

As Passed by the Senate

131st General Assembly

Regular Session

2015-2016

Sub. H. B. No. 60

Representatives Patmon, Hall

Cosponsors: Representatives Antonio, Brown, Patterson, Gerberry, Slaby, LaTourette, Grossman, Boyd, Cera, Barnes, Leland, Lepore-Hagan, Phillips, Sheehy, Romanchuk, Blessing, Ruhl, Anielski, Ashford, Baker, Celebrezze, Dovilla, Driehaus, Fedor, Hackett, Hambley, Henne, Howse, Johnson, G., Johnson, T., O'Brien, M., O'Brien, S., Pelanda, Ramos, Rogers, Schuring, Sears, Slesnick, Smith, K., Sweeney

Senators Hite, Gardner, Peterson, LaRose, Bacon, Beagle, Brown, Cafaro, Coley, Eklund, Gentile, Hottinger, Hughes, Lehner, Obhof, Oelslager, Patton, Sawyer, Skindell, Tavares, Thomas, Uecker, Williams, Yuko

A BILL

To amend sections 959.131, 959.132, 959.99, 1
2921.321, 2929.13, 2929.18, and 2931.18 and to 2
enact section 4741.05 of the Revised Code to 3
revise provisions and penalties regarding 4
treatment of companion animals, to revise the 5
definition of "companion animal" in the Offenses 6
Relating to Domestic Animals Law, to provide a 7
state collaborative effort to assist 8
veterinarians in identifying clients who may use 9
their animals to secure opioids for abuse, and 10
to modify the penalty for assaulting a police 11
dog or horse to require, if the dog or horse is 12
killed, a mandatory prison term and a mandatory 13
fine to be paid to the law enforcement agency 14
served by the dog or horse. 15

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

Section 1. That sections 959.131, 959.132, 959.99, 16
2921.321, 2929.13, 2929.18, and 2931.18 be amended and section 17
4741.05 of the Revised Code be enacted to read as follows: 18

Sec. 959.131. (A) As used in this section: 19

(1) "Companion animal" means any animal that is kept 20
inside a residential dwelling and any dog or cat regardless of 21
where it is kept, including a pet store as defined in section 22
956.01 of the Revised Code. "Companion animal" does not include 23
livestock or any wild animal. 24

(2) "Cruelty," "torment," and "torture" have the same 25
meanings as in section 1717.01 of the Revised Code. 26

(3) "Residential dwelling" means a structure or shelter or 27
the portion of a structure or shelter that is used by one or 28
more humans for the purpose of a habitation. 29

(4) "Practice of veterinary medicine" has the same meaning 30
as in section 4741.01 of the Revised Code. 31

(5) "Wild animal" has the same meaning as in section 32
1531.01 of the Revised Code. 33

(6) "Federal animal welfare act" means the "Laboratory 34
Animal Act of 1966," Pub. L. No. 89-544, 80 Stat. 350 (1966), 7 35
U.S.C.A. 2131 et seq., as amended by the "Animal Welfare Act of 36
1970," Pub. L. No. 91-579, 84 Stat. 1560 (1970), the "Animal 37
Welfare Act Amendments of 1976," Pub. L. No. 94-279, 90 Stat. 38
417 (1976), and the "Food Security Act of 1985," Pub. L. No. 99- 39
198, 99 Stat. 1354 (1985), and as it may be subsequently 40
amended. 41

(7) "Dog kennel" means an animal rescue for dogs that is 42
registered under section 956.06 of the Revised Code, a boarding 43

kennel, or a training kennel. 44

(8) "Boarding kennel" has the same meaning as in section 45
956.01 of the Revised Code. 46

(9) "Training kennel" means an establishment operating for 47
profit that keeps, houses, and maintains dogs for the purpose of 48
training the dogs in return for a fee or other consideration. 49

(10) "Livestock" means horses, mules, and other equidae; 50
cattle, sheep, goats, and other bovidae; swine and other suidae; 51
poultry; alpacas; llamas; captive white-tailed deer; and any 52
other animal that is raised or maintained domestically for food 53
or fiber. 54

(11) "Captive white-tailed deer" has the same meaning as 55
in section 1531.01 of the Revised Code. 56

(12) "Serious physical harm" means any of the following: 57

(a) Physical harm that carries an unnecessary or 58
unjustifiable substantial risk of death; 59

(b) Physical harm that involves either partial or total 60
permanent incapacity; 61

(c) Physical harm that involves acute pain of a duration 62
that results in substantial suffering or that involves any 63
degree of prolonged or intractable pain; 64

(d) Physical harm that results from a person who confines 65
or who is the custodian or caretaker of a companion animal 66
depriving the companion animal of good, wholesome food and water 67
that proximately causes the death of the companion animal. 68

(B) No person shall knowingly torture, torment, needlessly 69
mutilate or maim, cruelly beat, poison, needlessly kill, or 70

commit an act of cruelty against a companion animal. 71

(C) No person shall knowingly cause serious physical harm 72
to a companion animal. 73

(D) No person who confines or who is the custodian or 74
caretaker of a companion animal shall negligently do any of the 75
following: 76

~~(1) Commit any act by which unnecessary or unjustifiable~~ 77
~~pain or suffering is caused, permitted, or allowed to continue,~~ 78
~~when there is a reasonable remedy or relief, against the~~ 79
~~companion animal;~~ 80

~~(2) Omit any act of care by which unnecessary or~~ 81
~~unjustifiable pain or suffering is caused, permitted, or allowed~~ 82
~~to continue, when there is a reasonable remedy or relief,~~ 83
~~against the companion animal;~~ 84

~~(3) Commit any act of neglect by which unnecessary or~~ 85
~~unjustifiable pain or suffering is caused, permitted, or allowed~~ 86
~~to continue, when there is a reasonable remedy or relief,~~ 87
~~against the companion animal~~ Torture, torment, or commit an act 88
of cruelty against the companion animal; 89

~~(4) Needlessly kill the companion animal;~~ 90

~~(5)~~ (2) Deprive the companion animal of necessary 91
sustenance, or confine the companion animal without supplying 92
it during the confinement with sufficient quantities of good, 93
wholesome food and water, ~~or impound or confine the companion~~ 94
~~animal without affording it, during the impoundment or~~ 95
~~confinement, with access to shelter from heat, cold, wind, rain,~~ 96
~~snow, or excessive direct sunlight,~~ if it can reasonably be 97
expected that the companion animal would become sick or suffer 98
in any other way as a result of or due to the deprivation, or 99

~~confinement, or impoundment or confinement in any of those~~ 100
~~specified manners;~~ 101

(3) Impound or confine the companion animal without 102
affording it, during the impoundment or confinement, with access 103
to shelter from heat, cold, wind, rain, snow, or excessive 104
direct sunlight if it can reasonably be expected that the 105
companion animal would become sick or suffer in any other way as 106
a result of or due to the lack of adequate shelter. 107

~~(D)~~ (E) No owner, manager, or employee of a dog kennel who 108
confines or is the custodian or caretaker of a companion animal 109
shall knowingly do any of the following: 110

(1) Torture, torment, needlessly mutilate or maim, cruelly 111
beat, poison, needlessly kill, or commit an act of cruelty 112
against the companion animal; 113

(2) Deprive the companion animal of necessary sustenance, ~~or~~ 114
confine the companion animal without supplying it during the 115
confinement with sufficient quantities of good, wholesome food 116
and water, or impound or confine the companion animal without 117
affording it, during the impoundment or confinement, with access 118
to shelter if it is substantially certain that the companion 119
animal would die or experience unnecessary or unjustifiable pain 120
or suffering due to the deprivation, confinement, or impoundment 121
or confinement in any of those specified manners is reasonably 122
expected that the companion animal would die or experience 123
unnecessary or unjustifiable pain or suffering as a result of 124
the deprivation or confinement; 125

(3) Impound or confine the companion animal without 126
affording it, during the impoundment or confinement, with access 127
to shelter from heat, cold, wind, rain, snow, or excessive 128

direct sunlight if it is reasonably expected that the companion 129
animal would die or experience unnecessary or unjustifiable pain 130
or suffering as a result of or due to the lack of adequate 131
shelter. 132

~~(E)~~-(F) No owner, manager, or employee of a dog kennel who 133
confines or is the custodian or caretaker of a companion animal 134
shall negligently do any of the following: 135

~~(1) Commit any act by which unnecessary or unjustifiable~~ 136
~~pain or suffering is caused, permitted, or allowed to continue,~~ 137
~~when there is a reasonable remedy or relief, against the~~ 138
~~companion animal;~~ 139

~~(2) Omit any act of care by which unnecessary or~~ 140
~~unjustifiable pain or suffering is caused, permitted, or allowed~~ 141
~~to continue, when there is a reasonable remedy or relief,~~ 142
~~against the companion animal;~~ 143

~~(3) Commit any act of neglect by which unnecessary or~~ 144
~~unjustifiable pain or suffering is caused, permitted, or allowed~~ 145
~~to continue, when there is a reasonable remedy or relief,~~ 146
~~against the companion animal.~~ Torture, torment, or commit an act 147
of cruelty against the companion animal; 148

~~(4) Needlessly kill the companion animal;~~ 149

~~(5)~~-(2) Deprive the companion animal of necessary 150
sustenance, or confine the companion animal without supplying 151
it during the confinement with sufficient quantities of good, 152
wholesome food and water, ~~or impound or confine the companion~~ 153
~~animal without affording it, during the impoundment or~~ 154
~~confinement, with access to shelter from heat, cold, wind, rain,~~ 155
~~snow, or excessive direct sunlight~~ if it can reasonably be 156
expected that the companion animal would become sick or suffer 157

in any other way as a result of or due to the deprivation, or 158
confinement, ~~or impoundment or confinement in any of those~~ 159
~~specified manners;~~ 160

(3) Impound or confine the companion animal without 161
affording it, during the impoundment or confinement, with access 162
to shelter from heat, cold, wind, rain, snow, or excessive 163
direct sunlight if it can reasonably be expected that the 164
companion animal would become sick or suffer in any other way as 165
a result of or due to the lack of adequate shelter. 166

