

**As Reported by the House Agriculture and Rural Development Committee**

**133rd General Assembly**

**Regular Session**

**2019-2020**

**Sub. H. B. No. 24**

**Representative Hambley**

**Cosponsors: Representatives Butler, Wiggam, Perales, O'Brien, Lipps, Kick,  
Koehler, Smith, T., Manning, D.**

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**A BILL**

To amend sections 109.73, 935.19, 935.20, 955.16, 1  
959.131, 959.132, 959.99, 1717.01, 1717.02, 2  
1717.05, 1717.06, 1717.07, 1717.08, 1717.09, 3  
1717.10, 2151.421, 2921.02, 2931.18, 5101.63, 4  
and 5147.22, to enact sections 1717.061, 5  
1717.062, 1717.16, 1717.17, and 1717.18, and to 6  
repeal sections 1717.03, 1717.04, 1717.14, and 7  
3113.10 of the Revised Code to make changes to 8  
humane society law, to make humane society 9  
agents subject to bribery law, and to establish 10  
procedures for the seizure and impoundment of 11  
certain animals and livestock. 12

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

**Section 1.** That sections 109.73, 935.19, 935.20, 955.16, 13  
959.131, 959.132, 959.99, 1717.01, 1717.02, 1717.05, 1717.06, 14  
1717.07, 1717.08, 1717.09, 1717.10, 2151.421, 2921.02, 2931.18, 15  
5101.63, and 5147.22 be amended and sections 1717.061, 1717.062, 16  
1717.16, 1717.17, and 1717.18 of the Revised Code be enacted to 17  
read as follows: 18

**Sec. 109.73.** (A) The Ohio peace officer training 19  
commission shall recommend rules to the attorney general with 20  
respect to all of the following: 21

(1) The approval, or revocation of approval, of peace 22  
officer training schools administered by the state, counties, 23  
municipal corporations, public school districts, technical 24  
college districts, and the department of natural resources; 25

(2) Minimum courses of study, attendance requirements, and 26  
equipment and facilities to be required at approved state, 27  
county, municipal, and department of natural resources peace 28  
officer training schools; 29

(3) Minimum qualifications for instructors at approved 30  
state, county, municipal, and department of natural resources 31  
peace officer training schools; 32

(4) The requirements of minimum basic training that peace 33  
officers appointed to probationary terms shall complete before 34  
being eligible for permanent appointment, which requirements 35  
shall include training in the handling of the offense of 36  
domestic violence, other types of domestic violence-related 37  
offenses and incidents, and protection orders and consent 38  
agreements issued or approved under section 2919.26 or 3113.31 39  
of the Revised Code; crisis intervention training; and training 40  
in the handling of missing children and child abuse and neglect 41  
cases; and training in handling violations of section 2905.32 of 42  
the Revised Code; and the time within which such basic training 43  
shall be completed following appointment to a probationary term; 44

(5) The requirements of minimum basic training that peace 45  
officers not appointed for probationary terms but appointed on 46  
other than a permanent basis shall complete in order to be 47

eligible for continued employment or permanent appointment, 48  
which requirements shall include training in the handling of the 49  
offense of domestic violence, other types of domestic violence- 50  
related offenses and incidents, and protection orders and 51  
consent agreements issued or approved under section 2919.26 or 52  
3113.31 of the Revised Code, crisis intervention training, and 53  
training in the handling of missing children and child abuse and 54  
neglect cases, and training in handling violations of section 55  
2905.32 of the Revised Code, and the time within which such 56  
basic training shall be completed following appointment on other 57  
than a permanent basis; 58

(6) Categories or classifications of advanced in-service 59  
training programs for peace officers, including programs in the 60  
handling of the offense of domestic violence, other types of 61  
domestic violence-related offenses and incidents, and protection 62  
orders and consent agreements issued or approved under section 63  
2919.26 or 3113.31 of the Revised Code, in crisis intervention, 64  
and in the handling of missing children and child abuse and 65  
neglect cases, and in handling violations of section 2905.32 of 66  
the Revised Code, and minimum courses of study and attendance 67  
requirements with respect to such categories or classifications; 68

