog as if the 1107
dog were a dangerous dog. 1108

Sec. 955.221. ~~(A) For the purposes of this section,~~ 1109
~~ordinances or resolutions to control dogs include, but are not~~ 1110
~~limited to, ordinances or resolutions concerned with the~~ 1111
~~ownership, keeping, or harboring of dogs, the restraint of dogs,~~ 1112
~~dogs as public nuisances, and dogs as a threat to public health,~~ 1113
~~safety, and welfare, except that such ordinances or resolutions~~ 1114
~~as permitted in division (B) of this section shall not prohibit~~ 1115
~~the use of any dog which is lawfully engaged in hunting or~~ 1116
~~training for the purpose of hunting while accompanied by a~~ 1117
~~licensed hunter. However, such dogs at all other times and in~~ 1118
~~all other respects shall be subject to the ordinance or~~ 1119
~~resolution permitted by this section, unless actually in the~~ 1120
~~field and engaged in hunting or in legitimate training for such~~ 1121

~~purpose.~~ 1122

~~(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.~~ 1123
1124
1125
1126

~~(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.~~ 1127
1128
1129
1130
1131
1132
1133
1134
1135
1136
1137
1138

~~(3) 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.~~ 1139
1140
1141
1142

~~(C) No person shall violate any resolution or ordinance
adopted under this section.~~ 1143
1144

(A) If a dog is confined at the county dog pound pursuant
to section 955.22, 955.222, or 955.225 of the Revised Code, the
county dog warden shall give written notice of the confinement
to the owner of the dog. If the county dog warden is unable to
give the notice to the owner of the dog, the county dog warden
shall post the notice on the door of the residence of the owner 1145
1146
1147
1148
1149
1150

of the dog or in another conspicuous place on the premises at 1151
which the dog was seized. The notice shall include a statement 1152
that a security in the amount of one hundred dollars is due to 1153
the county dog warden within ten days. The purpose of the 1154
security is to secure payment of all reasonable expenses, 1155
including medical care and boarding of the dog for sixty days, 1156
expected to be incurred by the county dog pound in caring for 1157
the dog during the pendency of court proceedings. The county dog 1158
warden may draw from the security any actual costs incurred in 1159
caring for the dog. 1160

(B) If the person ordered to post security under division 1161
(A) of this section does not do so within ten days of the 1162
confinement of the animal, the dog is forfeited, and the county 1163
dog warden may determine the disposition of the dog unless the 1164
court issues an order that specifies otherwise. 1165

(C) Not more than ten days after the court makes a final 1166
determination under section 955.22, 955.222, or 955.225 of the 1167
Revised Code, the county dog warden shall provide the owner of 1168
the dog with the actual cost of the confinement of the dog. If 1169
the county dog warden finds that the security provided under 1170
division (A) of this section is less than the actual cost of 1171
confinement of the dog, the owner shall remit the difference 1172
between the security provided and the actual cost to the county 1173
dog warden within thirty days after the court's determination. 1174
If the county dog warden finds that the security provided under 1175
division (A) of this section is greater than that actual cost, 1176
the county dog warden shall remit the difference between the 1177
security provided and the actual cost to the owner within thirty 1178
days after the court's determination. 1179

Sec. 955.222. ~~(A) The municipal court or county court that~~ 1180

~~has territorial jurisdiction over the residence of the owner, keeper, or harborer of a dog shall conduct any hearing concerning the designation of the dog as a nuisance dog, dangerous dog, or vicious dog.~~ 1181-1184

~~(B)~~ If a person who is authorized to enforce this chapter has reasonable cause to believe that a dog in the person's jurisdiction is a nuisance dog, dangerous dog, or vicious dog, the person shall notify the owner, keeper, or harborer of that dog, by certified mail or in person, of both of the following: 1185-1189

(1) That the person has designated the dog a nuisance dog, dangerous dog, or vicious dog, as applicable; 1190-1191

(2) That the owner, keeper, or harborer of the dog may request a hearing regarding the designation in accordance with this section. The notice shall include instructions for filing a request for a hearing in the county in which the dog's owner, keeper, or harborer resides with the court with jurisdiction over the location where the alleged incident occurred that gave rise to the designation that the dog is a nuisance dog, dangerous dog, or vicious dog. 1192-1199

