

As Reported by the House Criminal Justice Committee

129th General Assembly

Regular Session

2011-2012

Sub. H. B. No. 14

Representative Sears

Cosponsors: Representatives Winburn, Garland

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A B I L L

To amend sections 955.08, 955.11, 955.22, 955.99, 1
1901.18, and 1907.031 and to enact sections 2
955.222 and 955.54 of the Revised Code to remove 3
pit bulls from the definition of "vicious dog" in 4
state law, to establish a process by which owners, 5
keepers, or harborers of dogs that have been 6
designated as nuisance, dangerous, or vicious may 7
appeal that designation, to define a "nuisance 8
dog," to change the definitions of a "dangerous 9
dog" and a "vicious dog," to require the owner of 10
a dangerous dog to obtain a dangerous dog 11
registration certificate, to prohibit certain 12
felons from owning dogs under certain conditions, 13
and to change the penalties involving ownership of 14
nuisance, dangerous, and vicious dogs. 15

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

Section 1. That sections 955.08, 955.11, 955.22, 955.99, 16
1901.18, and 1907.031 be amended and sections 955.222 and 955.54 17
of the Revised Code be enacted to read as follows: 18

Sec. 955.08. In addition to the certificate of registration 19

provided for by section 955.07 of the Revised Code, the county auditor shall issue to every person making application for the registration of a dog and paying the required fee therefor a metal tag for each dog so registered. The form, character, and lettering of the tag shall be prescribed by the county auditor. Each year the tag shall be a color distinctive from that of the previous year. If a tag is lost, a duplicate shall be furnished by the auditor upon proper proof of loss and the payment of ~~twenty five cents~~ five dollars for each duplicate tag issued ~~or payment of an alternate fee for a duplicate tag, which the board of county commissioners may establish in an amount not to exceed one dollar and fifty cents.~~

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

(1)(a) "Dangerous dog" means a dog that, without provocation, and subject to division (A)(1)(b) of this section, has ~~chased or approached in either a menacing fashion or an apparent attitude of attack, or has attempted to bite or otherwise endanger any person, while that dog is off the premises of its owner, keeper, or harborer and not under the reasonable control of its owner, keeper, harborer, or some other responsible person, or not physically restrained or confined in a locked pen which has a top, locked fenced yard, or other locked enclosure which has a top~~ done any of the following:

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

(ii) Killed another dog;

(iii) Been the subject of a third violation of division (C) of section 955.22 of the Revised Code.

(b) "Dangerous dog" does not include a police dog that has ~~chased or approached in either a menacing fashion or an apparent~~

~~attitude of attack, or has attempted to bite or otherwise endanger~~ 50
~~any person caused injury, other than killing or serious injury, to~~ 51
~~any person or has killed another dog~~ while the police dog is being 52
used to assist one or more law enforcement officers in the 53
performance of their official duties. 54

(2) "Menacing fashion" means that a dog would cause any 55
person being chased or approached to reasonably believe that the 56
dog will cause physical injury to that person. 57

(3)(a) Subject to division (A)(3)(b) of this section, 58
"nuisance dog" means a dog that without provocation and while off 59
the premises of its owner, keeper, or harbinger has chased or 60
approached a person in either a menacing fashion or an apparent 61
attitude of attack or has attempted to bite or otherwise endanger 62
any person. 63

(b) "Nuisance dog" does not include a police dog that while 64
being used to assist one or more law enforcement officers in the 65
performance of official duties has chased or approached a person 66
in either a menacing fashion or an apparent attitude of attack or 67
has attempted to bite or otherwise endanger any person. 68

(4) "Police dog" means a dog that has been trained, and may 69
be used, to assist one or more law enforcement officers in the 70
performance of their official duties. 71

~~(4)~~(5) "Serious injury" means any of the following: 72

(a) Any physical harm that carries a substantial risk of 73
death; 74

(b) Any physical harm that involves a permanent incapacity, 75
whether partial or total, or a temporary, substantial incapacity; 76

(c) Any physical harm that involves a permanent disfigurement 77
or a temporary, serious disfigurement; 78

(d) Any physical harm that involves acute pain of a duration 79

that results in substantial suffering or any degree of prolonged 80
or intractable pain. 81