(7) Permitting persons, who are employed as members of a 69  
campus police department appointed under section 1713.50 of the 70  
Revised Code; who are employed as police officers by a qualified 71  
nonprofit corporation police department pursuant to section 72  
1702.80 of the Revised Code; who are appointed and commissioned 73  
as bank, savings and loan association, savings bank, credit 74  
union, or association of banks, savings and loan associations, 75  
savings banks, or credit unions police officers, as railroad 76  
police officers, or as hospital police officers pursuant to 77  
sections 4973.17 to 4973.22 of the Revised Code; or who are 78

appointed and commissioned as amusement park police officers 79  
pursuant to section 4973.17 of the Revised Code, to attend 80  
approved peace officer training schools, including the Ohio 81  
peace officer training academy, and to receive certificates of 82  
satisfactory completion of basic training programs, if the 83  
private college or university that established the campus police 84  
department; qualified nonprofit corporation police department; 85  
bank, savings and loan association, savings bank, credit union, 86  
or association of banks, savings and loan associations, savings 87  
banks, or credit unions; railroad company; hospital; or 88  
amusement park sponsoring the police officers pays the entire 89  
cost of the training and certification and if trainee vacancies 90  
are available; 91

(8) Permitting undercover drug agents to attend approved 92  
peace officer training schools, other than the Ohio peace 93  
officer training academy, and to receive certificates of 94  
satisfactory completion of basic training programs, if, for each 95  
undercover drug agent, the county, township, or municipal 96  
corporation that employs that undercover drug agent pays the 97  
entire cost of the training and certification; 98

(9) (a) The requirements for basic training programs for 99  
bailiffs and deputy bailiffs of courts of record of this state 100  
and for criminal investigators employed by the state public 101  
defender that those persons shall complete before they may carry 102  
a firearm while on duty; 103

(b) The requirements for any training received by a 104  
bailiff or deputy bailiff of a court of record of this state or 105  
by a criminal investigator employed by the state public defender 106  
prior to June 6, 1986, that is to be considered equivalent to 107  
the training described in division (A) (9) (a) of this section. 108

(10) Establishing minimum qualifications and requirements	109
for certification for dogs utilized by law enforcement agencies;	110
(11) Establishing minimum requirements for certification	111
of persons who are employed as correction officers in a full-	112
service jail, five-day facility, or eight-hour holding facility	113
or who provide correction services in such a jail or facility;	114
(12) Establishing requirements for the training of <u>humane</u>	115
<u>society</u> agents <del>of a county humane society</del> under section <del>1717.06</del>	116
<u>1717.061</u> of the Revised Code, including, without limitation, a	117
requirement that the agents receive instruction on traditional	118
animal husbandry methods and training techniques, including	119
customary owner-performed practices;	120
(13) Permitting tactical medical professionals to attend	121
approved peace officer training schools, including the Ohio	122
peace officer training academy, to receive training of the type	123
described in division (A) (14) of this section and to receive	124
certificates of satisfactory completion of training programs	125
described in that division;	126
(14) The requirements for training programs that tactical	127
medical professionals shall complete to qualify them to carry	128
firearms while on duty under section 109.771 of the Revised	129
Code, which requirements shall include at least the firearms	130
training specified in division (A) of section 109.748 of the	131
Revised Code.	132
(B) The commission shall appoint an executive director,	133
with the approval of the attorney general, who shall hold office	134
during the pleasure of the commission. The executive director	135
shall perform such duties assigned by the commission. The	136
executive director shall receive a salary fixed pursuant to	137

Chapter 124. of the Revised Code and reimbursement for expenses	138
within the amounts available by appropriation. The executive	139
director may appoint officers, employees, agents, and	140
consultants as the executive director considers necessary,	141
prescribe their duties, and provide for reimbursement of their	142
expenses within the amounts available for reimbursement by	143
appropriation and with the approval of the commission.	144
(C) The commission may do all of the following:	145
(1) Recommend studies, surveys, and reports to be made by	146
the executive director regarding the carrying out of the	147
objectives and purposes of sections 109.71 to 109.77 of the	148
Revised Code;	149
(2) Visit and inspect any peace officer training school	150
that has been approved by the executive director or for which	151
application for approval has been made;	152
(3) Make recommendations, from time to time, to the	153
executive director, the attorney general, and the general	154
assembly regarding the carrying out of the purposes of sections	155
109.71 to 109.77 of the Revised Code;	156
(4) Report to the attorney general from time to time, and	157
to the governor and the general assembly at least annually,	158
concerning the activities of the commission;	159
(5) Establish fees for the services the commission offers	160
under sections 109.71 to 109.79 of the Revised Code, including,	161
but not limited to, fees for training, certification, and	162
testing;	163
(6) Perform such other acts as are necessary or	164
appropriate to carry out the powers and duties of the commission	165
as set forth in sections 109.71 to 109.77 of the Revised Code.	166