~~(F)~~ (G) Divisions (B), (C), (D), and (E), and (F) of this 167
section do not apply to any of the following: 168

(1) A companion animal used in scientific research 169
conducted by an institution in accordance with the federal 170
animal welfare act and related regulations; 171

(2) The lawful practice of veterinary medicine by a person 172
who has been issued a license, temporary permit, or registration 173
certificate to do so under Chapter 4741. of the Revised Code; 174

(3) Dogs being used or intended for use for hunting or 175
field trial purposes, provided that the dogs are being treated 176
in accordance with usual and commonly accepted practices for the 177
care of hunting dogs; 178

(4) The use of common training devices, if the companion 179
animal is being treated in accordance with usual and commonly 180
accepted practices for the training of animals; 181

(5) The administering of medicine to a companion animal 182
that was properly prescribed by a person who has been issued a 183
license, temporary permit, or registration certificate under 184
Chapter 4741. of the Revised Code. 185

~~(G)~~ (H) Notwithstanding any section of the Revised Code 186
that otherwise provides for the distribution of fine moneys, the 187
clerk of court shall forward all fines the clerk collects that 188
are so imposed for any violation of this section to the 189
treasurer of the political subdivision or the state, whose 190
county humane society or law enforcement agency is to be paid 191
the fine money as determined under this division. The treasurer 192
to whom the fines are forwarded shall pay the fine moneys to the 193
county humane society or the county, township, municipal 194
corporation, or state law enforcement agency in this state that 195
primarily was responsible for or involved in the investigation 196
and prosecution of the violation. If a county humane society 197
receives any fine moneys under this division, the county humane 198
society shall use the fine moneys either to provide the training 199
that is required for humane agents under section 1717.06 of the 200
Revised Code or to provide additional training for humane 201
agents. 202

Sec. 959.132. (A) As used in this section: 203

(1) "Companion animal" has the same meaning as in section 204
959.131 of the Revised Code. 205

(2) "Impounding agency" means a county humane society 206
organized under section 1717.05 of the Revised Code, an animal 207
shelter, or a law enforcement agency that has impounded a 208
companion animal in accordance with this section. 209

(3) "Offense" means a violation of section 959.131 of the 210
Revised Code or an attempt, in violation of section 2923.02 of 211
the Revised Code, to violate section 959.131 of the Revised 212
Code. 213

(4) "Officer" means any law enforcement officer, agent of 214

a county humane society, or other person appointed to act as an 215
animal control officer for a municipal corporation or township 216
in accordance with state law, an ordinance, or a resolution. 217

(B) An officer may seize and cause to be impounded at an 218
impounding agency a companion animal that the officer has 219
probable cause to believe is the subject of an offense. No 220
officer or impounding agency shall impound a companion animal 221
that is the subject of an offense in a shelter owned, operated, 222
or controlled by a board of county commissioners pursuant to 223
Chapter 955. of the Revised Code unless the board, by 224
resolution, authorizes the impoundment of such a companion 225
animal in a shelter owned, operated, or controlled by that board 226
and has executed, in the case when the officer is other than a 227
dog warden or assistant dog warden, a contract specifying the 228
terms and conditions of the impoundment. 229

(C) The officer shall give written notice of the seizure 230
and impoundment to the owner, keeper, or harbinger of the 231
companion animal that was seized and impounded. If the officer 232
is unable to give the notice to the owner, keeper, or harbinger 233
of the companion animal, the officer shall post the notice on 234
the door of the residence or in another conspicuous place on the 235
premises at which the companion animal was seized. The notice 236
shall include a statement that a hearing will be held not later 237
than ten days after the notice is provided or at the next 238
available court date to determine whether the officer had 239
probable cause to seize the companion animal and, if applicable, 240
to determine the amount of a bond or cash deposit that is needed 241
to provide for the companion animal's care and keeping for not 242
less than thirty days beginning on the date on which the 243
companion animal was impounded. 244

(D) A companion animal that is seized under this section 245
may be humanely destroyed immediately or at any time during 246
impoundment if a licensed veterinarian determines it to be 247
necessary because the companion animal is suffering. 248

(E) (1) Not later than ten days after notice is provided or 249
at the next available court date, the court shall hold a hearing 250
to determine whether the officer impounding a companion animal 251
had probable cause to seize the companion animal. If the court 252
determines that probable cause exists, the court shall determine 253
the amount of a bond or cash deposit that is needed to provide 254
for the companion animal's care and keeping for not less than 255
thirty days beginning on the date on which the companion animal 256
was impounded. 257

(2) If the court determines that probable cause does not 258
exist, the court immediately shall order the impounding agency 259
to return the companion animal to its owner if possible. If the 260
companion animal cannot be returned because it has died as a 261
result of neglect or other misconduct by the impounding agency 262
or if the companion animal is injured as a result of neglect or 263
other misconduct by the impounding agency, the court shall order 264
the impounding agency to pay the owner an amount determined by 265
the court to be equal to the reasonable market value of the 266
companion animal at the time that it was impounded plus 267
statutory interest as defined in section 1343.03 of the Revised 268
Code from the date of the impoundment or an amount determined by 269
the court to be equal to the reasonable cost of treatment of the 270
injury to the companion animal, as applicable. The requirement 271
established in division (E) (2) of this section regarding the 272
payment of the reasonable market value of the companion animal 273
shall not apply in the case of a dog that, in violation of 274
section 955.01 of the Revised Code, was not registered at the 275

time it was seized and impounded. 276

(3) If the court determines that probable cause exists and 277
determines the amount of a bond or cash deposit, the case shall 278
continue and the owner shall post a bond or cash deposit to 279
provide for the companion animal's care and keeping for not less 280
than thirty days beginning on the date on which the companion 281
animal was impounded. The owner may renew a bond or cash deposit 282
by posting, not later than ten days following the expiration of 283
the period for which a previous bond or cash deposit was posted, 284
a new bond or cash deposit in an amount that the court, in 285
consultation with the impounding agency, determines is 286
sufficient to provide for the companion animal's care and 287
keeping for not less than thirty days beginning on the date on 288
which the previous period expired. If no bond or cash deposit is 289
posted or if a bond or cash deposit expires and is not renewed, 290
the impounding agency may determine the disposition of the 291
companion animal unless the court issues an order that specifies 292
otherwise. 293

(F) If a person is convicted of committing an offense, the 294
court may impose the following additional penalties against the 295
person: 296

(1) A requirement that the person pay for the costs 297
incurred by the impounding agency in caring for a companion 298
animal involved in the applicable offense, provided that the 299
costs were incurred during the companion animal's impoundment. A 300
bond or cash deposit posted under this section may be applied to 301
the costs. 302

(2) An order permanently terminating the person's right to 303
possession, title, custody, or care of the companion animal that 304
was involved in the offense. If the court issues such an order, 305

the court shall order the disposition of the companion animal. 306

(G) If a person is found not guilty of committing an 307
offense, the court immediately shall order the impounding agency 308
to return the companion animal to its owner if possible and to 309
return the entire amount of any bond or cash deposit posted 310
under division (E) of this section. If the companion animal 311
cannot be returned because it has died as a result of neglect or 312
other misconduct by the impounding agency or if the companion 313
animal is injured as a result of neglect or other misconduct by 314
the impounding agency, the court shall order the impounding 315
agency to pay the owner an amount determined by the court to be 316
equal to the reasonable market value of the companion animal at 317
the time that it was impounded plus statutory interest as 318
defined in section 1343.03 of the Revised Code from the date of 319
the impoundment or an amount determined by the court to be equal 320
to the reasonable cost of treatment of the injury to the 321
companion animal, as applicable. The requirements established in 322
this division regarding the return of a bond or cash deposit and 323
the payment of the reasonable market value of the companion 324
animal shall not apply in the case of a dog that, in violation 325
of section 955.01 of the Revised Code, was not registered at the 326
time it was seized and impounded. 327

(H) If charges are filed under section 959.131 of the 328
Revised Code against the custodian or caretaker of a companion 329
animal, but the companion animal that is the subject of the 330
charges is not impounded, the court in which the charges are 331
pending may order the owner or person having custody of the 332
companion animal to provide to the companion animal the 333
necessities described in division ~~(C) (5)~~, (D) (2), (D) (3), (E) 334
(2), (E) (3), (F) (2), or ~~(E) (5)~~—(F) (3) of section 959.131 of the 335
Revised Code until the final disposition of the charges. If the 336

court issues an order of that nature, the court also may 337
authorize an officer or another person to visit the place where 338
the companion animal is being kept, at the times and under the 339
conditions that the court may set, to determine whether the 340
companion animal is receiving those necessities and to remove 341
and impound the companion animal if the companion animal is not 342
receiving those necessities. 343

Sec. 959.99. (A) Whoever violates section 959.18 or 959.19 344
of the Revised Code is guilty of a minor misdemeanor. 345

(B) Except as otherwise provided in this division, whoever 346
violates section 959.02 of the Revised Code is guilty of a 347
misdemeanor of the second degree. If the value of the animal 348
killed or the injury done amounts to three hundred dollars or 349
more, whoever violates section 959.02 of the Revised Code is 350
guilty of a misdemeanor of the first degree. 351

(C) Whoever violates section 959.03, 959.06, 959.12, 352
959.15, or 959.17 of the Revised Code is guilty of a misdemeanor 353
of the fourth degree. 354

(D) Whoever violates division (A) of section 959.13 of the 355
Revised Code is guilty of a misdemeanor of the second degree. In 356
addition, the court may order the offender to forfeit the animal 357
or livestock and may provide for its disposition, including, but 358
not limited to, the sale of the animal or livestock. If an 359
animal or livestock is forfeited and sold pursuant to this 360
division, the proceeds from the sale first shall be applied to 361
pay the expenses incurred with regard to the care of the animal 362
from the time it was taken from the custody of the former owner. 363
The balance of the proceeds from the sale, if any, shall be paid 364
to the former owner of the animal. 365

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

(2) Whoever violates division (C) of section 959.131 of the Revised Code is guilty of a felony of the fifth degree.