(6)(a) "Vicious dog" means a dog that, without provocation 82
and subject to division (A)~~(4)~~(6)(b) of this section, ~~meets any of~~ 83
~~the following:~~ 84

~~(i) Has has killed or caused serious injury to any person;~~ 85

~~(ii) Has caused injury, other than killing or serious injury,~~ 86
~~to any person, or has killed another dog.~~ 87

~~(iii) Belongs to a breed that is commonly known as a pit bull~~ 88
~~dog. The ownership, keeping, or harboring of such a breed of dog~~ 89
~~shall be prima facie evidence of the ownership, keeping, or~~ 90
~~harboring of a vicious dog.~~ 91

(b) "Vicious dog" does not include either of the following: 92

(i) A police dog that has killed or caused serious injury to 93
any person ~~or that has caused injury, other than killing or~~ 94
~~serious injury, to any person~~ while the police dog is being used 95
to assist one or more law enforcement officers in the performance 96
of their official duties; 97

(ii) A dog that has killed or caused serious injury to any 98
person while a person was committing or attempting to commit a 99
trespass or other criminal offense on the property of the owner, 100
keeper, or harborer of the dog. 101

~~(5)~~(7) "Without provocation" means that a dog was not teased, 102
tormented, or abused by a person, or that the dog was not coming 103
to the aid or the defense of a person who was not engaged in 104
illegal or criminal activity and who was not using the dog as a 105
means of carrying out such activity. 106

(B) Upon the transfer of ownership of any dog, the seller of 107
the dog shall give the buyer a transfer of ownership certificate 108
that shall be signed by the seller. The certificate shall contain 109

the registration number of the dog, the name of the seller, and a 110
brief description of the dog. Blank forms of the certificate may 111
be obtained from the county auditor. A transfer of ownership shall 112
be recorded by the auditor upon presentation of a transfer of 113
ownership certificate that is signed by the former owner of a dog 114
and that is accompanied by a fee of ~~twenty five cents~~ five 115
dollars. 116

(C) Prior to the transfer of ownership or possession of any 117
dog, upon the buyer's or other transferee's request, the seller or 118
other transferor of the dog shall give to the person a written 119
notice relative to the behavior and propensities of the dog. 120

(D) Within ten days after the transfer of ownership or 121
possession of any dog, if the seller or other transferor of the 122
dog has knowledge that the dog is a dangerous ~~or vicious~~ dog, ~~he~~ 123
the seller or other transferor shall give to the buyer or other 124
transferee, the board of health for the district in which the 125
buyer or other transferee resides, and the dog warden of the 126
county in which the buyer or other transferee resides, a completed 127
copy of a written form on which the seller shall furnish the 128
following information: 129

(1) The name and address of the buyer or other transferee of 130
the dog; 131

(2) The age, sex, color, breed, and current registration 132
number of the dog. 133

In addition, the seller shall answer the following questions, 134
which shall be specifically stated on the form as follows: 135

"Has the dog ever chased or attempted to attack or bite a 136
person? If yes, describe the incident(s) in which the behavior 137
occurred." 138

"Has the dog ever bitten a person? If yes, describe the 139
incident(s) in which the behavior occurred." 140

"Has the dog ever seriously injured or killed a person? If 141
yes, describe the incident(s) in which the behavior occurred." 142

The dog warden of the county in which the seller resides 143
shall furnish the form to the seller at no cost. 144

(E) No seller or other transferor of a dog shall fail to 145
comply with the applicable requirements of divisions (B) to (D) of 146
this section. 147

Sec. 955.22. (A) As used in this section, "dangerous dog" ~~and~~ 148
~~"vicious dog"~~ have has the same ~~meanings~~ meaning as in section 149
955.11 of the Revised Code. 150

(B) No owner, keeper, or harborer of any female dog shall 151
permit it to go beyond the premises of the owner, keeper, or 152
harborer at any time the dog is in heat unless the dog is properly 153
in leash. 154

(C) Except when a dog is lawfully engaged in hunting and 155
accompanied by the owner, keeper, harborer, or handler of the dog, 156
no owner, keeper, or harborer of any dog shall fail at any time to 157
do either of the following: 158