(D) In establishing the requirements, under division (A) 167  
(12) of this section, the commission may consider any portions 168  
of the curriculum for instruction on the topic of animal 169  
husbandry practices, if any, of the Ohio state university 170  
college of veterinary medicine. No person or entity that fails 171  
to provide instruction on traditional animal husbandry methods 172  
and training techniques, including customary owner-performed 173  
practices, shall qualify to train a humane society agent for 174  
appointment under section 1717.06 of the Revised Code. 175

**Sec. 935.19.** (A) (1) The director of agriculture or the 176  
director's designee may enter at all reasonable times any 177  
premises at which a dangerous wild animal or restricted snake is 178  
confined, with the consent of the owner of the premises, for the 179  
purpose of determining compliance with this chapter and rules. 180

(2) If the director or the director's designee is denied 181  
access to any such premises, and if the director reasonably 182  
suspects that the person who possesses the dangerous wild animal 183  
or restricted snake is not in compliance with this chapter or 184  
rules, the director may apply to a court of competent 185  
jurisdiction in the county in which the premises is located for 186  
a search warrant authorizing access to the premises for the 187  
purposes of this section. 188

(3) The court shall issue the search warrant for the 189  
purposes requested if there is probable cause to believe that 190  
the person is not in compliance with this chapter or rules. The 191  
finding of probable cause may be based on hearsay, provided that 192  
there is a substantial basis for believing that the source of 193  
the hearsay is credible and that there is a factual basis for 194  
the information furnished. 195

(B) The director may designate any of the following to 196

conduct inspections under this section:	197
(1) Employees of the department of agriculture;	198
(2) Natural resources law enforcement officers with the consent of the director of natural resources;	199 200
(3) Employees of the department of health with the consent of the director of health;	201 202
(4) Employees of a board of health with the consent of the board;	203 204
(5) <del>Agents of a humane</del> <u>Humane society agents</u> appointed under section 1717.06 of the Revised Code with the consent of the humane society.	205 206 207
(C) If a person designated under division (B) of this section determines, while conducting an inspection, that a violation of this chapter or rules has occurred, is occurring, or may occur, the person shall immediately notify the director of agriculture. The director may proceed as provided in section 935.24 of the Revised Code.	208 209 210 211 212 213
<b>Sec. 935.20.</b> (A) On and after January 1, 2014, the director of agriculture immediately shall cause an investigation to be conducted if the director has reason to believe that one of the following may be occurring:	214 215 216 217
(1) A dangerous wild animal is possessed by a person who has not been issued a wildlife shelter permit, wildlife propagation permit, or rescue facility permit under this chapter.	218 219 220 221
(2) A restricted snake is possessed by a person that has not been issued a restricted snake possession permit or restricted snake propagation permit under this chapter.	222 223 224



(3) A dangerous wild animal or restricted snake is being 225  
treated or kept in a manner that is in violation of this chapter 226  
or rules. 227

For purposes of the investigation, the director or the 228  
director's designee may order the animal or snake that is the 229  
subject of the notification to be quarantined or may order the 230  
transfer of the animal or snake to a facility that is on the 231  
list maintained by the director under this section. If the 232  
director's designee orders the animal or snake to be quarantined 233  
or transferred, the designee shall provide a copy of the order 234  
to the director. 235

(B) The director shall attempt to notify the person owning 236  
or possessing an animal or snake that has been ordered to be 237  
quarantined or transferred under division (A) of this section. 238  
The notice shall be delivered in person or by certified mail. 239  
The director also may post a copy of a quarantine order at two 240  
conspicuous locations on the premises where the animal or snake 241  
is quarantined. The director shall maintain a copy of an order 242  
issued under this section and evidence that the director 243  
attempted to notify the person owning or possessing the animal 244  
or snake. 245

(C) A quarantine or transfer order issued under this 246  
section shall contain all of the following: 247

(1) The name and address of the person owning or 248  
possessing the animal or snake, if known; 249