Reasonable cause may be supported by one or more notarized affidavits of a witness describing the incident or incidents in which the witness saw the dog engage in behavior that warrants designation of the dog as a nuisance dog, dangerous dog, or vicious dog. 1200-1204

~~(C) If the owner, keeper, or harborer of the dog disagrees with the designation of the dog as a nuisance dog, dangerous dog, or vicious dog, as applicable, the~~ (B) The owner, keeper, or harborer, not later than ten days after receiving notification of the designation, may request a hearing regarding 1205-1209

the determination in writing. The request ~~for a hearing shall be~~ 1210
~~in writing and~~ shall be filed with the municipal court or county 1211
court that has territorial jurisdiction over the ~~residence of~~ 1212
~~the dog's owner, keeper, or harborer~~ alleged incident that gave 1213
rise to the determination that the dog is a nuisance dog, 1214
dangerous dog, or vicious dog. At the hearing, the person who 1215
designated the dog as a nuisance dog, dangerous dog, or vicious 1216
dog has the burden of proving, by clear and convincing evidence, 1217
that the dog is a nuisance dog, dangerous dog, or vicious dog. 1218

The owner, keeper, or harborer of the dog or the person 1219
who designated the dog as a nuisance dog, dangerous dog, or 1220
vicious dog may appeal the court's final determination as in any 1221
other case filed in that court. 1222

~~(D) A-~~ (C) (1) Subject to division (C) (2) of this section 1223
and if the owner, keeper, or harborer has requested a hearing 1224
under division (B) of this section, a dog that has been 1225
designated a nuisance, dangerous, or vicious dog shall be 1226
confined at the county dog pound at the owner's expense until 1227
the court makes a final determination and during the pendency of 1228
any appeal of the violation. 1229

(2) The court, upon motion of an owner, keeper, or 1230
harborer or an attorney representing the owner, keeper, or 1231
harborer, may order that the dog designated as a nuisance dog, 1232
dangerous dog, or vicious dog be held in the possession of the 1233
owner, keeper, or harborer until the court makes a final 1234
determination under this section or during the pendency of an 1235
appeal, ~~as applicable. Until~~ If the court makes a final 1236
~~determination and during the pendency of any appeal~~ issues the 1237
order, the dog shall be confined or restrained in accordance 1238
with ~~the provisions of division (D) (A)~~ of section 955.22 1239

955.223 of the Revised Code ~~that apply to dangerous dogs~~ 1240
regardless of whether the dog has been designated as a vicious 1241
dog or a nuisance dog rather than a dangerous dog. The owner, 1242
keeper, or harbinger of the dog ~~shall~~ is not be required to 1243
comply with any other requirements established in the Revised 1244
Code that concern a nuisance dog, dangerous dog, or vicious dog, ~~as applicable,~~ 1245
until the court makes a final determination and 1246
during the pendency of any appeal. 1247

~~(E)~~ (D) It is an affirmative defense to the designation of 1248
a dog as a nuisance dog, dangerous dog, or vicious dog if any of 1249
the following apply: 1250

(1) The dog or the dog's offspring was willfully teased, 1251
tormented, or abused by a person. 1252

(2) The dog was coming to the aid or defense of a person 1253
who was not engaged in illegal or criminal activity and who was 1254
not using the dog as a means of carrying out such activity. 1255

(3) The dog was responding to its own pain or injury. 1256

(4) The person toward whom the dog's behavior was directed 1257
was intervening between two or more animals engaged in 1258
aggressive behavior or fighting. 1259

(5) The dog caused injury or serious injury to or death of 1260
a person while the person was committing or attempting to commit 1261
a trespass or other criminal offense on the property of the 1262
owner, keeper, or harbinger of the dog. 1263

(E) (1) If a dog is finally determined under this section, 1264
or on appeal as described in this section, to be a vicious dog, 1265
and the dog did not kill a person or another dog during the 1266
incident that gave rise to that determination, ~~division (D) of~~ 1267
section 955.11 and divisions (D) to (I) of section 955.22 of the 1268