(3) Whoever violates section 959.01 of the Revised Code or division ~~(C)~~ (D) of section 959.131 of the Revised Code is guilty of a misdemeanor of the second degree on a first offense and a misdemeanor of the first degree on each subsequent offense.

~~(3)~~ (4) Whoever violates division ~~(D)~~ (E) of section 959.131 of the Revised Code is guilty of a felony of the fifth degree.

~~(4)~~ (5) Whoever violates division ~~(E)~~ (F) of section 959.131 of the Revised Code is guilty of a misdemeanor of the first degree.

~~(5)~~ (6) (a) A court may order a person who is convicted of or pleads guilty to a violation of section 959.131 of the Revised Code to forfeit to an impounding agency, as defined in section 959.132 of the Revised Code, any or all of the companion animals in that person's ownership or care. The court also may prohibit or place limitations on the person's ability to own or care for any companion animals for a specified or indefinite period of time.

(b) A court may order a person who is convicted of or pleads guilty to a violation of section 959.131 of the Revised Code to reimburse an impounding agency for the reasonably necessary costs incurred by the agency for the care of a

companion animal that the agency impounded as a result of the 395
investigation or prosecution of the violation, provided that the 396
costs were not otherwise paid under section 959.132 of the 397
Revised Code. 398

~~(6)~~ (7) If a court has reason to believe that a person who 399
is convicted of or pleads guilty to a violation of section 400
959.131 of the Revised Code suffers from a mental or emotional 401
disorder that contributed to the violation, the court may impose 402
as a community control sanction or as a condition of probation a 403
requirement that the offender undergo psychological evaluation 404
or counseling. The court shall order the offender to pay the 405
costs of the evaluation or counseling. 406

(F) Whoever violates section 959.14 of the Revised Code is 407
guilty of a misdemeanor of the second degree on a first offense 408
and a misdemeanor of the first degree on each subsequent 409
offense. 410

(G) Whoever violates section 959.05 or 959.20 of the 411
Revised Code is guilty of a misdemeanor of the first degree. 412

(H) Whoever violates section 959.16 of the Revised Code is 413
guilty of a felony of the fourth degree for a first offense and 414
a felony of the third degree on each subsequent offense. 415

Sec. 2921.321. (A) No person shall knowingly cause, or 416
attempt to cause, physical harm to a police dog or horse in 417
either of the following circumstances: 418

(1) The police dog or horse is assisting a law enforcement 419
officer in the performance of the officer's official duties at 420
the time the physical harm is caused or attempted. 421

(2) The police dog or horse is not assisting a law 422
enforcement officer in the performance of the officer's official 423

duties at the time the physical harm is caused or attempted, but 424
the offender has actual knowledge that the dog or horse is a 425
police dog or horse. 426

(B) No person shall recklessly do any of the following: 427

(1) Taunt, torment, or strike a police dog or horse; 428

(2) Throw an object or substance at a police dog or horse; 429

(3) Interfere with or obstruct a police dog or horse, or 430
interfere with or obstruct a law enforcement officer who is 431
being assisted by a police dog or horse, in a manner that does 432
any of the following: 433

(a) Inhibits or restricts the law enforcement officer's 434
control of the police dog or horse; 435

(b) Deprives the law enforcement officer of control of the 436
police dog or horse; 437

(c) Releases the police dog or horse from its area of 438
control; 439

(d) Enters the area of control of the police dog or horse 440
without the consent of the law enforcement officer, including 441
placing food or any other object or substance into that area; 442

(e) Inhibits or restricts the ability of the police dog or 443
horse to assist a law enforcement officer. 444

(4) Engage in any conduct that is likely to cause serious 445
physical injury or death to a police dog or horse; 446

(5) If the person is the owner, keeper, or harbinger of a 447
dog, fail to reasonably restrain the dog from taunting, 448
tormenting, chasing, approaching in a menacing fashion or 449
apparent attitude of attack, or attempting to bite or otherwise 450

endanger a police dog or horse that at the time of the conduct 451
is assisting a law enforcement officer in the performance of the 452
officer's duties or that the person knows is a police dog or 453
horse. 454

(C) No person shall knowingly cause, or attempt to cause, 455
physical harm to an assistance dog in either of the following 456
circumstances: 457

(1) The dog is assisting or serving a blind, deaf or 458
hearing impaired, or mobility impaired person at the time the 459
physical harm is caused or attempted. 460

(2) The dog is not assisting or serving a blind, deaf or 461
hearing impaired, or mobility impaired person at the time the 462
physical harm is caused or attempted, but the offender has 463
actual knowledge that the dog is an assistance dog. 464

(D) No person shall recklessly do any of the following: 465

(1) Taunt, torment, or strike an assistance dog; 466

(2) Throw an object or substance at an assistance dog; 467

(3) Interfere with or obstruct an assistance dog, or 468
interfere with or obstruct a blind, deaf or hearing impaired, or 469
mobility impaired person who is being assisted or served by an 470
assistance dog, in a manner that does any of the following: 471

(a) Inhibits or restricts the assisted or served person's 472
control of the dog; 473

(b) Deprives the assisted or served person of control of 474
the dog; 475

(c) Releases the dog from its area of control; 476

(d) Enters the area of control of the dog without the 477

consent of the assisted or served person, including placing food 478
or any other object or substance into that area; 479

(e) Inhibits or restricts the ability of the dog to assist 480
the assisted or served person. 481

(4) Engage in any conduct that is likely to cause serious 482
physical injury or death to an assistance dog; 483

(5) If the person is the owner, keeper, or harbinger of a 484
dog, fail to reasonably restrain the dog from taunting, 485
tormenting, chasing, approaching in a menacing fashion or 486
apparent attitude of attack, or attempting to bite or otherwise 487
endanger an assistance dog that at the time of the conduct is 488
assisting or serving a blind, deaf or hearing impaired, or 489
mobility impaired person or that the person knows is an 490
assistance dog. 491

(E) (1) Whoever violates division (A) of this section is 492
guilty of assaulting a police dog or horse, and shall be 493
punished as provided in divisions (E) (1) (a) and (b) of this 494
section. 495

(a) Except as otherwise provided in this division, 496
assaulting a police dog or horse is a misdemeanor of the second 497
degree. If the violation results in the death of the police dog 498
or horse, assaulting a police dog or horse is a felony of the 499
third degree and the court shall impose as a mandatory prison 500
term one of the prison terms prescribed for a felony of the 501
third degree. If the violation results in serious physical harm 502
to the police dog or horse other than its death, assaulting a 503
police dog or horse is a felony of the fourth degree. If the 504
violation results in physical harm to the police dog or horse 505
other than death or serious physical harm, assaulting a police 506

dog or horse is a misdemeanor of the first degree. 507

(b) In addition to any other sanction imposed for 508
assaulting a police dog or horse, if the violation of division 509
(A) of this section results in the death of the police dog or 510
horse, the sentencing court shall impose as a financial sanction 511
a mandatory fine under division (B)(10) of section 2929.18 of 512
the Revised Code. The fine shall be paid to the law enforcement 513
agency that was served by the police dog or horse that was 514
killed, and shall be used by that agency only for one or more of 515
the following purposes: 516

(i) If the dog or horse was not owned by the agency, the 517
payment to the owner of the dog or horse of the cost of the dog 518
or horse and the cost of the training of the dog or horse to 519
qualify it as a police dog or horse, if that cost has not 520
previously been paid by the agency; 521

(ii) After payment of the costs described in division (E) 522
(1)(b)(i) of this section, if applicable, payment of the cost of 523
replacing the dog or horse that was killed; 524

(iii) After payment of the costs described in division (E) 525
(1)(b)(i) of this section, if applicable, payment of the cost of 526
training the replacement dog or horse to qualify it as a police 527
dog or horse; 528

(iv) After payment of the costs described in division (E) 529
(1)(b)(i) of this section, if applicable, payment of the cost of 530
further training of the replacement dog or horse that is needed 531
to train it to the level of training that had been achieved by 532
the dog or horse that was killed. 533

(2) Whoever violates division (B) of this section is 534
guilty of harassing a police dog or horse. Except as otherwise 535

provided in this division, harassing a police dog or horse is a 536
misdemeanor of the second degree. If the violation results in 537
the death of the police dog or horse, harassing a police dog or 538
horse is a felony of the third degree. If the violation results 539
in serious physical harm to the police dog or horse, but does 540
not result in its death, harassing a police dog or horse, is a 541
felony of the fourth degree. If the violation results in 542
physical harm to the police dog or horse, but does not result in 543
its death or in serious physical harm to it, harassing a police 544
dog or horse is a misdemeanor of the first degree. 545

(3) Whoever violates division (C) of this section is 546
guilty of assaulting an assistance dog. Except as otherwise 547
provided in this division, assaulting an assistance dog is a 548
misdemeanor of the second degree. If the violation results in 549
the death of the assistance dog, assaulting an assistance dog is 550
a felony of the third degree. If the violation results in 551
serious physical harm to the assistance dog other than its 552
death, assaulting an assistance dog is a felony of the fourth 553
degree. If the violation results in physical harm to the 554
assistance dog other than death or serious physical harm, 555
assaulting an assistance dog is a misdemeanor of the first 556
degree. 557

(4) Whoever violates division (D) of this section is 558
guilty of harassing an assistance dog. Except as otherwise 559
provided in this division, harassing an assistance dog is a 560
misdemeanor of the second degree. If the violation results in 561
the death of the assistance dog, harassing an assistance dog is 562
a felony of the third degree. If the violation results in 563
serious physical harm to the assistance dog, but does not result 564
in its death, harassing an assistance dog is a felony of the 565
fourth degree. If the violation results in physical harm to the 566

assistance dog, but does not result in its death or in serious 567
physical harm to it, harassing an assistance dog is a 568
misdemeanor of the first degree. 569

(5) In addition to any other sanction or penalty imposed 570
for the offense under this section, Chapter 2929., or any other 571
provision of the Revised Code, whoever violates division (A), 572
(B), (C), or (D) of this section is responsible for the payment 573
of all of the following: 574