(2) A description of the quarantined or transferred animal 250  
or snake; 251

(3) A description of the premises affected by the 252  
quarantine or transfer; 253

(4) The reason for the quarantine or transfer;	254
(5) Any terms and conditions of the quarantine or transfer;	255 256
(6) A notice that a person adversely affected by the order may request a hearing to review the order.	257 258
(D) A person that is adversely affected by a quarantine or transfer order pertaining to a dangerous wild animal or restricted snake owned or possessed by the person, within thirty days after the order is issued, may request in writing an adjudication in accordance with Chapter 119. of the Revised Code. A request for an adjudication does not stay a quarantine or transfer order.	259 260 261 262 263 264 265
(E) The owner of or person possessing a dangerous wild animal or restricted snake that was quarantined or transferred under division (A) of this section shall be responsible for all reasonable costs associated with the quarantine or transfer, including the costs of transportation, housing, food, and veterinary care for the animal or snake. If such an owner or person is unable to pay for the reasonable costs, the director shall certify the costs to the county auditor to be assessed against any property of the owner or person and thereby made a lien upon it and collected as other taxes. All money from the collection of liens under this division shall be credited in accordance with division (J) of this section.	266 267 268 269 270 271 272 273 274 275 276 277
(F) If the state veterinarian determines that a dangerous wild animal or restricted snake that was quarantined or transferred under division (A) of this section is infected with or exposed to a dangerously contagious or infectious disease or is seriously injured, the state veterinarian shall so notify the	278 279 280 281 282

director. The director may order the animal or snake to be 283  
humanely euthanized by a veterinarian if the state veterinarian 284  
has indicated that euthanization is medically necessary. 285

(G) A quarantine or transfer order issued under this 286  
section shall remain in effect until one of the following 287  
occurs: 288

(1) The director, after reviewing the results of the 289  
investigation conducted under division (A) of this section, 290  
issues a written notice of release. 291

(2) A court of competent jurisdiction orders the 292  
quarantine or transfer order to be terminated in a proceeding 293  
conducted under division (H) of this section. 294

(3) A court of competent jurisdiction orders the seizure 295  
of the dangerous wild animal or restricted snake in a proceeding 296  
conducted under division (H) of this section. 297

(H) If, after reviewing the results of an investigation 298  
concerning a dangerous wild animal or restricted snake conducted 299  
under division (A) of this section and after resolution of any 300  
proceeding conducted under division (D) of this section, the 301  
director determines that a circumstance described in division 302  
(A) (1), (2), or (3) of this section is or was occurring, the 303  
director shall initiate, in a court of competent jurisdiction, a 304  
proceeding for the permanent seizure of the animal or snake, as 305  
applicable. If the court affirms the director's determination 306  
that a circumstance described in division (A) (1), (2), or (3) of 307  
this section is or was occurring, the court shall order the 308  
animal or snake seized and shall order the method of disposition 309  
of the animal or snake. The court may order the person owning or 310  
possessing the animal or snake to pay all reasonable costs 311

associated with the seizure and, if applicable, the costs 312  
associated with the quarantine or transfer of the animal or 313  
snake, including the costs of transportation, housing, food, and 314  
veterinary care of the animal or snake. If the court does not 315  
affirm the director's determination, the court shall order the 316  
quarantine or transfer order to be terminated and the animal or 317  
snake to be returned to the person owning or possessing it, if 318  
applicable. 319

(I) The director may authorize any of the following to 320  
conduct an investigation and order the quarantine or transfer of 321  
a dangerous wild animal or restricted snake under division (A) 322  
of this section: 323

(1) Employees of the department of agriculture; 324

(2) Natural resources law enforcement officers with the 325  
consent of the director of natural resources; 326

(3) Employees of the department of health with the consent 327  
of the director of health; 328

(4) Employees of a board of health with the consent of the 329  
board; 330

(5) ~~Agents of a humane~~ Humane society agents appointed 331  
under section 1717.06 of the Revised Code with the consent of 332  
the humane society; 333

(6) Law enforcement officers with the consent of the 334  
sheriff of the county or the chief law enforcement officer of 335  
the township or municipal corporation, as applicable, by whom 336  
the law enforcement officers are employed; 337