~~Revised Code apply with respect to the dog and the owner,~~ 1269
~~keeper, or harborer of the dog as if the dog were a dangerous~~ 1270
~~dog, and section 955.54 of the Revised Code applies with respect~~ 1271
~~to the dog as if it were a dangerous dog, and the court shall~~ 1272
~~issue an order that specifies that those provisions apply with~~ 1273
~~respect to the dog and the owner, keeper, or harborer in that~~ 1274
~~manner. As part of the order, the court shall require the owner,~~ 1275
~~keeper, or harborer to obtain the liability insurance required~~ 1276
~~under division (E) (1) of section 955.22 of the Revised Code in~~ 1277
~~an amount described in division (H) (2) of section 955.99 of the~~ 1278
~~Revised Code~~ the court may order the dog to be humanely 1279
destroyed by a licensed veterinarian, the county dog warden, or 1280
the county humane society at the owner's expense. 1281

~~(F) As used in this section, "nuisance dog," "dangerous~~ 1282
~~dog," and "vicious dog" have the same meanings as in section~~ 1283
~~955.11 of the Revised Code.~~ 1284

(2) If a dog is finally determined under this section, or 1285
on appeal as described in this section, to be a vicious dog and 1286
the dog killed a person or another dog during the incident that 1287
gave rise to that determination, the court shall order the dog 1288
to be humanely destroyed by a licensed veterinarian, the county 1289
dog warden, or the county humane society at the owner's expense. 1290

(3) If the court does not order a vicious dog to be 1291
destroyed under division (E) (1) of this section, the court shall 1292
issue an order that specifies that division (C) of section 1293
955.13 and sections 955.223, 955.224, 955.225, and 955.54 of the 1294
Revised Code apply with respect to the dog and to the owner, 1295
keeper, or harborer of the dog as if the dog were a dangerous 1296
dog. 1297

Sec. 955.223. (A) Except when a dangerous dog is lawfully 1298

engaged in hunting or training for the purpose of hunting and is 1299
accompanied by the owner, keeper, harborer, or handler of the 1300
dog, no owner, keeper, or harborer of a dangerous dog shall fail 1301
to do either of the following: 1302

(1) While the dog is on the premises of the owner, keeper, 1303
or harborer, securely confine it at all times in a locked pen 1304
that has a top, locked fenced yard, or other locked enclosure 1305
that has a top; 1306

(2) While the dog is off the premises of the owner, 1307
keeper, or harborer, keep the dog on a chain-link leash or 1308
tether that is not more than six feet in length and additionally 1309
do at least one of the following: 1310

(a) Keep the dog in a locked pen that has a top, locked 1311
fenced yard, or other locked enclosure that has a top; 1312

(b) Have the leash or tether controlled by a person who is 1313
of suitable age and discretion and station such a person in 1314
close enough proximity to the dog so as to prevent it from 1315
causing injury to any person; 1316

(c) Securely attach, tie, or affix the leash or tether to 1317
the ground or a stationary object or fixture so that the dog is 1318
adequately restrained; 1319

(d) Muzzle the dog. 1320

(B) No owner, keeper, or harborer of a dangerous dog shall 1321
fail to do any of the following: 1322

(1) Obtain liability insurance with an insurer authorized, 1323
approved, or otherwise eligible to write liability insurance in 1324
this state providing at least one hundred thousand dollars of 1325
coverage in each occurrence because of damage or bodily injury 1326

to or death of a person caused by the dangerous dog if so 1327
ordered by a court and provide proof of that liability insurance 1328
upon request to any law enforcement officer, county dog warden, 1329
or public health official authorized to enforce this chapter; 1330

(2) Obtain a dangerous dog registration certificate from 1331
the county dog warden pursuant to section 955.224 of the Revised 1332
Code, affix a tag that identifies the dog as a dangerous dog to 1333
the dog's collar, and ensure that the dog wears the collar and 1334
tag at all times; 1335

(3) Notify the county dog warden immediately if any of the 1336
following occurs: 1337

(a) The dog is loose or unconfined. 1338

(b) The dog bites a person unless the dog is on the 1339
property of the owner of the dog and the person who is bitten is 1340
unlawfully trespassing or committing a criminal act within the 1341
boundaries of that property. 1342