(a) Any veterinary bill or bill for medication incurred as 575
a result of the violation by the police department regarding a 576
violation of division (A) or (B) of this section or by the 577
blind, deaf or hearing impaired, or mobility impaired person 578
assisted or served by the assistance dog regarding a violation 579
of division (C) or (D) of this section; 580

(b) The cost of any damaged equipment that results from 581
the violation; 582

(c) If the violation did not result in the death of the 583
police dog or horse or the assistance dog that was the subject 584
of the violation and if, as a result of that dog or horse being 585
the subject of the violation, the dog or horse needs further 586
training or retraining to be able to continue in the capacity of 587
a police dog or horse or an assistance dog, the cost of any 588
further training or retraining of that dog or horse by a law 589
enforcement officer or by the blind, deaf or hearing impaired, 590
or mobility impaired person assisted or served by the assistance 591
dog; 592

(d) If the violation resulted in the death of the ~~police~~ 593
~~dog or horse or the~~ assistance dog that was the subject of the 594
violation or resulted in serious physical harm to ~~that~~ the 595

police dog or horse or the assistance dog or horse that was the 596
subject of the violation to the extent that the dog or horse 597
needs to be replaced on either a temporary or a permanent basis, 598
the cost of replacing that dog or horse and of any further 599
training of a new police dog or horse or a new assistance dog by 600
a law enforcement officer or by the blind, deaf or hearing 601
impaired, or mobility impaired person assisted or served by the 602
assistance dog, which replacement or training is required 603
because of the death of or the serious physical harm to the dog 604
or horse that was the subject of the violation. 605

(F) This section does not apply to a licensed veterinarian 606
whose conduct is in accordance with Chapter 4741. of the Revised 607
Code. 608

(G) This section only applies to an offender who knows or 609
should know at the time of the violation that the police dog or 610
horse or assistance dog that is the subject of a violation under 611
this section is a police dog or horse or an assistance dog. 612

(H) As used in this section: 613

(1) "Physical harm" means any injury, illness, or other 614
physiological impairment, regardless of its gravity or duration. 615

(2) "Police dog or horse" means a dog or horse that has 616
been trained, and may be used, to assist law enforcement 617
officers in the performance of their official duties. 618

(3) "Serious physical harm" means any of the following: 619

(a) Any physical harm that carries a substantial risk of 620
death; 621

(b) Any physical harm that causes permanent maiming or 622
that involves some temporary, substantial maiming; 623

(c) Any physical harm that causes acute pain of a duration 624
that results in substantial suffering. 625

(4) "Assistance dog," "blind," and "mobility impaired 626
person" have the same meanings as in section 955.011 of the 627
Revised Code. 628

Sec. 2929.13. (A) Except as provided in division (E), (F), 629
or (G) of this section and unless a specific sanction is 630
required to be imposed or is precluded from being imposed 631
pursuant to law, a court that imposes a sentence upon an 632
offender for a felony may impose any sanction or combination of 633
sanctions on the offender that are provided in sections 2929.14 634
to 2929.18 of the Revised Code. 635

If the offender is eligible to be sentenced to community 636
control sanctions, the court shall consider the appropriateness 637
of imposing a financial sanction pursuant to section 2929.18 of 638
the Revised Code or a sanction of community service pursuant to 639
section 2929.17 of the Revised Code as the sole sanction for the 640
offense. Except as otherwise provided in this division, if the 641
court is required to impose a mandatory prison term for the 642
offense for which sentence is being imposed, the court also 643
shall impose any financial sanction pursuant to section 2929.18 644
of the Revised Code that is required for the offense and may 645
impose any other financial sanction pursuant to that section but 646
may not impose any additional sanction or combination of 647
sanctions under section 2929.16 or 2929.17 of the Revised Code. 648

If the offender is being sentenced for a fourth degree 649
felony OVI offense or for a third degree felony OVI offense, in 650
addition to the mandatory term of local incarceration or the 651
mandatory prison term required for the offense by division (G) 652
(1) or (2) of this section, the court shall impose upon the 653

offender a mandatory fine in accordance with division (B) (3) of 654
section 2929.18 of the Revised Code and may impose whichever of 655
the following is applicable: 656

(1) For a fourth degree felony OVI offense for which 657
sentence is imposed under division (G) (1) of this section, an 658
additional community control sanction or combination of 659
community control sanctions under section 2929.16 or 2929.17 of 660
the Revised Code. If the court imposes upon the offender a 661
community control sanction and the offender violates any 662
condition of the community control sanction, the court may take 663
any action prescribed in division (B) of section 2929.15 of the 664
Revised Code relative to the offender, including imposing a 665
prison term on the offender pursuant to that division. 666

(2) For a third or fourth degree felony OVI offense for 667
which sentence is imposed under division (G) (2) of this section, 668
an additional prison term as described in division (B) (4) of 669
section 2929.14 of the Revised Code or a community control 670
sanction as described in division (G) (2) of this section. 671

(B) (1) (a) Except as provided in division (B) (1) (b) of this 672
section, if an offender is convicted of or pleads guilty to a 673
felony of the fourth or fifth degree that is not an offense of 674
violence or that is a qualifying assault offense, the court 675
shall sentence the offender to a community control sanction of 676
at least one year's duration if all of the following apply: 677

(i) The offender previously has not been convicted of or 678
pleaded guilty to a felony offense. 679

(ii) The most serious charge against the offender at the 680
time of sentencing is a felony of the fourth or fifth degree. 681

(iii) If the court made a request of the department of 682

rehabilitation and correction pursuant to division (B)(1)(c) of 683
this section, the department, within the forty-five-day period 684
specified in that division, provided the court with the names 685
of, contact information for, and program details of one or more 686
community control sanctions of at least one year's duration that 687
are available for persons sentenced by the court. 688

(iv) The offender previously has not been convicted of or 689
pleaded guilty to a misdemeanor offense of violence that the 690
offender committed within two years prior to the offense for 691
which sentence is being imposed. 692

(b) The court has discretion to impose a prison term upon 693
an offender who is convicted of or pleads guilty to a felony of 694
the fourth or fifth degree that is not an offense of violence or 695
that is a qualifying assault offense if any of the following 696
apply: 697

(i) The offender committed the offense while having a 698
firearm on or about the offender's person or under the 699
offender's control. 700

(ii) If the offense is a qualifying assault offense, the 701
offender caused serious physical harm to another person while 702
committing the offense, and, if the offense is not a qualifying 703
assault offense, the offender caused physical harm to another 704
person while committing the offense. 705

(iii) The offender violated a term of the conditions of 706
bond as set by the court. 707

(iv) The court made a request of the department of 708
rehabilitation and correction pursuant to division (B)(1)(c) of 709
this section, and the department, within the forty-five-day 710
period specified in that division, did not provide the court 711

with the name of, contact information for, and program details 712
of any community control sanction of at least one year's 713
duration that is available for persons sentenced by the court. 714

(v) The offense is a sex offense that is a fourth or fifth 715
degree felony violation of any provision of Chapter 2907. of the 716
Revised Code. 717

(vi) In committing the offense, the offender attempted to 718
cause or made an actual threat of physical harm to a person with 719
a deadly weapon. 720

(vii) In committing the offense, the offender attempted to 721
cause or made an actual threat of physical harm to a person, and 722
the offender previously was convicted of an offense that caused 723
physical harm to a person. 724

(viii) The offender held a public office or position of 725
trust, and the offense related to that office or position; the 726
offender's position obliged the offender to prevent the offense 727
or to bring those committing it to justice; or the offender's 728
professional reputation or position facilitated the offense or 729
was likely to influence the future conduct of others. 730

(ix) The offender committed the offense for hire or as 731
part of an organized criminal activity. 732

(x) The offender at the time of the offense was serving, 733
or the offender previously had served, a prison term. 734

(xi) The offender committed the offense while under a 735
community control sanction, while on probation, or while 736
released from custody on a bond or personal recognizance. 737

(c) If a court that is sentencing an offender who is 738
convicted of or pleads guilty to a felony of the fourth or fifth 739

degree that is not an offense of violence or that is a 740
qualifying assault offense believes that no community control 741
sanctions are available for its use that, if imposed on the 742
offender, will adequately fulfill the overriding principles and 743
purposes of sentencing, the court shall contact the department 744
of rehabilitation and correction and ask the department to 745
provide the court with the names of, contact information for, 746
and program details of one or more community control sanctions 747
of at least one year's duration that are available for persons 748
sentenced by the court. Not later than forty-five days after 749
receipt of a request from a court under this division, the 750
department shall provide the court with the names of, contact 751
information for, and program details of one or more community 752
control sanctions of at least one year's duration that are 753
available for persons sentenced by the court, if any. Upon 754
making a request under this division that relates to a 755
particular offender, a court shall defer sentencing of that 756
offender until it receives from the department the names of, 757
contact information for, and program details of one or more 758
community control sanctions of at least one year's duration that 759
are available for persons sentenced by the court or for forty- 760
five days, whichever is the earlier. 761

If the department provides the court with the names of, 762
contact information for, and program details of one or more 763
community control sanctions of at least one year's duration that 764
are available for persons sentenced by the court within the 765
forty-five-day period specified in this division, the court 766
shall impose upon the offender a community control sanction 767
under division (B) (1) (a) of this section, except that the court 768
may impose a prison term under division (B) (1) (b) of this 769
section if a factor described in division (B) (1) (b) (i) or (ii) 770

of this section applies. If the department does not provide the 771
court with the names of, contact information for, and program 772
details of one or more community control sanctions of at least 773
one year's duration that are available for persons sentenced by 774
the court within the forty-five-day period specified in this 775
division, the court may impose upon the offender a prison term 776
under division (B) (1) (b) (iv) of this section. 777

(d) A sentencing court may impose an additional penalty 778
under division (B) of section 2929.15 of the Revised Code upon 779
an offender sentenced to a community control sanction under 780
division (B) (1) (a) of this section if the offender violates the 781
conditions of the community control sanction, violates a law, or 782
leaves the state without the permission of the court or the 783
offender's probation officer. 784