(1) Keep the dog physically confined or restrained upon the 159
premises of the owner, keeper, or harborer by a leash, tether, 160
adequate fence, supervision, or secure enclosure to prevent 161
escape; 162

(2) Keep the dog under the reasonable control of some person. 163

(D) Except when a dangerous ~~or vicious~~ dog is lawfully 164
engaged in hunting or training for the purpose of hunting and is 165
accompanied by the owner, keeper, harborer, or handler of the dog, 166
no owner, keeper, or harborer of a dangerous ~~or vicious~~ dog shall 167
fail to do either of the following: 168

(1) While that dog is on the premises of the owner, keeper, 169
or harborer, securely confine it at all times in a locked pen that 170

has a top, locked fenced yard, or other locked enclosure that has 171
a top, ~~except that a dangerous dog may, in the alternative, be~~ 172
~~tied with a leash or tether so that the dog is adequately~~ 173
~~restrained;~~ 174

(2) While that dog is off the premises of the owner, keeper, 175
or harborer, keep that dog on a chain-link leash or tether that is 176
not more than six feet in length and additionally do at least one 177
of the following: 178

(a) Keep that dog in a locked pen that has a top, locked 179
fenced yard, or other locked enclosure that has a top; 180

(b) Have the leash or tether controlled by a person who is of 181
suitable age and discretion or securely attach, tie, or affix the 182
leash or tether to the ground or a stationary object or fixture so 183
that the dog is adequately restrained and station such a person in 184
close enough proximity to that dog so as to prevent it from 185
causing injury to any person; 186

(c) Muzzle that dog. 187

(E) No person who has been convicted of or pleaded guilty to 188
three violations of division (C) of this section involving the 189
same dog and no owner, keeper, or harborer of a vicious dangerous 190
dog shall fail to ~~obtain~~ do the following: 191

(1) Obtain liability insurance with an insurer authorized to 192
write liability insurance in this state providing coverage in each 193
occurrence, ~~subject to a limit, exclusive of interest and costs,~~ 194
~~of not less than one hundred thousand dollars~~ because of damage or 195
bodily injury to or death of a person caused by the vicious 196
dangerous dog if so ordered by a court and provide proof of that 197
liability insurance upon request to any law enforcement officer, 198
county dog warden, or public health official charged with 199
enforcing this section; 200

(2) Obtain a dangerous dog registration certificate from the 201

county auditor pursuant to division (I) of this section, affix a tag that identifies the dog as a dangerous dog to the dog's collar, and ensure that the dog wears the collar and tag at all times; 202
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(3) Notify the local dog warden immediately if any of the following occurs: 206
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(a) The dog is loose or unconfined. 208

(b) The dog bites a person, unless the dog is on the property of the owner of the dog, and the person who is bitten is unlawfully trespassing or committing a criminal act within the boundaries of that property. 209
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(c) The dog attacks another animal while the dog is off the property of the owner of the dog. 213
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(4) If the dog is sold, given to another person, or dies, notify the county auditor within ten days of the sale, transfer, or death. 215
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(F) No person shall do any of the following: 218

(1) Debark or surgically silence a dog that the person knows or has reason to believe is a ~~vicious~~ dangerous dog; 219
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(2) Possess a ~~vicious~~ dangerous dog if the person knows or has reason to believe that the dog has been debarked or surgically silenced; 221
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(3) Falsely attest on a waiver form provided by the veterinarian under division (G) of this section that the person's dog is not a ~~vicious~~ dangerous dog or otherwise provide false information on that written waiver form. 224
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(G) Before a veterinarian debarks or surgically silences a dog, the veterinarian may give the owner of the dog a written waiver form that attests that the dog is not a ~~vicious~~ dangerous dog. The written waiver form shall include all of the following: 228
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| (1) The veterinarian's license number and current business address; | 232 233 |
| (2) The number of the license of the dog if the dog is licensed; | 234 235 |
| (3) A reasonable description of the age, coloring, and gender of the dog as well as any notable markings on the dog; | 236 237 |
| (4) The signature of the owner of the dog attesting that the owner's dog is not a vicious <u>dangerous</u> dog; | 238 239 |
| (5) A statement that division (F) of section 955.22 of the Revised Code prohibits any person from doing any of the following: | 240 241 |
| (a) Debarking or surgically silencing a dog that the person knows or has reason to believe is a vicious <u>dangerous</u> dog; | 242 243 |
| (b) Possessing a vicious <u>dangerous</u> dog if the person knows or has reason to believe that the dog has been debarked or surgically silenced; | 244 245 246 |
| (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 vicious <u>dangerous</u> dog or otherwise provide false information on that written waiver form. | 247 248 249 250 |
| (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 vicious <u>dangerous</u> dog. | 251 252 253 254 255 256 |
| <u>(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:</u> | 257 258 259 260 |
| <u>(a) A fee of fifty dollars;</u> | 261 |