(7) Law enforcement officers who are state highway patrol 338  
troopers with the consent of the superintendent of the state 339

highway patrol. 340

(J) Money collected for reimbursement of costs associated 341  
with the quarantine or transfer of dangerous wild animals and 342  
restricted snakes under this section shall be credited to one of 343  
the following funds, as applicable: 344

(1) If the animal or snake was quarantined or transferred 345  
by an employee of the department of agriculture or the 346  
department of health, a natural resources law enforcement 347  
officer, or a law enforcement officer who is a state highway 348  
patrol trooper, the dangerous and restricted animal fund created 349  
in section 935.25 of the Revised Code; 350

(2) If the animal or snake was quarantined or transferred 351  
by an employee of a board of health, a special fund, which is 352  
hereby created in each health district, that shall be used 353  
exclusively for the administration and enforcement of this 354  
chapter and rules; 355

(3) If the animal or snake was quarantined or transferred 356  
by ~~an agent of a humane society~~ agent, a special fund, which is 357  
hereby created in each county that has a humane society, that 358  
shall be used exclusively for the administration and enforcement 359  
of this chapter and rules; 360

(4) If the animal or snake was quarantined or transferred 361  
by a law enforcement officer who is not a state highway patrol 362  
trooper, the special fund that is created in the political 363  
subdivision that employs the law enforcement officer in division 364  
(D) of section 935.16 of the Revised Code. 365

(K) The director shall maintain a list of facilities 366  
inside and outside the state that the director determines are 367  
eligible to accept dangerous wild animals and restricted snakes 368

for the purposes of this section. 369

**Sec. 955.16.** (A) Dogs that have been seized by the county 370  
dog warden and impounded shall be kept, housed, and fed for 371  
three days for the purpose of redemption, as provided by section 372  
955.18 of the Revised Code, unless any of the following applies: 373

(1) Immediate humane destruction of the dog is necessary 374  
because of obvious disease or injury. If the diseased or injured 375  
dog is registered, as determined from the current year's 376  
registration list maintained by the warden and the county 377  
auditor of the county where the dog is registered, the necessity 378  
of destroying the dog shall be certified by a licensed 379  
veterinarian or a registered veterinary technician. If the dog 380  
is not registered, the decision to destroy it shall be made by 381  
the warden. 382

(2) The dog is currently registered on the registration 383  
list maintained by the warden and the auditor of the county 384  
where the dog is registered and the attempts to notify the 385  
owner, keeper, or harborer under section 955.12 of the Revised 386  
Code have failed, in which case the dog shall be kept, housed, 387  
and fed for fourteen days for the purpose of redemption. 388

(3) The warden has contacted the owner, keeper, or 389  
harborer under section 955.12 of the Revised Code, and the 390  
owner, keeper, or harborer has requested that the dog remain in 391  
the pound or animal shelter until the owner, harborer, or keeper 392  
redeems the dog. The time for such redemption shall be not more 393  
than forty-eight hours following the end of the appropriate 394  
redemption period. 395

At any time after such periods of redemption, any dog not 396  
redeemed shall be donated to any nonprofit special agency that 397

is engaged in the training of any type of assistance dogs and 398  
that requests that the dog be donated to it. Any dog not 399  
redeemed that is not requested by such an agency may be sold, 400  
except that no dog sold to a person other than a nonprofit 401  
teaching or research institution or organization of the type 402  
described in division (B) of this section shall be discharged 403  
from the pound or animal shelter until the animal has been 404  
registered and furnished with a valid registration tag. 405

(B) Any dog that is not redeemed within the applicable 406  
period as specified in this section or section 955.12 of the 407  
Revised Code from the time notice is mailed to its owner, 408  
keeper, or harborer or is posted at the pound or animal shelter, 409  
as required by section 955.12 of the Revised Code, and that is 410  
not required to be donated to a nonprofit special agency engaged 411  
in the training of any type of assistance dogs may, upon payment 412  
to the dog warden or poundkeeper of the sum of three dollars, be 413  
sold to any nonprofit Ohio institution or organization that is 414  
certified by the director of health as being engaged in teaching 415  
or research concerning the prevention and treatment of diseases 416  
of human beings or animals. Any dog that is donated to a 417  
nonprofit special agency engaged in the training of any type of 418  
assistance dogs in accordance with division (A) of this section 419  
and any dog that is sold to any nonprofit teaching or research 420  
institution or organization shall be discharged from the pound 421  
or animal shelter without registration and may be kept by the 422  
agency or by the institution or organization without 423  
registration so long as the dog is being trained, or is being 424  
used for teaching and research purposes. 425