(2) If division (B) (1) of this section does not apply, 785
except as provided in division (E), (F), or (G) of this section, 786
in determining whether to impose a prison term as a sanction for 787
a felony of the fourth or fifth degree, the sentencing court 788
shall comply with the purposes and principles of sentencing 789
under section 2929.11 of the Revised Code and with section 790
2929.12 of the Revised Code. 791

(C) Except as provided in division (D), (E), (F), or (G) 792
of this section, in determining whether to impose a prison term 793
as a sanction for a felony of the third degree or a felony drug 794
offense that is a violation of a provision of Chapter 2925. of 795
the Revised Code and that is specified as being subject to this 796
division for purposes of sentencing, the sentencing court shall 797
comply with the purposes and principles of sentencing under 798
section 2929.11 of the Revised Code and with section 2929.12 of 799
the Revised Code. 800

(D) (1) Except as provided in division (E) or (F) of this section, for a felony of the first or second degree, for a felony drug offense that is a violation of any provision of Chapter 2925., 3719., or 4729. of the Revised Code for which a presumption in favor of a prison term is specified as being applicable, and for a violation of division (A) (4) or (B) of section 2907.05 of the Revised Code for which a presumption in favor of a prison term is specified as being applicable, it is presumed that a prison term is necessary in order to comply with the purposes and principles of sentencing under section 2929.11 of the Revised Code. Division (D) (2) of this section does not apply to a presumption established under this division for a violation of division (A) (4) of section 2907.05 of the Revised Code.

(2) Notwithstanding the presumption established under division (D) (1) of this section for the offenses listed in that division other than a violation of division (A) (4) or (B) of section 2907.05 of the Revised Code, the sentencing court may impose a community control sanction or a combination of community control sanctions instead of a prison term on an offender for a felony of the first or second degree or for a felony drug offense that is a violation of any provision of Chapter 2925., 3719., or 4729. of the Revised Code for which a presumption in favor of a prison term is specified as being applicable if it makes both of the following findings:

(a) A community control sanction or a combination of community control sanctions would adequately punish the offender and protect the public from future crime, because the applicable factors under section 2929.12 of the Revised Code indicating a lesser likelihood of recidivism outweigh the applicable factors under that section indicating a greater likelihood of

recidivism. 832

(b) A community control sanction or a combination of 833
community control sanctions would not demean the seriousness of 834
the offense, because one or more factors under section 2929.12 835
of the Revised Code that indicate that the offender's conduct 836
was less serious than conduct normally constituting the offense 837
are applicable, and they outweigh the applicable factors under 838
that section that indicate that the offender's conduct was more 839
serious than conduct normally constituting the offense. 840

(E) (1) Except as provided in division (F) of this section, 841
for any drug offense that is a violation of any provision of 842
Chapter 2925. of the Revised Code and that is a felony of the 843
third, fourth, or fifth degree, the applicability of a 844
presumption under division (D) of this section in favor of a 845
prison term or of division (B) or (C) of this section in 846
determining whether to impose a prison term for the offense 847
shall be determined as specified in section 2925.02, 2925.03, 848
2925.04, 2925.05, 2925.06, 2925.11, 2925.13, 2925.22, 2925.23, 849
2925.36, or 2925.37 of the Revised Code, whichever is applicable 850
regarding the violation. 851

(2) If an offender who was convicted of or pleaded guilty 852
to a felony violates the conditions of a community control 853
sanction imposed for the offense solely by reason of producing 854
positive results on a drug test, the court, as punishment for 855
the violation of the sanction, shall not order that the offender 856
be imprisoned unless the court determines on the record either 857
of the following: 858

(a) The offender had been ordered as a sanction for the 859
felony to participate in a drug treatment program, in a drug 860
education program, or in narcotics anonymous or a similar 861

program, and the offender continued to use illegal drugs after a 862
reasonable period of participation in the program. 863

(b) The imprisonment of the offender for the violation is 864
consistent with the purposes and principles of sentencing set 865
forth in section 2929.11 of the Revised Code. 866

(3) A court that sentences an offender for a drug abuse 867
offense that is a felony of the third, fourth, or fifth degree 868
may require that the offender be assessed by a properly 869
credentialed professional within a specified period of time. The 870
court shall require the professional to file a written 871
assessment of the offender with the court. If the offender is 872
eligible for a community control sanction and after considering 873
the written assessment, the court may impose a community control 874
sanction that includes treatment and recovery support services 875
authorized by division (A) (11) of section 340.03 of the Revised 876
Code. If the court imposes treatment and recovery support 877
services as a community control sanction, the court shall direct 878
the level and type of treatment and recovery support services 879
after considering the assessment and recommendation of community 880
addiction services providers. 881

(F) Notwithstanding divisions (A) to (E) of this section, 882
the court shall impose a prison term or terms under sections 883
2929.02 to 2929.06, section 2929.14, section 2929.142, or 884
section 2971.03 of the Revised Code and except as specifically 885
provided in section 2929.20, divisions (C) to (I) of section 886
2967.19, or section 2967.191 of the Revised Code or when parole 887
is authorized for the offense under section 2967.13 of the 888
Revised Code shall not reduce the term or terms pursuant to 889
section 2929.20, section 2967.19, section 2967.193, or any other 890
provision of Chapter 2967. or Chapter 5120. of the Revised Code 891

for any of the following offenses:	892
(1) Aggravated murder when death is not imposed or murder;	893
(2) Any rape, regardless of whether force was involved and regardless of the age of the victim, or an attempt to commit rape if, had the offender completed the rape that was attempted, the offender would have been guilty of a violation of division (A) (1) (b) of section 2907.02 of the Revised Code and would be sentenced under section 2971.03 of the Revised Code;	894 895 896 897 898 899
(3) Gross sexual imposition or sexual battery, if the victim is less than thirteen years of age and if any of the following applies:	900 901 902
(a) Regarding gross sexual imposition, the offender previously was convicted of or pleaded guilty to rape, the former offense of felonious sexual penetration, gross sexual imposition, or sexual battery, and the victim of the previous offense was less than thirteen years of age;	903 904 905 906 907
(b) Regarding gross sexual imposition, the offense was committed on or after August 3, 2006, and evidence other than the testimony of the victim was admitted in the case corroborating the violation.	908 909 910 911
(c) Regarding sexual battery, either of the following applies:	912 913
(i) The offense was committed prior to August 3, 2006, the offender previously was convicted of or pleaded guilty to rape, the former offense of felonious sexual penetration, or sexual battery, and the victim of the previous offense was less than thirteen years of age.	914 915 916 917 918
(ii) The offense was committed on or after August 3, 2006.	919

(4) A felony violation of section 2903.04, 2903.06, 2903.08, 2903.11, 2903.12, 2903.13, 2905.32, ~~or~~ 2907.07, or 2921.321 of the Revised Code if the section requires the imposition of a prison term;

(5) A first, second, or third degree felony drug offense for which section 2925.02, 2925.03, 2925.04, 2925.05, 2925.06, 2925.11, 2925.13, 2925.22, 2925.23, 2925.36, 2925.37, 3719.99, or 4729.99 of the Revised Code, whichever is applicable regarding the violation, requires the imposition of a mandatory prison term;

(6) Any offense that is a first or second degree felony and that is not set forth in division (F) (1), (2), (3), or (4) of this section, if the offender previously was convicted of or pleaded guilty to aggravated murder, murder, any first or second degree felony, or an offense under an existing or former law of this state, another state, or the United States that is or was substantially equivalent to one of those offenses;

(7) Any offense that is a third degree felony and either is a violation of section 2903.04 of the Revised Code or an attempt to commit a felony of the second degree that is an offense of violence and involved an attempt to cause serious physical harm to a person or that resulted in serious physical harm to a person if the offender previously was convicted of or pleaded guilty to any of the following offenses:

(a) Aggravated murder, murder, involuntary manslaughter, rape, felonious sexual penetration as it existed under section 2907.12 of the Revised Code prior to September 3, 1996, a felony of the first or second degree that resulted in the death of a person or in physical harm to a person, or complicity in or an attempt to commit any of those offenses;

(b) An offense under an existing or former law of this state, another state, or the United States that is or was substantially equivalent to an offense listed in division (F) (7) (a) of this section that resulted in the death of a person or in physical harm to a person.

(8) Any offense, other than a violation of section 2923.12 of the Revised Code, that is a felony, if the offender had a firearm on or about the offender's person or under the offender's control while committing the felony, with respect to a portion of the sentence imposed pursuant to division (B) (1) (a) of section 2929.14 of the Revised Code for having the firearm;

(9) Any offense of violence that is a felony, if the offender wore or carried body armor while committing the felony offense of violence, with respect to the portion of the sentence imposed pursuant to division (B) (1) (d) of section 2929.14 of the Revised Code for wearing or carrying the body armor;

(10) Corrupt activity in violation of section 2923.32 of the Revised Code when the most serious offense in the pattern of corrupt activity that is the basis of the offense is a felony of the first degree;

(11) Any violent sex offense or designated homicide, assault, or kidnapping offense if, in relation to that offense, the offender is adjudicated a sexually violent predator;

(12) A violation of division (A) (1) or (2) of section 2921.36 of the Revised Code, or a violation of division (C) of that section involving an item listed in division (A) (1) or (2) of that section, if the offender is an officer or employee of the department of rehabilitation and correction;

(13) A violation of division (A) (1) or (2) of section

2903.06 of the Revised Code if the victim of the offense is a 979
peace officer, as defined in section 2935.01 of the Revised 980
Code, or an investigator of the bureau of criminal 981
identification and investigation, as defined in section 2903.11 982
of the Revised Code, with respect to the portion of the sentence 983
imposed pursuant to division (B) (5) of section 2929.14 of the 984
Revised Code; 985

(14) A violation of division (A) (1) or (2) of section 986
2903.06 of the Revised Code if the offender has been convicted 987
of or pleaded guilty to three or more violations of division (A) 988
or (B) of section 4511.19 of the Revised Code or an equivalent 989
offense, as defined in section 2941.1415 of the Revised Code, or 990
three or more violations of any combination of those divisions 991
and offenses, with respect to the portion of the sentence 992
imposed pursuant to division (B) (6) of section 2929.14 of the 993
Revised Code; 994

(15) Kidnapping, in the circumstances specified in section 995
2971.03 of the Revised Code and when no other provision of 996
division (F) of this section applies; 997

(16) Kidnapping, abduction, compelling prostitution, 998
promoting prostitution, engaging in a pattern of corrupt 999
activity, illegal use of a minor in a nudity-oriented material 1000
or performance in violation of division (A) (1) or (2) of section 1001
2907.323 of the Revised Code, or endangering children in 1002
violation of division (B) (1), (2), (3), (4), or (5) of section 1003
2919.22 of the Revised Code, if the offender is convicted of or 1004
pleads guilty to a specification as described in section 1005
2941.1422 of the Revised Code that was included in the 1006
indictment, count in the indictment, or information charging the 1007
offense; 1008

(17) A felony violation of division (A) or (B) of section 2919.25 of the Revised Code if division (D) (3), (4), or (5) of that section, and division (D) (6) of that section, require the imposition of a prison term;

(18) A felony violation of section 2903.11, 2903.12, or 2903.13 of the Revised Code, if the victim of the offense was a woman that the offender knew was pregnant at the time of the violation, with respect to a portion of the sentence imposed pursuant to division (B) (8) of section 2929.14 of the Revised Code.