(c) The dog attacks another animal while the dog is off 1343
the property of the owner of the dog. 1344

(4) If the dog is sold, given to another person, or dies, 1345
notify the county dog warden within ten days of the sale, 1346
transfer, or death. 1347

(C) Whoever violates division (A) of this section is 1348
guilty of a misdemeanor of the fourth degree on a first offense 1349
and of a misdemeanor of the third degree on each subsequent 1350
offense. Additionally, the court shall do one of the following: 1351

(1) Order the offender to personally supervise the 1352
dangerous dog that the offender owns, keeps, or harbors, require 1353
that dog to complete dog obedience training, or to do both and, 1354

if applicable, order the offender to obtain liability insurance 1355
in the manner described in division (B) (1) of this section; 1356

(2) Order the dangerous dog to be humanely destroyed by a 1357
licensed veterinarian, the county dog warden, or the county 1358
humane society at the owner's expense. 1359

(D) Whoever violates division (B) (1) of this section is 1360
guilty of a minor misdemeanor. 1361

(E) Whoever violates division (B) (2) of this section is 1362
guilty of a misdemeanor of the fourth degree. 1363

(F) Whoever violates division (B) (3) or (4) of this 1364
section is guilty of a minor misdemeanor. 1365

Sec. 955.224. (A) (1) Not later than thirty days after a 1366
dog has been designated a dangerous dog under section 955.222 of 1367
the Revised Code or a person acquires ownership of a dangerous 1368
dog, the owner of the dog shall file an application for a 1369
dangerous dog registration certificate in the office of the 1370
county dog warden of the county in which the owner resides. The 1371
owner shall renew the certificate annually by filing an 1372
application on or after the first day of December, but not later 1373
than the thirty-first day of January each year. 1374

(2) If an application for a dangerous dog registration 1375
certificate is not filed and the registration fee established in 1376
this section paid by the applicable deadline established in 1377
division (A) (1) of this section, the county dog warden shall 1378
assess a penalty in an amount equal to the dangerous dog 1379
registration fee. 1380

(3) Registration of a dangerous dog required by this 1381
section is in addition to the registration required by section 1382
955.01 of the Revised Code. 1383

(B) The county dog warden shall issue a dangerous dog registration certificate to a person who is the owner of a dog, who is eighteen years of age or older, and who provides the following to the warden: 1384
1385
1386
1387

(1) A fee of fifty dollars for the initial registration and annual renewal, or, if the initial registration period is less than twelve months, a fee equal to a prorated amount as determined by the county dog warden; 1388
1389
1390
1391

(2) The person's address, telephone number, and other appropriate means for the county dog warden to contact the person; 1392
1393
1394

(3) With respect to the person and the dog for which the registration is sought, all of the following: 1395
1396

(a) Either satisfactory evidence of the dog's current rabies vaccination or a statement from a licensed veterinarian that a rabies vaccination is medically contraindicated for the dog; 1397
1398
1399
1400

(b) Either satisfactory evidence of the fact that the dog has been neutered or spayed or a statement from a licensed veterinarian that neutering or spaying of the dog is medically contraindicated; 1401
1402
1403
1404

(c) Satisfactory evidence of the fact that the person has posted and will continue to post clearly visible signs at the person's residence warning both minors and adults of the presence of a dangerous dog on the property; 1405
1406
1407
1408

(d) Satisfactory evidence of the fact that the dog has been permanently identified by means of a microchip and the dog's microchip number. 1409
1410
1411

(C) Upon the issuance of a dangerous dog registration certificate to the owner of a dog, the county dog warden shall provide the owner with a uniformly designed tag that identifies the animal as a dangerous dog. If a certificate holder relocates to a new county, the certificate holder shall follow the procedure established in division (D)(2) of this section and, upon the expiration of the certificate issued in the original county, shall renew the certificate in the new county. 1412
1413
1414
1415
1416
1417
1418
1419

(D)(1) If a registered dangerous dog and its owner relocate to a new address within the county of registration, the owner shall provide notice of the new address to the county dog warden within ten days of relocating to the new address. 1420
1421
1422
1423

