

**As Introduced**

**130th General Assembly  
Regular Session  
2013-2014**

**H. B. No. 641**

**Representative Celebrezze**

**Cosponsors: Representatives Barborak, Cera, Foley, Beck, Antonio, Fedor,  
O'Brien, Hagan, R.**

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**A B I L L**

To amend section 959.99 and to enact sections 959.30 1  
to 959.34 of the Revised Code to require violators 2  
of specified statutes in the Animal Cruelty Law to 3  
register with the Attorney General, to require the 4  
Attorney General to establish a registry of those 5  
violators, and to prohibit an animal shelter from 6  
placing for adoption an animal in the shelter's 7  
care with such a violator. 8

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

**Section 1.** That section 959.99 be amended and sections 9  
959.30, 959.31, 959.32, 959.33, and 959.34 of the Revised Code be 10  
enacted to read as follows: 11

**Sec. 959.30.** As used in this section and sections 959.31 to 12  
959.34 of the Revised Code: 13

(A) "Animal shelter" has the same meaning as in section 14  
4729.01 of the Revised Code. 15

(B) "Humane society" and "law enforcement officer" have the 16  
same meanings as in section 935.01 of the Revised Code. 17

Sec. 959.31. (A) For purposes of the registry established 18  
under section 959.32 of the Revised Code, an individual who has 19  
been convicted of or pleaded guilty to a violation of section 20  
959.01, 959.02, 959.03, 959.13, 959.131, 959.14, 959.15, 959.16, 21  
959.17, 959.18, or 959.20 of the Revised Code shall submit the 22  
following information to the attorney general not later than 23  
thirty days after being convicted of or pleading guilty to such a 24  
violation: 25

(1) The individual's name, address, gender, and date of 26  
birth; 27

(2) Details of the violation of section 959.01, 959.02, 28  
959.03, 959.13, 959.131, 959.14, 959.15, 959.16, 959.17, 959.18, 29  
or 959.20 of the Revised Code, including a description of and the 30  
gender and age of each animal that was a victim of the violation; 31

(3) A description of any enforcement action taken; 32

(4) Any additional information that the attorney general 33  
considers necessary. 34

(B) A person who is required to submit information under this 35  
section shall submit a ten dollar fee along with the information. 36  
The fee shall be credited to the animal abuser registration fund 37  
created in section 959.34 of the Revised Code. 38

(C) No individual shall violate this section. 39

Sec. 959.32. (A) The attorney general shall establish and 40  
maintain a registry of violations of sections 959.01, 959.02, 41  
959.03, 959.13, 959.131, 959.14, 959.15, 959.16, 959.17, 959.18, 42  
and 959.20 of the Revised Code. The attorney general shall make 43  
the registry available to local and state law enforcement 44  
agencies. In addition, the attorney general shall post the 45  
registry on the attorney general's web site. 46

(B) The registry shall include all of the information 47  
submitted under section 959.31 of the Revised Code. 48

(C) A law enforcement officer, agent of a humane society 49  
appointed under section 1717.06 of the Revised Code, or dog warden 50  
or deputy dog warden appointed under Chapter 955. of the Revised 51  
Code who becomes aware of a violation of section 959.01, 959.02, 52  
959.03, 959.13, 959.131, 959.14, 959.15, 959.16, 959.17, 959.18, 53  
or 959.20 of the Revised Code shall inform the attorney general of 54  
that violation and provide the attorney general with information 55  
regarding the violation as specified in section 959.31 of the 56  
Revised Code, if known. The attorney general shall enter that 57  
information into the registry established under division (A) of 58  
this section. 59

Sec. 959.33. An animal shelter shall not place for adoption 60  
an animal that is kept or harbored by the shelter with an 61  
individual whose name is on the registry established under section 62  
959.32 of the Revised Code. 63

Sec. 959.34. There is hereby created in the state treasury 64  
the animal abuser registration fund. The fund shall consist of 65  
money credited to the fund under section 959.31 of the Revised 66  
Code. The attorney general shall use money in the fund to 67  
administer and enforce sections 959.30 to 959.34 of the Revised 68  
Code. 69