(b) The person's address, phone number, and other appropriate means for the local dog warden or county auditor to contact the person; 262
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(c) Satisfactory evidence of all of the following with respect to the person and the dog for which the registration is sought: 265
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(i) The dog's current rabies vaccination, if applicable; 268

(ii) The fact that the dog has been neutered or spayed; 269

(iii) 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; 270
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(iv) The fact that the dog has been permanently identified by means of a microchip and the dog's microchip number. 274
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(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. 276
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(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 notice of the new address to the county auditor within ten days of relocating to the new address. 286
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(b) If the owner of a dangerous dog for whom a registration 291

certificate has previously been obtained relocates to a new 292
address within another county, the owner shall do both of the 293
following within ten days of relocating to the new address: 294

(i) Provide written notice of the new address and a copy of 295
the original dangerous dog registration certificate to the county 296
auditor of the new county; 297

(ii) Provide written notice of the new address to the county 298
auditor of the county where the owner previously resided. 299

(4) The owner of a dangerous dog shall present the dangerous 300
dog registration certificate upon being requested to do so by any 301
law enforcement officer, dog warden, or public health official 302
charged with enforcing this section. 303

(5) The fees collected pursuant to this division shall be 304
deposited in the dog and kennel fund of the county. 305

Sec. 955.222. (A) The municipal court or county court that 306
has territorial jurisdiction over the residence of the owner, 307
keeper, or harborer of a dog shall conduct any hearing concerning 308
the designation of the dog as a nuisance dog, dangerous dog, or 309
vicious dog. 310

(B) If a person who is authorized to enforce this chapter has 311
reasonable cause to believe that a dog in the person's 312
jurisdiction is a nuisance dog, dangerous dog, or vicious dog, the 313
person shall notify the owner, keeper, or harborer of that dog, by 314
certified mail or in person, of both of the following: 315

(1) That the person has designated the dog a nuisance dog, 316
dangerous dog, or vicious dog, as applicable; 317

(2) That the owner, keeper, or harborer of the dog may 318
request a hearing regarding the designation in accordance with 319
this section. The notice shall include instructions for filing a 320
request for a hearing in the county in which the dog's owner, 321

keeper, or harborer resides. 322

(C) If the owner, keeper, or harborer of the dog refutes the 323
dog's designation as a nuisance dog, dangerous dog, or vicious 324
dog, as applicable, the owner, keeper, or harborer, not later than 325
ten days after receiving notification of the designation, may 326
request a hearing regarding the determination. The request for a 327
hearing shall be in writing and shall be filed with the municipal 328
court or county court that has territorial jurisdiction over the 329
residence of the dog's owner, keeper, or harborer. 330

The owner, keeper, or harborer of the dog or the person who 331
designated the dog as a nuisance dog, dangerous dog, or vicious 332
dog may appeal the court's final determination as in any other 333
case filed in that court. 334