(2) If a registered dangerous dog and its owner relocate to a new address in another county, the owner shall do both of the following within ten days of relocating to the new address: 1424
1425
1426

(a) Provide written notice of the new address and a copy of the current dangerous dog registration certificate to the county dog warden of the new county; 1427
1428
1429

(b) Provide written notice of the new address to the county dog warden of the county where the owner previously resided. 1430
1431
1432

(E) No owner of a dangerous dog shall fail to present the dangerous dog registration certificate upon request by any law enforcement officer, dog warden, or public health official authorized to enforce this chapter. 1433
1434
1435
1436

(F) The fees and penalties collected pursuant to this section shall be deposited in the dog and kennel fund of the applicable county. 1437
1438
1439

(G) Whoever violates division (E) of this section is 1440

guilty of a minor misdemeanor. 1441

Sec. 955.225. (A) No person shall do any of the following: 1442

(1) Debark or surgically silence a dog that the person 1443
knows or has reason to believe is a dangerous dog; 1444

(2) Possess a dangerous dog if the person knows or has 1445
reason to believe that the dog has been debarked or surgically 1446
silenced; 1447

(3) Falsely attest on a waiver form provided by a 1448
veterinarian under division (B) of this section that a dog is 1449
not a dangerous dog or otherwise provide false information on 1450
that written waiver form. 1451

(B) Before a veterinarian debarks or surgically silences a 1452
dog, the veterinarian may give the owner of the dog a written 1453
waiver form that attests that the dog is not a dangerous dog. 1454
The written waiver form shall include all of the following: 1455

(1) The veterinarian's license number and current business 1456
address; 1457

(2) The number of the dog's registration issued under 1458
section 955.01 of the Revised Code if the dog is so registered; 1459

(3) A reasonable description of the age, coloring, and 1460
gender of the dog as well as any notable markings on the dog; 1461

(4) The signature of the owner of the dog attesting that 1462
the owner's dog is not a dangerous dog; 1463

(5) A statement that division (A) of section 955.225 of 1464
the Revised Code prohibits any person from doing any of the 1465
following: 1466

(a) Debarking or surgically silencing a dog that the 1467

person knows or has reason to believe is a dangerous dog; 1468

(b) Possessing a dangerous dog if the person knows or has 1469
reason to believe that the dog has been debarked or surgically 1470
silenced; 1471

(c) Falsely attesting on a waiver form provided by a 1472
veterinarian under division (B) of section 955.225 of the 1473
Revised Code that the person's dog is not a dangerous dog or 1474
otherwise providing false information on that written waiver 1475
form. 1476

(C) It is an affirmative defense to a charge of a 1477
violation of division (A) of this section that the veterinarian 1478
who is charged with the violation obtained, prior to debarking 1479
or surgically silencing the dog, a written waiver form that 1480
complies with division (B) of this section and that attests that 1481
the dog is not a dangerous dog. 1482

(D) Whoever violates division (A) (1), (2), or (3) of this 1483
section is guilty of a felony of the fourth degree. 1484
Additionally, the court shall order that the dog involved in the 1485
violation be humanely destroyed by a licensed veterinarian, the 1486
county dog warden, or the county humane society. Until the court 1487
makes a final determination and during the pendency of any 1488
appeal of a violation of division (A) (1), (2), or (3) of this 1489
section, and at the discretion of the dog warden, the dog shall 1490
be confined or restrained in accordance with the provisions of 1491
division (A) of section 955.223 of the Revised Code or at the 1492
county dog pound at the owner's expense. 1493

Sec. 955.23. (A) No county dog warden shall willfully fail 1494
to perform his the warden's duties under section 955.12 of the 1495
Revised Code or other duties required of dog wardens. 1496

(B) Whoever violates division (A) of this section is 1497
guilty of a minor misdemeanor. 1498

Sec. 955.24. (A) No person shall obstruct or interfere 1499
with anyone lawfully engaged in capturing an unregistered dog or 1500
making an examination of a dog wearing a tag. 1501

(B) Whoever violates division (A) of this section is 1502
guilty of a minor misdemeanor. 1503