(G) Notwithstanding divisions (A) to (E) of this section, if an offender is being sentenced for a fourth degree felony OVI offense or for a third degree felony OVI offense, the court shall impose upon the offender a mandatory term of local incarceration or a mandatory prison term in accordance with the following:

(1) If the offender is being sentenced for a fourth degree felony OVI offense and if the offender has not been convicted of and has not pleaded guilty to a specification of the type described in section 2941.1413 of the Revised Code, the court may impose upon the offender a mandatory term of local incarceration of sixty days or one hundred twenty days as specified in division (G) (1) (d) of section 4511.19 of the Revised Code. The court shall not reduce the term pursuant to section 2929.20, 2967.193, or any other provision of the Revised Code. The court that imposes a mandatory term of local incarceration under this division shall specify whether the term is to be served in a jail, a community-based correctional facility, a halfway house, or an alternative residential facility, and the offender shall serve the term in the type of

facility specified by the court. A mandatory term of local 1039
incarceration imposed under division (G) (1) of this section is 1040
not subject to any other Revised Code provision that pertains to 1041
a prison term except as provided in division (A) (1) of this 1042
section. 1043

(2) If the offender is being sentenced for a third degree 1044
felony OVI offense, or if the offender is being sentenced for a 1045
fourth degree felony OVI offense and the court does not impose a 1046
mandatory term of local incarceration under division (G) (1) of 1047
this section, the court shall impose upon the offender a 1048
mandatory prison term of one, two, three, four, or five years if 1049
the offender also is convicted of or also pleads guilty to a 1050
specification of the type described in section 2941.1413 of the 1051
Revised Code or shall impose upon the offender a mandatory 1052
prison term of sixty days or one hundred twenty days as 1053
specified in division (G) (1) (d) or (e) of section 4511.19 of the 1054
Revised Code if the offender has not been convicted of and has 1055
not pleaded guilty to a specification of that type. Subject to 1056
divisions (C) to (I) of section 2967.19 of the Revised Code, the 1057
court shall not reduce the term pursuant to section 2929.20, 1058
2967.19, 2967.193, or any other provision of the Revised Code. 1059
The offender shall serve the one-, two-, three-, four-, or five- 1060
year mandatory prison term consecutively to and prior to the 1061
prison term imposed for the underlying offense and consecutively 1062
to any other mandatory prison term imposed in relation to the 1063
offense. In no case shall an offender who once has been 1064
sentenced to a mandatory term of local incarceration pursuant to 1065
division (G) (1) of this section for a fourth degree felony OVI 1066
offense be sentenced to another mandatory term of local 1067
incarceration under that division for any violation of division 1068
(A) of section 4511.19 of the Revised Code. In addition to the 1069

mandatory prison term described in division (G) (2) of this 1070
section, the court may sentence the offender to a community 1071
control sanction under section 2929.16 or 2929.17 of the Revised 1072
Code, but the offender shall serve the prison term prior to 1073
serving the community control sanction. The department of 1074
rehabilitation and correction may place an offender sentenced to 1075
a mandatory prison term under this division in an intensive 1076
program prison established pursuant to section 5120.033 of the 1077
Revised Code if the department gave the sentencing judge prior 1078
notice of its intent to place the offender in an intensive 1079
program prison established under that section and if the judge 1080
did not notify the department that the judge disapproved the 1081
placement. Upon the establishment of the initial intensive 1082
program prison pursuant to section 5120.033 of the Revised Code 1083
that is privately operated and managed by a contractor pursuant 1084
to a contract entered into under section 9.06 of the Revised 1085
Code, both of the following apply: 1086

(a) The department of rehabilitation and correction shall 1087
make a reasonable effort to ensure that a sufficient number of 1088
offenders sentenced to a mandatory prison term under this 1089
division are placed in the privately operated and managed prison 1090
so that the privately operated and managed prison has full 1091
occupancy. 1092

(b) Unless the privately operated and managed prison has 1093
full occupancy, the department of rehabilitation and correction 1094
shall not place any offender sentenced to a mandatory prison 1095
term under this division in any intensive program prison 1096
established pursuant to section 5120.033 of the Revised Code 1097
other than the privately operated and managed prison. 1098

(H) If an offender is being sentenced for a sexually 1099

oriented offense or child-victim oriented offense that is a 1100
felony committed on or after January 1, 1997, the judge shall 1101
require the offender to submit to a DNA specimen collection 1102
procedure pursuant to section 2901.07 of the Revised Code. 1103

(I) If an offender is being sentenced for a sexually 1104
oriented offense or a child-victim oriented offense committed on 1105
or after January 1, 1997, the judge shall include in the 1106
sentence a summary of the offender's duties imposed under 1107
sections 2950.04, 2950.041, 2950.05, and 2950.06 of the Revised 1108
Code and the duration of the duties. The judge shall inform the 1109
offender, at the time of sentencing, of those duties and of 1110
their duration. If required under division (A)(2) of section 1111
2950.03 of the Revised Code, the judge shall perform the duties 1112
specified in that section, or, if required under division (A)(6) 1113
of section 2950.03 of the Revised Code, the judge shall perform 1114
the duties specified in that division. 1115

(J)(1) Except as provided in division (J)(2) of this 1116
section, when considering sentencing factors under this section 1117
in relation to an offender who is convicted of or pleads guilty 1118
to an attempt to commit an offense in violation of section 1119
2923.02 of the Revised Code, the sentencing court shall consider 1120
the factors applicable to the felony category of the violation 1121
of section 2923.02 of the Revised Code instead of the factors 1122
applicable to the felony category of the offense attempted. 1123

(2) When considering sentencing factors under this section 1124
in relation to an offender who is convicted of or pleads guilty 1125
to an attempt to commit a drug abuse offense for which the 1126
penalty is determined by the amount or number of unit doses of 1127
the controlled substance involved in the drug abuse offense, the 1128
sentencing court shall consider the factors applicable to the 1129

felony category that the drug abuse offense attempted would be 1130
if that drug abuse offense had been committed and had involved 1131
an amount or number of unit doses of the controlled substance 1132
that is within the next lower range of controlled substance 1133
amounts than was involved in the attempt. 1134

(K) As used in this section: 1135

(1) "Community addiction services provider" has the same 1136
meaning as in section 5119.01 of the Revised Code. 1137

(2) "Drug abuse offense" has the same meaning as in 1138
section 2925.01 of the Revised Code. 1139

(3) "Qualifying assault offense" means a violation of 1140
section 2903.13 of the Revised Code for which the penalty 1141
provision in division (C) (8) (b) or (C) (9) (b) of that section 1142
applies. 1143

(L) At the time of sentencing an offender for any sexually 1144
oriented offense, if the offender is a tier III sex 1145
offender/child-victim offender relative to that offense and the 1146
offender does not serve a prison term or jail term, the court 1147
may require that the offender be monitored by means of a global 1148
positioning device. If the court requires such monitoring, the 1149
cost of monitoring shall be borne by the offender. If the 1150
offender is indigent, the cost of compliance shall be paid by 1151
the crime victims reparations fund. 1152

Sec. 2929.18. (A) Except as otherwise provided in this 1153
division and in addition to imposing court costs pursuant to 1154
section 2947.23 of the Revised Code, the court imposing a 1155
sentence upon an offender for a felony may sentence the offender 1156
to any financial sanction or combination of financial sanctions 1157
authorized under this section or, in the circumstances specified 1158

in section 2929.32 of the Revised Code, may impose upon the 1159
offender a fine in accordance with that section. Financial 1160
sanctions that may be imposed pursuant to this section include, 1161
but are not limited to, the following: 1162

(1) Restitution by the offender to the victim of the 1163
offender's crime or any survivor of the victim, in an amount 1164
based on the victim's economic loss. If the court imposes 1165
restitution, the court shall order that the restitution be made 1166
to the victim in open court, to the adult probation department 1167
that serves the county on behalf of the victim, to the clerk of 1168
courts, or to another agency designated by the court. If the 1169
court imposes restitution, at sentencing, the court shall 1170
determine the amount of restitution to be made by the offender. 1171
If the court imposes restitution, the court may base the amount 1172
of restitution it orders on an amount recommended by the victim, 1173
the offender, a presentence investigation report, estimates or 1174
receipts indicating the cost of repairing or replacing property, 1175
and other information, provided that the amount the court orders 1176
as restitution shall not exceed the amount of the economic loss 1177
suffered by the victim as a direct and proximate result of the 1178
commission of the offense. If the court decides to impose 1179
restitution, the court shall hold a hearing on restitution if 1180
the offender, victim, or survivor disputes the amount. All 1181
restitution payments shall be credited against any recovery of 1182
economic loss in a civil action brought by the victim or any 1183
survivor of the victim against the offender. 1184