(D) A court, upon motion of an owner, keeper, or harborer or 335
an attorney representing the owner, keeper, or harborer, may order 336
that the dog designated as a nuisance dog, dangerous dog, or 337
vicious dog be held in the possession of the owner, keeper, or 338
harborer until the court makes a final determination under this 339
section or during the pendency of an appeal, as applicable. Until 340
the court makes a final determination and during the pendency of 341
any appeal, the dog shall be confined or restrained in accordance 342
with the provisions of division (D) of section 955.22 of the 343
Revised Code that apply to dangerous dogs regardless of whether 344
the dog has been designated as a vicious dog or a nuisance dog 345
rather than a dangerous dog. The owner, keeper, or harborer of the 346
dog shall not be required to comply with any other requirements 347
established in the Revised Code that concern a nuisance dog, 348
dangerous dog, or vicious dog, as applicable, until the court 349
makes a final determination and during the pendency of any appeal. 350

(E) As used in this section, "nuisance dog," "dangerous dog," 351
and "vicious dog" have the same meanings as in section 955.11 of 352
the Revised Code. 353

Sec. 955.54. (A) No person who is convicted of or pleads guilty to a felony offense of violence or a felony violation of any provision of Chapter 959., 2923., or 2925. of the Revised Code shall knowingly own, possess, have custody of, or reside in a residence with either of the following for a period of ten years commencing upon the date of release of the person from any period of incarceration imposed for the conviction:

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

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

(B) A person described in division (A) of this section shall microchip for permanent identification any dog owned, possessed by, or in the custody of the person.

Sec. 955.99. (A)(1) Whoever violates division (E) of section 955.11 of the Revised Code because of a failure to comply with division (B) of that section is guilty of a minor misdemeanor.

(2) Whoever violates division (E) of section 955.11 of the Revised Code because of a failure to comply with division (C) or (D) of that section is guilty of a minor misdemeanor on a first offense and of a misdemeanor of the fourth degree on each subsequent offense.

(B) Whoever violates section 955.10, 955.23, 955.24, or 955.25 of the Revised Code is guilty of a minor misdemeanor.

(C) Whoever violates section 955.261, 955.39, or 955.50 of the Revised Code is guilty of a minor misdemeanor on a first offense and of a misdemeanor of the fourth degree on each subsequent offense.

(D) Whoever violates division (F) of section 955.16 or

division (B) of section 955.43 of the Revised Code is guilty of a 383
misdemeanor of the fourth degree. 384

(E)(1) Whoever violates section 955.21 or division (B) or (C) 385
of section 955.22 of the Revised Code shall be fined not less than 386
twenty-five dollars or more than one hundred dollars on a first 387
offense, and on each subsequent offense shall be fined not less 388
than seventy-five dollars or more than two hundred fifty dollars 389
and may be imprisoned for not more than thirty days. 390

(2) In addition to the penalties prescribed in division 391
(E)(1) of this section, if the offender is guilty of a violation 392
of division (B) or (C) of section 955.22 of the Revised Code, the 393
court may order the offender to personally supervise the dog that 394
the offender owns, keeps, or harbors, to cause that dog to 395
complete dog obedience training, or to do both. 396

(F) ~~if~~ (1) Whoever commits a violation of division (C) of 397
section 955.22 of the Revised Code that involves a nuisance dog is 398
guilty of a minor misdemeanor on the first offense and of a 399
misdemeanor of the fourth degree on each subsequent offense 400
involving the same dog. Upon a person being convicted of or 401
pleading guilty to a third violation of division (C) of section 402
955.22 of the Revised Code involving the same dog, the court shall 403
require the offender to register the involved dog as a dangerous 404
dog. 405

(2) In addition to the penalties prescribed in division 406
(F)(1) of this section, if a violation of division (C) of section 407
955.22 of the Revised Code involves a nuisance dog, the court may 408
order the offender to personally supervise the nuisance dog that 409
the offender owns, keeps, or harbors, to cause that dog to 410
complete dog obedience training, or to do both. 411

(G) Whoever commits a violation of division ~~(D)~~(C) of section 412
955.22 of the Revised Code that involves a dangerous dog, ~~whoever~~ 413