Sec. 955.25. (A) No person shall own, keep, or harbor a 1504
dog wearing a fictitious, altered, or invalid registration tag 1505
or a registration tag not issued by the county auditor in 1506
connection with the registration of such animal. 1507

(B) Whoever violates division (A) of this section is 1508
guilty of a minor misdemeanor. 1509

Sec. 955.261. (A) (1) No person shall remove a dog that has 1510
bitten any person from the county in which the bite occurred 1511
until a quarantine period as specified in division (B) of this 1512
section has been completed. No person shall transfer a dog that 1513
has bitten any person until a quarantine period as specified in 1514
division (B) of this section has been completed, except that a 1515
person may transfer the dog to the county dog warden or to any 1516
other animal control authority. 1517

(2) (a) Subject to division (A) (2) (b) of this section, no 1518
person shall kill a dog that has bitten any person until a 1519
quarantine period as specified in division (B) of this section 1520
has been completed. 1521

(b) Division (A) (2) (a) of this section does not apply to 1522
the killing of a dog in order to prevent further injury or death 1523
or if the dog is diseased or seriously injured. 1524

(3) No person who has killed a dog that has bitten any person in order to prevent further injury or death or if the dog is diseased or seriously injured shall fail to do both of the following:

(a) Immediately after the killing of the dog, notify the board of health for the district in which the bite occurred of the facts relative to the bite and the killing;

(b) Hold the body of the dog until that board of health claims it to perform tests for rabies.

(B) The quarantine period for a dog that has bitten any person shall be ten days or another period that the board of health for the district in which the bite occurred determines is necessary to observe the dog for rabies.

(C) (1) To enable persons to comply with the quarantine requirements specified in divisions (A) and (B) of this section, boards of health shall make provision for the quarantine of individual dogs under the circumstances described in those divisions.

(2) Upon the receipt of a notification pursuant to division (A) (3) of this section that a dog that has bitten any person has been killed, the board of health for the district in which the bite occurred shall claim the body of the dog from its killer and then perform tests on the body for rabies.

(D) This section does not apply to a police dog that has bitten a person while the police dog is under the care of a licensed veterinarian or has bitten a person while the police dog is being used for law enforcement, corrections, prison or jail security, or investigative purposes. If, after biting a person, a police dog exhibits any abnormal behavior, the law

enforcement agency and the law enforcement officer the police 1554
dog assists, within a reasonable time after the person is 1555
bitten, shall make the police dog available for the board of 1556
health for the district in which the bite occurred to perform 1557
tests for rabies. 1558

(E) As used in this section, "police dog" has the same 1559
meaning as in section 2921.321 of the Revised Code. 1560

(F) Whoever violates this section is guilty of a minor 1561
misdemeanor on a first offense and of a misdemeanor of the 1562
fourth degree on each subsequent offense. 1563

Sec. 955.39. (A) No person shall violate a rabies 1564
quarantine order issued under section 955.26 of the Revised 1565
Code. 1566

(B) Whoever violates division (A) of this section is 1567
guilty of a minor misdemeanor on a first offense and of a 1568
misdemeanor of the fourth degree on each subsequent offense. 1569

Sec. 955.43. (A) When either a blind, deaf or hearing 1570
impaired, or mobility impaired person or a trainer of an 1571
assistance dog is accompanied by an assistance dog, the person 1572
or the trainer, as applicable, is entitled to the full and equal 1573
accommodations, advantages, facilities, and privileges of all 1574
public conveyances, hotels, lodging places, all places of public 1575
accommodation, amusement, or resort, all institutions of 1576
education, and other places to which the general public is 1577
invited, and may take the dog into such conveyances and places, 1578
subject only to the conditions and limitations applicable to all 1579
persons not so accompanied, except that: 1580

(1) The dog shall not occupy a seat in any public 1581
conveyance. 1582

(2) The dog shall be upon a leash while using the facilities of a common carrier.

(3) Any dog in training to become an assistance dog shall be covered by a liability insurance policy provided by the nonprofit special agency engaged in such work protecting members of the public against personal injury or property damage caused by the dog.