If the court imposes restitution, the court may order that 1185
the offender pay a surcharge of not more than five per cent of 1186
the amount of the restitution otherwise ordered to the entity 1187
responsible for collecting and processing restitution payments. 1188

The victim or survivor may request that the prosecutor in 1189
the case file a motion, or the offender may file a motion, for 1190
modification of the payment terms of any restitution ordered. If 1191
the court grants the motion, it may modify the payment terms as 1192
it determines appropriate. 1193

(2) Except as provided in division (B) (1), (3), or (4) of 1194
this section, a fine payable by the offender to the state, to a 1195
political subdivision, or as described in division (B) (2) of 1196
this section to one or more law enforcement agencies, with the 1197
amount of the fine based on a standard percentage of the 1198
offender's daily income over a period of time determined by the 1199
court and based upon the seriousness of the offense. A fine 1200
ordered under this division shall not exceed the maximum 1201
conventional fine amount authorized for the level of the offense 1202
under division (A) (3) of this section. 1203

(3) Except as provided in division (B) (1), (3), or (4) of 1204
this section, a fine payable by the offender to the state, to a 1205
political subdivision when appropriate for a felony, or as 1206
described in division (B) (2) of this section to one or more law 1207
enforcement agencies, in the following amount: 1208

(a) For a felony of the first degree, not more than twenty 1209
thousand dollars; 1210

(b) For a felony of the second degree, not more than 1211
fifteen thousand dollars; 1212

(c) For a felony of the third degree, not more than ten 1213
thousand dollars; 1214

(d) For a felony of the fourth degree, not more than five 1215
thousand dollars; 1216

(e) For a felony of the fifth degree, not more than two 1217

thousand five hundred dollars.	1218
(4) A state fine or costs as defined in section 2949.111 of the Revised Code.	1219 1220
(5) (a) Reimbursement by the offender of any or all of the costs of sanctions incurred by the government, including the following:	1221 1222 1223
(i) All or part of the costs of implementing any community control sanction, including a supervision fee under section 2951.021 of the Revised Code;	1224 1225 1226
(ii) All or part of the costs of confinement under a sanction imposed pursuant to section 2929.14, 2929.142, or 2929.16 of the Revised Code, provided that the amount of reimbursement ordered under this division shall not exceed the total amount of reimbursement the offender is able to pay as determined at a hearing and shall not exceed the actual cost of the confinement;	1227 1228 1229 1230 1231 1232 1233
(iii) All or part of the cost of purchasing and using an immobilizing or disabling device, including a certified ignition interlock device, or a remote alcohol monitoring device that a court orders an offender to use under section 4510.13 of the Revised Code.	1234 1235 1236 1237 1238
(b) If the offender is sentenced to a sanction of confinement pursuant to section 2929.14 or 2929.16 of the Revised Code that is to be served in a facility operated by a board of county commissioners, a legislative authority of a municipal corporation, or another local governmental entity, if, pursuant to section 307.93, 341.14, 341.19, 341.23, 753.02, 753.04, 753.16, 2301.56, or 2947.19 of the Revised Code and section 2929.37 of the Revised Code, the board, legislative	1239 1240 1241 1242 1243 1244 1245 1246

authority, or other local governmental entity requires prisoners 1247
to reimburse the county, municipal corporation, or other entity 1248
for its expenses incurred by reason of the prisoner's 1249
confinement, and if the court does not impose a financial 1250
sanction under division (A)(5)(a)(ii) of this section, 1251
confinement costs may be assessed pursuant to section 2929.37 of 1252
the Revised Code. In addition, the offender may be required to 1253
pay the fees specified in section 2929.38 of the Revised Code in 1254
accordance with that section. 1255

(c) Reimbursement by the offender for costs pursuant to 1256
section 2929.71 of the Revised Code. 1257

(B)(1) For a first, second, or third degree felony 1258
violation of any provision of Chapter 2925., 3719., or 4729. of 1259
the Revised Code, the sentencing court shall impose upon the 1260
offender a mandatory fine of at least one-half of, but not more 1261
than, the maximum statutory fine amount authorized for the level 1262
of the offense pursuant to division (A)(3) of this section. If 1263
an offender alleges in an affidavit filed with the court prior 1264
to sentencing that the offender is indigent and unable to pay 1265
the mandatory fine and if the court determines the offender is 1266
an indigent person and is unable to pay the mandatory fine 1267
described in this division, the court shall not impose the 1268
mandatory fine upon the offender. 1269

(2) Any mandatory fine imposed upon an offender under 1270
division (B)(1) of this section and any fine imposed upon an 1271
offender under division (A)(2) or (3) of this section for any 1272
fourth or fifth degree felony violation of any provision of 1273
Chapter 2925., 3719., or 4729. of the Revised Code shall be paid 1274
to law enforcement agencies pursuant to division (F) of section 1275
2925.03 of the Revised Code. 1276

(3) For a fourth degree felony OVI offense and for a third 1277
degree felony OVI offense, the sentencing court shall impose 1278
upon the offender a mandatory fine in the amount specified in 1279
division (G) (1) (d) or (e) of section 4511.19 of the Revised 1280
Code, whichever is applicable. The mandatory fine so imposed 1281
shall be disbursed as provided in the division pursuant to which 1282
it is imposed. 1283

(4) Notwithstanding any fine otherwise authorized or 1284
required to be imposed under division (A) (2) or (3) or (B) (1) of 1285
this section or section 2929.31 of the Revised Code for a 1286
violation of section 2925.03 of the Revised Code, in addition to 1287
any penalty or sanction imposed for that offense under section 1288
2925.03 or sections 2929.11 to 2929.18 of the Revised Code and 1289
in addition to the forfeiture of property in connection with the 1290
offense as prescribed in Chapter 2981. of the Revised Code, the 1291
court that sentences an offender for a violation of section 1292
2925.03 of the Revised Code may impose upon the offender a fine 1293
in addition to any fine imposed under division (A) (2) or (3) of 1294
this section and in addition to any mandatory fine imposed under 1295
division (B) (1) of this section. The fine imposed under division 1296
(B) (4) of this section shall be used as provided in division (H) 1297
of section 2925.03 of the Revised Code. A fine imposed under 1298
division (B) (4) of this section shall not exceed whichever of 1299
the following is applicable: 1300

(a) The total value of any personal or real property in 1301
which the offender has an interest and that was used in the 1302
course of, intended for use in the course of, derived from, or 1303
realized through conduct in violation of section 2925.03 of the 1304
Revised Code, including any property that constitutes proceeds 1305
derived from that offense; 1306

(b) If the offender has no interest in any property of the type described in division (B) (4) (a) of this section or if it is not possible to ascertain whether the offender has an interest in any property of that type in which the offender may have an interest, the amount of the mandatory fine for the offense imposed under division (B) (1) of this section or, if no mandatory fine is imposed under division (B) (1) of this section, the amount of the fine authorized for the level of the offense imposed under division (A) (3) of this section.

(5) Prior to imposing a fine under division (B) (4) of this section, the court shall determine whether the offender has an interest in any property of the type described in division (B) (4) (a) of this section. Except as provided in division (B) (6) or (7) of this section, a fine that is authorized and imposed under division (B) (4) of this section does not limit or affect the imposition of the penalties and sanctions for a violation of section 2925.03 of the Revised Code prescribed under those sections or sections 2929.11 to 2929.18 of the Revised Code and does not limit or affect a forfeiture of property in connection with the offense as prescribed in Chapter 2981. of the Revised Code.

(6) If the sum total of a mandatory fine amount imposed for a first, second, or third degree felony violation of section 2925.03 of the Revised Code under division (B) (1) of this section plus the amount of any fine imposed under division (B) (4) of this section does not exceed the maximum statutory fine amount authorized for the level of the offense under division (A) (3) of this section or section 2929.31 of the Revised Code, the court may impose a fine for the offense in addition to the mandatory fine and the fine imposed under division (B) (4) of this section. The sum total of the amounts of the mandatory

fine, the fine imposed under division (B) (4) of this section, 1338
and the additional fine imposed under division (B) (6) of this 1339
section shall not exceed the maximum statutory fine amount 1340
authorized for the level of the offense under division (A) (3) of 1341
this section or section 2929.31 of the Revised Code. The clerk 1342
of the court shall pay any fine that is imposed under division 1343
(B) (6) of this section to the county, township, municipal 1344
corporation, park district as created pursuant to section 511.18 1345
or 1545.04 of the Revised Code, or state law enforcement 1346
agencies in this state that primarily were responsible for or 1347
involved in making the arrest of, and in prosecuting, the 1348
offender pursuant to division (F) of section 2925.03 of the 1349
Revised Code. 1350

(7) If the sum total of the amount of a mandatory fine 1351
imposed for a first, second, or third degree felony violation of 1352
section 2925.03 of the Revised Code plus the amount of any fine 1353
imposed under division (B) (4) of this section exceeds the 1354
maximum statutory fine amount authorized for the level of the 1355
offense under division (A) (3) of this section or section 2929.31 1356
of the Revised Code, the court shall not impose a fine under 1357
division (B) (6) of this section. 1358

(8) (a) If an offender who is convicted of or pleads guilty 1359
to a violation of section 2905.01, 2905.02, 2907.21, 2907.22, or 1360
2923.32, division (A) (1) or (2) of section 2907.323, or division 1361
(B) (1), (2), (3), (4), or (5) of section 2919.22 of the Revised 1362
Code also is convicted of or pleads guilty to a specification of 1363
the type described in section 2941.1422 of the Revised Code that 1364
charges that the offender knowingly committed the offense in 1365
furtherance of human trafficking, the sentencing court shall 1366
sentence the offender to a financial sanction of restitution by 1367
the offender to the victim or any survivor of the victim, with 1368

the restitution including the costs of housing, counseling, and 1369
medical and legal assistance incurred by the victim as a direct 1370
result of the offense and the greater of the following: 1371

(i) The gross income or value to the offender of the 1372
victim's labor or services; 1373