~~violates that division~~ is guilty of a misdemeanor of the fourth 414
degree on a first offense and of a misdemeanor of the third degree 415
on each subsequent offense. Additionally, the court may order the 416
offender to personally supervise the dangerous dog that the 417
offender owns, keeps, or harbors, to cause that dog to complete 418
dog obedience training, or to do both, and the court may order the 419
offender to obtain liability insurance pursuant to division (E) of 420
section 955.22 of the Revised Code. The court, in the alternative, 421
may order the dangerous dog to be humanely destroyed by a licensed 422
veterinarian, the county dog warden, or the county humane society 423
at the owner's expense. Until the court makes a final 424
determination and during the pendency of any appeal of a violation 425
of division (C) of section 955.22 of the Revised Code and at the 426
discretion of the dog warden, the dog shall be confined or 427
restrained in accordance with division (D) of section 955.22 of 428
the Revised Code or at the county dog pound at the owner's 429
expense. 430

~~(G) If~~(H)(1) Whoever commits a violation of division ~~(D)~~(C) 431
of section 955.22 of the Revised Code that involves a vicious dog, 432
~~whoever violates that division~~ is guilty of one of the following: 433

~~(1)(a)~~ (a) A felony of the fourth degree ~~on a first or subsequent~~ 434
~~offense~~ if the dog kills ~~or seriously injures~~ a person. 435
Additionally, the court shall order that the vicious dog be 436
humanely destroyed by a licensed veterinarian, the county dog 437
warden, or the county humane society at the owner's expense. 438

~~(2)(b)~~ (b) A misdemeanor of the first degree ~~on a first offense~~ 439
~~and a felony of the fourth degree on each subsequent offense~~ if 440
the dog causes serious injury to a person. Additionally, the court 441
may order the vicious dog to be humanely destroyed by a licensed 442
veterinarian, the county dog warden, or the county humane society. 443

~~(3)~~ (3) A misdemeanor of the first degree ~~if the dog causes~~ 444
~~injury, other than killing or serious injury, to any person.~~ 445

~~(H)~~ at the owner's expense. 446

(2) If the court does not order the dog to be euthanized 447
under division (H)(1) of this section, the court shall declare the 448
dog to be a dangerous dog, and the owner shall comply with the 449
requirements under division (E) of section 955.22 of the Revised 450
Code. Additionally, the court shall order the offender to obtain 451
the liability insurance required under division (E)(1) of section 452
955.22 of the Revised Code subject to a limit, exclusive of 453
interest and costs, of not less than one hundred thousand dollars. 454
Until the court makes a final determination and during the 455
pendency of any appeal of a violation of division (C) of section 456
955.22 of the Revised Code and at the discretion of the dog 457
warden, the dog shall be confined or restrained in accordance with 458
the provisions described in division (D) of section 955.22 of the 459
Revised Code or at the county dog pound at the owner's expense. 460

(I) Whoever violates division (A)(2) of section 955.01 or 461
division (E) of section 955.22 of the Revised Code is guilty of a 462
misdemeanor of the first degree. 463

~~(I)~~(J) Whoever violates division (E)(2) of section 955.22 of 464
the Revised Code is guilty of a misdemeanor of the fourth degree. 465

(K) Whoever violates division (C) of section 955.221 of the 466
Revised Code is guilty of a minor misdemeanor. Each day of 467
continued violation constitutes a separate offense. Fines levied 468
and collected for violations of that division shall be distributed 469
by the mayor or clerk of the municipal or county court in 470
accordance with section 733.40, division (F) of section 1901.31, 471
or division (C) of section 1907.20 of the Revised Code to the 472
treasury of the county, township, or municipal corporation whose 473
resolution or ordinance was violated. 474

~~(J)~~(L) Whoever violates division (F)(1), (2), or (3) of 475
section 955.22 of the Revised Code is guilty of a felony of the 476

fourth degree. Additionally, the court shall order that the ~~vicious~~ dangerous dog be humanely destroyed by a licensed veterinarian, the county dog warden, or the county humane society. Until the court makes a final determination and during the pendency of any appeal of a violation of division (F)(1), (2), or (3) of section 955.22 of the Revised Code and at the discretion of the dog warden, the dog shall be confined or restrained in accordance with the provisions of division (D) of section 955.22 of the Revised Code or at the county dog pound at the owner's expense.

(M) Whoever violates division (E)(1), (3), or (4) of section 955.22 of the Revised Code is guilty of a minor misdemeanor.

(N) Whoever violates division (I)(4) of section 955.22 of the Revised Code is guilty of a minor misdemeanor.