**Sec. 959.99.** (A) Whoever violates section 959.18 or 959.19 of 70  
the Revised Code is guilty of a minor misdemeanor. 71

(B) Except as otherwise provided in this division, whoever 72  
violates section 959.02 of the Revised Code is guilty of a 73  
misdemeanor of the second degree. If the value of the animal 74  
killed or the injury done amounts to three hundred dollars or 75  
more, whoever violates section 959.02 of the Revised Code is 76

guilty of a misdemeanor of the first degree. 77

(C) Whoever violates section 959.03, 959.06, 959.12, 959.15, 78  
or 959.17 of the Revised Code is guilty of a misdemeanor of the 79  
fourth degree. 80

(D) Whoever violates division (A) of section 959.13 of the 81  
Revised Code is guilty of a misdemeanor of the second degree. In 82  
addition, the court may order the offender to forfeit the animal 83  
or livestock and may provide for its disposition, including, but 84  
not limited to, the sale of the animal or livestock. If an animal 85  
or livestock is forfeited and sold pursuant to this division, the 86  
proceeds from the sale first shall be applied to pay the expenses 87  
incurred with regard to the care of the animal from the time it 88  
was taken from the custody of the former owner. The balance of the 89  
proceeds from the sale, if any, shall be paid to the former owner 90  
of the animal. 91

(E)(1) Whoever violates division (B) of section 959.131 of 92  
the Revised Code is guilty of a misdemeanor of the first degree on 93  
a first offense and a felony of the fifth degree on each 94  
subsequent offense. 95

(2) Whoever violates section 959.01 of the Revised Code or 96  
division (C) of section 959.131 of the Revised Code is guilty of a 97  
misdemeanor of the second degree on a first offense and a 98  
misdemeanor of the first degree on each subsequent offense. 99

(3) Whoever violates division (D) of section 959.131 of the 100  
Revised Code is guilty of a felony of the fifth degree. 101

(4) Whoever violates division (E) of section 959.131 of the 102  
Revised Code is guilty of a misdemeanor of the first degree. 103

(5)(a) A court may order a person who is convicted of or 104  
pleads guilty to a violation of section 959.131 of the Revised 105  
Code to forfeit to an impounding agency, as defined in section 106  
959.132 of the Revised Code, any or all of the companion animals 107

in that person's ownership or care. The court also may prohibit or 108  
place limitations on the person's ability to own or care for any 109  
companion animals for a specified or indefinite period of time. 110

(b) A court may order a person who is convicted of or pleads 111  
guilty to a violation of section 959.131 of the Revised Code to 112  
reimburse an impounding agency for the reasonably necessary costs 113  
incurred by the agency for the care of a companion animal that the 114  
agency impounded as a result of the investigation or prosecution 115  
of the violation, provided that the costs were not otherwise paid 116  
under section 959.132 of the Revised Code. 117

(6) If a court has reason to believe that a person who is 118  
convicted of or pleads guilty to a violation of section 959.131 of 119  
the Revised Code suffers from a mental or emotional disorder that 120  
contributed to the violation, the court may impose as a community 121  
control sanction or as a condition of probation a requirement that 122  
the offender undergo psychological evaluation or counseling. The 123  
court shall order the offender to pay the costs of the evaluation 124  
or counseling. 125

(F) Whoever violates section 959.14 of the Revised Code is 126  
guilty of a misdemeanor of the second degree on a first offense 127  
and a misdemeanor of the first degree on each subsequent offense. 128

(G) Whoever violates section 959.05 ~~or~~, 959.20, or 959.31 of 129  
the Revised Code is guilty of a misdemeanor of the first degree. 130

(H) Whoever violates section 959.16 of the Revised Code is 131  
guilty of a felony of the fourth degree for a first offense and a 132  
felony of the third degree on each subsequent offense. 133

**Section 2.** That existing section 959.99 of the Revised Code 134  
is hereby repealed. 135