Any institution or organization certified by the director 426  
that obtains dogs for teaching and research purposes pursuant to 427  
this section shall, at all reasonable times, make the dogs 428

available for inspection by ~~agents of the Ohio humane society,~~ 429  
~~appointed pursuant to section 1717.04 of the Revised Code, and~~ 430  
~~agents of county humane societies~~society agents, appointed 431  
pursuant to section 1717.06 of the Revised Code, in order that 432  
the agents may prevent the perpetration of any act of cruelty, 433  
as defined in section 1717.01 of the Revised Code, to the dogs. 434

(C) Any dog that the dog warden or poundkeeper is unable 435  
to dispose of, in the manner provided by this section and 436  
section 955.18 of the Revised Code, may be humanely destroyed, 437  
except that no dog shall be destroyed until twenty-four hours 438  
after it has been offered to a nonprofit teaching or research 439  
institution or organization, as provided in this section, that 440  
has made a request for dogs to the dog warden or poundkeeper. 441

(D) An owner of a dog that is wearing a valid registration 442  
tag who presents the dog to the dog warden or poundkeeper may 443  
specify in writing that the dog shall not be offered to a 444  
nonprofit teaching or research institution or organization, as 445  
provided in this section. 446

(E) A record of all dogs impounded, the disposition of the 447  
same, the owner's name and address, if known, and a statement of 448  
costs assessed against the dogs shall be kept by the 449  
poundkeeper, and the poundkeeper shall furnish a transcript 450  
thereof to the county treasurer quarterly. 451

A record of all dogs received and the source that supplied 452  
them shall be kept, for a period of three years from the date of 453  
acquiring the dogs, by all institutions or organizations engaged 454  
in teaching or research concerning the prevention and treatment 455  
of diseases of human beings or animals. 456

(F) No person shall destroy any dog by the use of a high 457



altitude decompression chamber or by any method other than a 458  
method that immediately and painlessly renders the dog initially 459  
unconscious and subsequently dead. 460

**Sec. 959.131.** (A) As used in this section: 461

(1) "Companion animal" means any animal that is kept 462  
inside a residential dwelling and any dog or cat regardless of 463  
where it is kept, including a pet store as defined in section 464  
956.01 of the Revised Code. "Companion animal" does not include 465  
livestock or any wild animal. 466

(2) "Cruelty," "torment," and "torture" have the same 467  
meanings as in section 1717.01 of the Revised Code. 468

(3) "Residential dwelling" means a structure or shelter or 469  
the portion of a structure or shelter that is used by one or 470  
more humans for the purpose of a habitation. 471

(4) "Practice of veterinary medicine" has the same meaning 472  
as in section 4741.01 of the Revised Code. 473

(5) "Wild animal" has the same meaning as in section 474  
1531.01 of the Revised Code. 475

(6) "Federal animal welfare act" means the "Laboratory 476  
Animal Act of 1966," Pub. L. No. 89-544, 80 Stat. 350 (1966), 7 477  
U.S.C.A. 2131 et seq., as amended by the "Animal Welfare Act of 478  
1970," Pub. L. No. 91-579, 84 Stat. 1560 (1970), the "Animal 479  
Welfare Act Amendments of 1976," Pub. L. No. 94-279, 90 Stat. 480  
417 (1976), and the "Food Security Act of 1985," Pub. L. No. 99- 481  
198, 99 Stat. 1354 (1985), and as it may be subsequently 482  
amended. 483

(7) "Dog kennel" means an animal rescue for dogs that is 484  
registered under section 956.06 of the Revised Code, a boarding 485