(O) Whoever violates division (A) or (B) of section 955.54 of the Revised Code is guilty of a misdemeanor of the first degree.

(P)(1) If a dog is confined at the county dog pound pursuant to division (G), (H), or (L) of this section, 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 of the dog or in another conspicuous place on the premises at which the dog was seized. The notice shall include a statement that a security in the amount of one hundred dollars is due to the county dog warden within ten days to secure payment of all reasonable expenses, including medical care and boarding of the dog for sixty days, expected to be incurred by the county dog pound in caring for the dog pending the determination. The county dog warden may draw from the security any actual costs incurred in caring for the dog.

(2) If the person ordered to post security under division

(P)(1) of this section does not do so within ten days of the 508
confinement of the animal, the dog is forfeited, and the county 509
dog warden may determine the disposition of the dog unless the 510
court issues an order that specifies otherwise. 511

(3) Not more than ten days after the court makes a final 512
determination under division (G), (H), or (L) of this section, the 513
county dog warden shall provide the owner of the dog with the 514
actual cost of the confinement of the dog. If the county dog 515
warden finds that the security provided under division (P)(1) of 516
this section is less than the actual cost of confinement of the 517
dog, the owner shall remit the difference between the security 518
provided and the actual cost to the county dog warden within 519
thirty days after the court's determination. If the county dog 520
warden finds that the security provided under division (P)(1) of 521
this section is greater than that actual cost, the county dog 522
warden shall remit the difference between the security provided 523
and the actual cost to the owner within thirty days after the 524
court's determination. 525

Sec. 1901.18. (A) Except as otherwise provided in this 526
division or section 1901.181 of the Revised Code, subject to the 527
monetary jurisdiction of municipal courts as set forth in section 528
1901.17 of the Revised Code, a municipal court has original 529
jurisdiction within its territory in all of the following actions 530
or proceedings and to perform all of the following functions: 531

(1) In any civil action, of whatever nature or remedy, of 532
which judges of county courts have jurisdiction; 533

(2) In any action or proceeding at law for the recovery of 534
money or personal property of which the court of common pleas has 535
jurisdiction; 536

(3) In any action at law based on contract, to determine, 537
preserve, and enforce all legal and equitable rights involved in 538

the contract, to decree an accounting, reformation, or 539
cancellation of the contract, and to hear and determine all legal 540
and equitable remedies necessary or proper for a complete 541
determination of the rights of the parties to the contract; 542

(4) In any action or proceeding for the sale of personal 543
property under chattel mortgage, lien, encumbrance, or other 544
charge, for the foreclosure and marshalling of liens on personal 545
property of that nature, and for the rendering of personal 546
judgment in the action or proceeding; 547

(5) In any action or proceeding to enforce the collection of 548
its own judgments or the judgments rendered by any court within 549
the territory to which the municipal court has succeeded, and to 550
subject the interest of a judgment debtor in personal property to 551
satisfy judgments enforceable by the municipal court; 552

(6) In any action or proceeding in the nature of 553
interpleader; 554

(7) In any action of replevin; 555

(8) In any action of forcible entry and detainer; 556

(9) In any action concerning the issuance and enforcement of 557
temporary protection orders pursuant to section 2919.26 of the 558
Revised Code or protection orders pursuant to section 2903.213 of 559
the Revised Code or the enforcement of protection orders issued by 560
courts of another state, as defined in section 2919.27 of the 561
Revised Code; 562

(10) If the municipal court has a housing or environmental 563
division, in any action over which the division is given 564
jurisdiction by section 1901.181 of the Revised Code, provided 565
that, except as specified in division (B) of that section, no 566
judge of the court other than the judge of the division shall hear 567
or determine any action over which the division has jurisdiction; 568

(11) In any action brought pursuant to division (I) of 569
section 3733.11 of the Revised Code, if the residential premises 570
that are the subject of the action are located within the 571
territorial jurisdiction of the court; 572

(12) In any civil action as described in division (B)(1) of 573
section 3767.41 of the Revised Code that relates to a public 574
nuisance, and, to the extent any provision of this chapter 575
conflicts or is inconsistent with a provision of that section, the 576
provision of that section shall control in the civil action; 577