(B) No person shall deprive a blind, deaf or hearing impaired, or mobility impaired person or a trainer of an assistance dog who is accompanied by an assistance dog of any of the advantages, facilities, or privileges provided in division (A) of this section, ~~nor~~ or charge the person or trainer a fee or charge for the dog.

(C) As used in this section, "institutions of education" means:

(1) Any state university or college as defined in section 3345.32 of the Revised Code;

(2) Any private college or university that holds a certificate of authorization issued by the Ohio board of regents pursuant to Chapter 1713. of the Revised Code;

(3) Any elementary or secondary school operated by a board of education;

(4) Any chartered or nonchartered nonpublic elementary or secondary school;

(5) Any school issued a certificate of registration by the state board of career colleges and schools.

(D) Whoever violates division (B) of this section is guilty of a misdemeanor of the fourth degree.

Sec. 955.44. All fines collected for violations of 1611
sections 955.11, ~~955.21~~ 955.13, 955.22, 955.223, 955.224, 1612
955.225, 955.23, 955.25, ~~and 955.261~~, and 955.60 of the Revised 1613
Code shall be deposited in the county treasury to the credit of 1614
the dog and kennel fund. 1615

Sec. 955.50. (A) No person shall sell, offer to sell, or 1616
expose for sale, for the purpose of resale or receive for 1617
delivery within this state, or ship from any point within this 1618
state to any point outside this state, for sale to the general 1619
public at retail, any dog under the age of eight weeks. 1620

(B) No person shall receive from outside this state, or 1621
ship from any point within this state to any point outside this 1622
state, for sale to the general public at retail, any dog that is 1623
not accompanied by a certificate, issued by a licensed 1624
veterinarian who is accredited by the United States department 1625
of agriculture and authorized to issue health certificates for 1626
animals in interstate commerce, certifying that the dog is 1627
sufficiently sound and healthy to be reasonably expected to 1628
withstand the intended transportation without adverse effect. 1629

(C) This section does not apply to the transportation of 1630
dogs in interstate commerce by common carrier, provided that 1631
neither the point of shipment nor the point of receiving is 1632
within this state. 1633

(D) No person responsible for the transportation of a 1634
pregnant dog to any point within this state or from any point 1635
within this state to any point outside this state shall be 1636
liable in damages for any injury to or illness of, or the death 1637
of, the dog or any puppies, ~~whenever~~ whenever the injury, 1638
illness, or death results from the birth of such puppies during 1639
the time the dog is being transported. 1640

(E) Whoever violates this section is guilty of a minor 1641
misdemeanor on a first offense and of a misdemeanor of the 1642
fourth degree on each subsequent offense. 1643

Sec. 955.54. (A) No person who is convicted of or pleads 1644
guilty to a felony offense of violence committed on or after ~~the~~ 1645
~~effective date of this section or May 22, 2012,~~ a felony 1646
violation of any provision of Chapter 959., 2923., or 2925. of 1647
the Revised Code committed on or after ~~the effective date of~~ 1648
~~this section May 22, 2012,~~ or a violation of division (B) of 1649
section 2919.22 of the Revised Code committed on or after the 1650
effective date of this amendment shall knowingly own, possess, 1651
have custody of, or reside in a residence with either of the 1652
following for a period of ~~three~~ five years commencing either 1653
upon the date of release of the person from any period of 1654
incarceration imposed for the offense or violation or, if the 1655
person is not incarcerated for the offense or violation, upon 1656
the date of the person's final release from the other sanctions 1657
imposed for the offense or violation: 1658

(1) An unspayed or unneutered dog older than twelve weeks 1659
of age; 1660

(2) Any dog that has been determined to be a dangerous dog 1661
under ~~Chapter 955. of the Revised Code~~ this chapter. 1662

(B) ~~A~~ No person described in division (A) of this section 1663
shall fail to microchip for permanent identification any dog 1664
owned, possessed by, or in the custody of the person. 1665

(C) (1) Division (A) of this section does not apply to any 1666
person who is confined in a correctional institution of the 1667
department of rehabilitation and correction. 1668

