



# Ohio Legislative Service Commission

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## Fiscal Note & Local Impact Statement

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**Bill:** [H.B. 310 of the 130th G.A.](#)

**Date:** November 12, 2013

**Status:** As Introduced

**Sponsor:** Rep. Ruhl

**Local Impact Statement Procedure Required:** No

**Contents:** Includes persons diagnosed with posttraumatic stress disorder in the definition of mobility impaired for the purposes of statutes governing assistance dogs

### State Fiscal Highlights

- No direct fiscal effect on the state.

### Local Fiscal Highlights

- The bill applies existing penalty provisions for causing harm to, harassing, or stealing service dogs to service dogs used by people diagnosed with posttraumatic stress disorder (PTSD). The bill also creates a new misdemeanor penalty for misrepresenting a dog as an assistance dog. This could result in some small increase in court costs for either county common pleas or municipal courts. These costs would be offset by court costs and penalty revenue collected by the courts.
- As with other types of service dogs, the bill exempts individuals with PTSD who use service dogs from paying dog registration fees. This could (1) either reduce dog registration fees collected by county auditors by a small amount, or (2) could have little effect at all on the amount of dog registration fees collected if a PTSD service dog has already been trained for use in some other service capacity. In the latter case, the owner of the service dog was already exempted from the registration fee.

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## Detailed Fiscal Analysis

Under current law, a service dog is a dog that has been trained to assist a mobility impaired person. The bill expands the definition of mobility impaired person to include individuals diagnosed with posttraumatic stress disorder (PTSD). Under the bill, people with PTSD who use service dogs would be entitled to (1) full use and enjoyment of public accommodation while using their service dogs, and (2) protection against harm, harassment, or theft of their service dogs in the form of criminal penalties specified in current law. Persons with PTSD would also be exempt from fees to register their service dogs under continuing law that provides this exemption for assistance dogs in general. Additionally, the bill prohibits any person from misrepresenting a dog as an assistance dog if it has not been trained or is not in training as an assistance dog. This is a misdemeanor of the fourth degree under the bill. Overall, it does not appear that the bill would have more than a minimal fiscal effect on counties, with any effect stemming from potential criminal penalties and a potential reduction in dog registration fees collected by county auditors.

Because there is a possibility for an increase in the number of service dogs, there could also be an increase in the number of cases stemming from violations of current law prohibitions against harming, harassing, or theft of service dogs. Similarly, violations of the bill's prohibition against misrepresenting an untrained dog as an assistance dog could result in additional cases for county common pleas and municipal courts. It is unlikely, however, that there would be more than a few violations as a consequence of the few violations that might occur as a result of the bill. Additional cases could result in some small increase in costs for county common pleas or municipal courts. Any increased costs could be partially offset by court costs and penalty revenues collected by the courts.

Dog registration fees collected by county auditors could also be affected under the bill's provision exempting people with PTSD from paying these fees. It is unclear, however, what effect the exemption would have. On one hand the exemption could result in a slight decrease in dog registration fees collected by county auditors. On the other hand, because the dogs must have specialized training to be considered service dogs, it is possible that a service dog trained to accompany a person with PTSD has already been trained to assist other mobility impaired persons. In these cases, there would be no additional loss in dog registration fees since no fee applied previously.