(13) In a proceeding brought pursuant to section 955.222 of 578
the Revised Code by the owner of a dog that has been designated as 579
a nuisance dog, dangerous dog, or vicious dog. 580

(B) The Cleveland municipal court also shall have 581
jurisdiction within its territory in all of the following actions 582
or proceedings and to perform all of the following functions: 583

(1) In all actions and proceedings for the sale of real 584
property under lien of a judgment of the municipal court or a lien 585
for machinery, material, or fuel furnished or labor performed, 586
irrespective of amount, and, in those actions and proceedings, the 587
court may proceed to foreclose and marshal all liens and all 588
vested or contingent rights, to appoint a receiver, and to render 589
personal judgment irrespective of amount in favor of any party. 590

(2) In all actions for the foreclosure of a mortgage on real 591
property given to secure the payment of money or the enforcement 592
of a specific lien for money or other encumbrance or charge on 593
real property, when the amount claimed by the plaintiff does not 594
exceed fifteen thousand dollars and the real property is situated 595
within the territory, and, in those actions, the court may proceed 596
to foreclose all liens and all vested and contingent rights and 597
may proceed to render judgments and make findings and orders 598
between the parties in the same manner and to the same extent as 599

in similar actions in the court of common pleas. 600

(3) In all actions for the recovery of real property situated 601
within the territory to the same extent as courts of common pleas 602
have jurisdiction; 603

(4) In all actions for injunction to prevent or terminate 604
violations of the ordinances and regulations of the city of 605
Cleveland enacted or promulgated under the police power of the 606
city of Cleveland, pursuant to Section 3 of Article XVIII, Ohio 607
Constitution, over which the court of common pleas has or may have 608
jurisdiction, and, in those actions, the court may proceed to 609
render judgments and make findings and orders in the same manner 610
and to the same extent as in similar actions in the court of 611
common pleas. 612

Sec. 1907.031. (A) Except as otherwise provided in section 613
1907.03 of the Revised Code and in addition to the jurisdiction 614
authorized in other sections of this chapter and in section 615
1909.11 of the Revised Code, a county court has original 616
jurisdiction within its district in all of the following actions 617
or proceedings and to perform all of the following functions: 618

(1) In an action or proceeding at law for the recovery of 619
money or personal property of which the court of common pleas has 620
jurisdiction; 621

(2) In an action at law based on contract, to determine, 622
preserve, and enforce all legal and equitable rights involved in 623
the contract, to decree an accounting, reformation, or 624
cancellation of the contract, and to hear and determine all legal 625
and equitable remedies necessary or proper for a complete 626
determination of the rights of the parties to the contract; 627

(3) In an action or proceeding for the sale of personal 628
property under chattel mortgage, lien, encumbrance, or other 629

charge, for the foreclosure and marshalling of liens on the 630
personal property, and for the rendering of personal judgment in 631
the action or proceeding; 632

(4) In an action or proceeding to enforce the collection of 633
its own judgments and to subject the interest of a judgment debtor 634
in personal property to satisfy judgments enforceable by the 635
county court; 636

(5) In an action or proceeding in the nature of interpleader; 637

(6) In an action of forcible entry and detainer; 638

(7) In a proceeding brought pursuant to section 955.222 of 639
the Revised Code by the owner of a dog that has been designated as 640
a nuisance dog, dangerous dog, or vicious dog. 641

(B) A county court has original jurisdiction in civil actions 642
as described in division (B)(1) of section 3767.41 of the Revised 643
Code that relate to a public nuisance. To the extent any provision 644
of this chapter conflicts or is inconsistent with a provision of 645
that section, the provision of that section shall control in such 646
a civil action. 647

Section 2. That existing sections 955.08, 955.11, 955.22, 648
955.99, 1901.18, and 1907.031 of the Revised Code are hereby 649
repealed. 650

Section 3. An owner, keeper, or harbinger of a dog who was 651
required to comply with the requirements pertaining to a vicious 652
dog prior to the effective date of this act shall be required to 653
comply with the requirements pertaining to a dangerous dog on or 654
after the effective date of this act. 655