(ii) The value of the victim's labor as guaranteed under 1374
the minimum wage and overtime provisions of the "Federal Fair 1375
Labor Standards Act of 1938," 52 Stat. 1060, 20 U.S.C. 207, and 1376
state labor laws. 1377

(b) If a court imposing sentence upon an offender for a 1378
felony is required to impose upon the offender a financial 1379
sanction of restitution under division (B) (8) (a) of this 1380
section, in addition to that financial sanction of restitution, 1381
the court may sentence the offender to any other financial 1382
sanction or combination of financial sanctions authorized under 1383
this section, including a restitution sanction under division 1384
(A) (1) of this section. 1385

(9) In addition to any other fine that is or may be 1386
imposed under this section, the court imposing sentence upon an 1387
offender for a felony that is a sexually oriented offense or a 1388
child-victim oriented offense, as those terms are defined in 1389
section 2950.01 of the Revised Code, may impose a fine of not 1390
less than fifty nor more than five hundred dollars. 1391

(10) For a felony violation of division (A) of section 1392
2921.321 of the Revised Code that results in the death of the 1393
police dog or horse that is the subject of the violation, the 1394
sentencing court shall impose upon the offender a mandatory fine 1395
from the range of fines provided under division (A) (3) of this 1396
section for a felony of the third degree. A mandatory fine 1397

imposed upon an offender under division (B) (10) of this section 1398
shall be paid to the law enforcement agency that was served by 1399
the police dog or horse that was killed in the felony violation 1400
of division (A) of section 2921.321 of the Revised Code to be 1401
used as provided in division (E) (1) (b) of that section. 1402

(C) (1) Except as provided in section 2951.021 of the 1403
Revised Code, the offender shall pay reimbursements imposed upon 1404
the offender pursuant to division (A) (5) (a) of this section to 1405
pay the costs incurred by a county pursuant to any sanction 1406
imposed under this section or section 2929.16 or 2929.17 of the 1407
Revised Code or in operating a facility used to confine 1408
offenders pursuant to a sanction imposed under section 2929.16 1409
of the Revised Code to the county treasurer. The county 1410
treasurer shall deposit the reimbursements in the sanction cost 1411
reimbursement fund that each board of county commissioners shall 1412
create in its county treasury. The county shall use the amounts 1413
deposited in the fund to pay the costs incurred by the county 1414
pursuant to any sanction imposed under this section or section 1415
2929.16 or 2929.17 of the Revised Code or in operating a 1416
facility used to confine offenders pursuant to a sanction 1417
imposed under section 2929.16 of the Revised Code. 1418

(2) Except as provided in section 2951.021 of the Revised 1419
Code, the offender shall pay reimbursements imposed upon the 1420
offender pursuant to division (A) (5) (a) of this section to pay 1421
the costs incurred by a municipal corporation pursuant to any 1422
sanction imposed under this section or section 2929.16 or 1423
2929.17 of the Revised Code or in operating a facility used to 1424
confine offenders pursuant to a sanction imposed under section 1425
2929.16 of the Revised Code to the treasurer of the municipal 1426
corporation. The treasurer shall deposit the reimbursements in a 1427
special fund that shall be established in the treasury of each 1428

municipal corporation. The municipal corporation shall use the 1429
amounts deposited in the fund to pay the costs incurred by the 1430
municipal corporation pursuant to any sanction imposed under 1431
this section or section 2929.16 or 2929.17 of the Revised Code 1432
or in operating a facility used to confine offenders pursuant to 1433
a sanction imposed under section 2929.16 of the Revised Code. 1434

(3) Except as provided in section 2951.021 of the Revised 1435
Code, the offender shall pay reimbursements imposed pursuant to 1436
division (A) (5) (a) of this section for the costs incurred by a 1437
private provider pursuant to a sanction imposed under this 1438
section or section 2929.16 or 2929.17 of the Revised Code to the 1439
provider. 1440

(D) Except as otherwise provided in this division, a 1441
financial sanction imposed pursuant to division (A) or (B) of 1442
this section is a judgment in favor of the state or a political 1443
subdivision in which the court that imposed the financial 1444
sanction is located, and the offender subject to the financial 1445
sanction is the judgment debtor. A financial sanction of 1446
reimbursement imposed pursuant to division (A) (5) (a) (ii) of this 1447
section upon an offender who is incarcerated in a state facility 1448
or a municipal jail is a judgment in favor of the state or the 1449
municipal corporation, and the offender subject to the financial 1450
sanction is the judgment debtor. A financial sanction of 1451
reimbursement imposed upon an offender pursuant to this section 1452
for costs incurred by a private provider of sanctions is a 1453
judgment in favor of the private provider, and the offender 1454
subject to the financial sanction is the judgment debtor. A 1455
financial sanction of a mandatory fine imposed under division 1456
(B) (10) of this section that is required under that division to 1457
be paid to a law enforcement agency is a judgment in favor of 1458
the specified law enforcement agency, and the offender subject 1459

to the financial sanction is the judgment debtor. A financial 1460
sanction of restitution imposed pursuant to division (A) (1) or 1461
(B) (8) of this section is an order in favor of the victim of the 1462
offender's criminal act that can be collected through a 1463
certificate of judgment as described in division (D) (1) of this 1464
section, through execution as described in division (D) (2) of 1465
this section, or through an order as described in division (D) 1466
(3) of this section, and the offender shall be considered for 1467
purposes of the collection as the judgment debtor. Imposition of 1468
a financial sanction and execution on the judgment does not 1469
preclude any other power of the court to impose or enforce 1470
sanctions on the offender. Once the financial sanction is 1471
imposed as a judgment or order under this division, the victim, 1472
private provider, state, or political subdivision may do any of 1473
the following: 1474

(1) Obtain from the clerk of the court in which the 1475
judgment was entered a certificate of judgment that shall be in 1476
the same manner and form as a certificate of judgment issued in 1477
a civil action; 1478

(2) Obtain execution of the judgment or order through any 1479
available procedure, including: 1480

(a) An execution against the property of the judgment 1481
debtor under Chapter 2329. of the Revised Code; 1482

(b) An execution against the person of the judgment debtor 1483
under Chapter 2331. of the Revised Code; 1484

(c) A proceeding in aid of execution under Chapter 2333. 1485
of the Revised Code, including: 1486

(i) A proceeding for the examination of the judgment 1487
debtor under sections 2333.09 to 2333.12 and sections 2333.15 to 1488

2333.27 of the Revised Code;	1489
(ii) A proceeding for attachment of the person of the judgment debtor under section 2333.28 of the Revised Code;	1490
	1491
(iii) A creditor's suit under section 2333.01 of the Revised Code.	1492
	1493
(d) The attachment of the property of the judgment debtor under Chapter 2715. of the Revised Code;	1494
	1495
(e) The garnishment of the property of the judgment debtor under Chapter 2716. of the Revised Code.	1496
	1497
(3) Obtain an order for the assignment of wages of the judgment debtor under section 1321.33 of the Revised Code.	1498
	1499
(E) A court that imposes a financial sanction upon an offender may hold a hearing if necessary to determine whether the offender is able to pay the sanction or is likely in the future to be able to pay it.	1500
	1501
	1502
	1503
(F) Each court imposing a financial sanction upon an offender under this section or under section 2929.32 of the Revised Code may designate the clerk of the court or another person to collect the financial sanction. The clerk or other person authorized by law or the court to collect the financial sanction may enter into contracts with one or more public agencies or private vendors for the collection of, amounts due under the financial sanction imposed pursuant to this section or section 2929.32 of the Revised Code. Before entering into a contract for the collection of amounts due from an offender pursuant to any financial sanction imposed pursuant to this section or section 2929.32 of the Revised Code, a court shall comply with sections 307.86 to 307.92 of the Revised Code.	1504
	1505
	1506
	1507
	1508
	1509
	1510
	1511
	1512
	1513
	1514
	1515
	1516

(G) If a court that imposes a financial sanction under 1517
division (A) or (B) of this section finds that an offender 1518
satisfactorily has completed all other sanctions imposed upon 1519
the offender and that all restitution that has been ordered has 1520
been paid as ordered, the court may suspend any financial 1521
sanctions imposed pursuant to this section or section 2929.32 of 1522
the Revised Code that have not been paid. 1523

(H) No financial sanction imposed under this section or 1524
section 2929.32 of the Revised Code shall preclude a victim from 1525
bringing a civil action against the offender. 1526

Sec. 2931.18. (A) A humane society or its agent may employ 1527
an attorney, and may also employ one or more assistant attorneys 1528
to prosecute violations of law relating to: 1529

~~(A)~~ Prevention ~~(1)~~ Except as provided in division (B) of 1530
this section, prevention of cruelty to animals or children; 1531

~~(B)~~ (2) Abandonment, nonsupport, or ill-treatment of a 1532
child by its parent; 1533

~~(C)~~ (3) Employment of a child under fourteen years of age 1534
in public exhibitions or vocations injurious to health, life, or 1535
morals or which cause or permit such child to suffer unnecessary 1536
physical or mental pain; 1537

~~(D)~~ (4) Neglect or refusal of an adult to support 1538
destitute parent. 1539

Such attorneys shall be paid out of the county treasury in 1540
an amount approved as just and reasonable by the board of county 1541
commissioners of that county. 1542

(B) A humane society or its agent shall not employ an 1543
attorney or one or more assistant attorneys to prosecute a 1544

felony violation of section 959.131 of the Revised Code. 1545

Sec. 4741.05. The attorney general, state veterinary 1546
medical licensing board, state board of pharmacy, and Ohio 1547
veterinary medical association shall collaborate in the 1548
development of resources and educational materials to enhance 1549
the ability of veterinarians to identify current or potential 1550
clients who may abuse opioids and may use animals in their care 1551
to improperly secure them. 1552

Section 2. That existing sections 959.131, 959.132, 1553
959.99, 2921.321, 2929.13, 2929.18, and 2931.18 of the Revised 1554
Code are hereby repealed. 1555

Section 3. This act shall be known as Dick Goddard's Law. 1556