(2) Division (A) of this section does not apply to any 1669

person with respect to any dog that the person owned, possessed, 1670
had custody of, or resided in a residence with prior to ~~the~~ 1671
~~effective date of this section~~ May 22, 2012, or, with regard to 1672
a violation of division (B) of section 2919.22 of the Revised 1673
Code, prior to the effective date of this amendment. 1674

(D) Whoever violates division (A) or (B) of this section 1675
is guilty of a misdemeanor of the first degree. 1676

Sec. 955.60. (A) Any person authorized to enforce this 1677
chapter shall investigate any complaint that indicates a 1678
possible violation of any provision of this chapter involving a 1679
dog. 1680

(B) If, after investigating an alleged violation of this 1681
chapter under division (A) of this section, an authorized person 1682
does not cite a person for or charge a person with a violation, 1683
the authorized person shall notify, in accordance with division 1684
(C) of this section, the owner, keeper, or harborer of the dog 1685
that there has been a complaint regarding the dog and that the 1686
authorized person investigated a possible violation. The notice 1687
shall specify all of the following: 1688

(1) A citation to the applicable provision or provisions 1689
of law at issue; 1690

(2) Contact information for the authorized person; 1691

(3) A requirement that the owner, keeper, or harborer of 1692
the dog respond to the authorized person indicating that the 1693
owner, keeper, or harborer has received the notice. 1694

(C) The authorized person shall post the notice on the 1695
door of the dwelling at which the dog resides within twenty-four 1696
hours of the authorized person's investigation. The owner, 1697
keeper, or harborer of the dog shall respond within forty-eight 1698

hours to the authorized person via email, facsimile, telephone, 1699
or social media correspondence, indicating that the owner, 1700
keeper, or harborer has received the notice. If the owner, 1701
keeper, or harborer of the dog responds within a reasonable time 1702
after the forty-eight-hour period, the person is not subject to 1703
division (D) (1) of this section, provided that the response is 1704
accompanied with a reasonable explanation of why the forty- 1705
eight-hour response deadline was not met. 1706

(D) If the owner, keeper, or harborer of the dog does not 1707
respond within: 1708

(1) Forty-eight hours or does not respond within a 1709
reasonable time after the notice is posted as provided in 1710
division (C) of this section, the owner, keeper, or harborer of 1711
the dog shall be fined twenty-five dollars. 1712

(2) Ninety-six hours after the notice is posted, the 1713
owner, keeper, or harborer of the dog shall be fined forty 1714
dollars. 1715

(3) Seven days after the notice is posted, a court may 1716
issue a summons or warrant for the arrest of the owner, keeper, 1717
or harborer of the dog. 1718

(E) The fines collected under this section shall be 1719
deposited in the dog and kennel fund of the applicable county. 1720

Section 2. That existing sections 109.73, 715.23, 901.80, 1721
955.01, 955.02, 955.04, 955.10, 955.11, 955.12, 955.16, 955.21, 1722
955.22, 955.221, 955.222, 955.23, 955.24, 955.25, 955.261, 1723
955.39, 955.43, 955.44, 955.50, and 955.54 of the Revised Code 1724
are hereby repealed. 1725

Section 3. That section 955.99 of the Revised Code is 1726
hereby repealed. 1727

Section 4. The owner of a dog who holds a valid dangerous 1728
dog registration certificate for the dog that was issued under 1729
division (I) of section 955.22 of the Revised Code as that 1730
section existed prior to its amendment by this act shall renew 1731
the certificate beginning December 1 of the year in which this 1732
act takes effect, but not later than January 31 of the 1733
subsequent year regardless of when the owner would have been 1734
required to renew the certificate under former law. Except as 1735
otherwise provided in this section, the owner shall file the 1736
application in accordance with section 955.224 of the Revised 1737
Code as enacted by this act. 1738

If the renewal required by this section results in a 1739
reduction of the registration period for which the owner paid 1740
fifty dollars under former law, the owner shall pay a 1741
registration fee for the renewal required by this section in an 1742
amount that is prorated as determined by the county auditor of 1743
the county in which the owner resides. Thereafter, the owner 1744
shall renew the dangerous dog registration certificate in 1745
accordance with section 955.224 of the Revised Code as enacted 1746
by this act. 1747

Section 5. This act shall be known as "Savannah's Law." 1748