kennel, or a training kennel.	486
(8) "Boarding kennel" has the same meaning as in section 956.01 of the Revised Code.	487 488
(9) "Training kennel" means an establishment operating for profit that keeps, houses, and maintains dogs for the purpose of training the dogs in return for a fee or other consideration.	489 490 491
(10) "Livestock" means horses, mules, and other equidae; cattle, sheep, goats, and other bovidae; swine and other suidae; poultry; alpacas; llamas; captive white-tailed deer; and any other animal that is raised or maintained domestically for food or fiber.	492 493 494 495 496
(11) "Captive white-tailed deer" has the same meaning as in section 1531.01 of the Revised Code.	497 498
(12) "Serious physical harm" means any of the following:	499
(a) Physical harm that carries an unnecessary or unjustifiable substantial risk of death;	500 501
(b) Physical harm that involves either partial or total permanent incapacity;	502 503
(c) Physical harm that involves acute pain of a duration that results in substantial suffering or that involves any degree of prolonged or intractable pain;	504 505 506
(d) Physical harm that results from a person who confines or who is the custodian or caretaker of a companion animal depriving the companion animal of good, wholesome food and water that proximately causes the death of the companion animal.	507 508 509 510
(B) No person shall knowingly torture, torment, needlessly mutilate or maim, cruelly beat, poison, needlessly kill, or	511 512

commit an act of cruelty against a companion animal.	513
(C) No person shall knowingly cause serious physical harm to a companion animal.	514 515
(D) No person who confines or who is the custodian or caretaker of a companion animal shall negligently do any of the following:	516 517 518
(1) Torture, torment, or commit an act of cruelty against the companion animal;	519 520
(2) Deprive the companion animal of necessary sustenance or confine the companion animal without supplying it during the confinement with sufficient quantities of good, wholesome food and water if it can reasonably be expected that the companion animal would become sick or suffer in any other way as a result of or due to the deprivation or confinement;	521 522 523 524 525 526
(3) Impound or confine the companion animal without affording it, during the impoundment or confinement, with access to shelter from heat, cold, wind, rain, snow, or excessive direct sunlight if it can reasonably be expected that the companion animal would become sick or suffer in any other way as a result of or due to the lack of adequate shelter.	527 528 529 530 531 532
(E) No owner, manager, or employee of a dog kennel who confines or is the custodian or caretaker of a companion animal shall knowingly do any of the following:	533 534 535
(1) Torture, torment, needlessly mutilate or maim, cruelly beat, poison, needlessly kill, or commit an act of cruelty against the companion animal;	536 537 538
(2) Deprive the companion animal of necessary sustenance or confine the companion animal without supplying it during the	539 540

confinement with sufficient quantities of good, wholesome food 541  
and water if it is reasonably expected that the companion animal 542  
would die or experience unnecessary or unjustifiable pain or 543  
suffering as a result of the deprivation or confinement; 544

(3) Impound or confine the companion animal without 545  
affording it, during the impoundment or confinement, with access 546  
to shelter from heat, cold, wind, rain, snow, or excessive 547  
direct sunlight if it is reasonably expected that the companion 548  
animal would die or experience unnecessary or unjustifiable pain 549  
or suffering as a result of or due to the lack of adequate 550  
shelter. 551

(F) No owner, manager, or employee of a dog kennel who 552  
confines or is the custodian or caretaker of a companion animal 553  
shall negligently do any of the following: 554

(1) Torture, torment, or commit an act of cruelty against 555  
the companion animal; 556

(2) Deprive the companion animal of necessary sustenance 557  
or confine the companion animal without supplying it during the 558  
confinement with sufficient quantities of good, wholesome food 559  
and water if it can reasonably be expected that the companion 560  
animal would become sick or suffer in any other way as a result 561  
of or due to the deprivation or confinement; 562

(3) Impound or confine the companion animal without 563  
affording it, during the impoundment or confinement, with access 564  
to shelter from heat, cold, wind, rain, snow, or excessive 565  
direct sunlight if it can reasonably be expected that the 566  
companion animal would become sick or suffer in any other way as 567  
a result of or due to the lack of adequate shelter. 568

(G) Divisions (B), (C), (D), (E), and (F) of this section 569

do not apply to any of the following:	570
(1) A companion animal used in scientific research	571
conducted by an institution in accordance with the federal	572
animal welfare act and related regulations;	573
(2) The lawful practice of veterinary medicine by a person	574
who has been issued a license, temporary permit, or registration	575
certificate to do so under Chapter 4741. of the Revised Code;	576
(3) Dogs being used or intended for use for hunting or	577
field trial purposes, provided that the dogs are being treated	578
in accordance with usual and commonly accepted practices for the	579
care of hunting dogs;	580
(4) The use of common training devices, if the companion	581
animal is being treated in accordance with usual and commonly	582
accepted practices for the training of animals;	583
(5) The administering of medicine to a companion animal	584
that was properly prescribed by a person who has been issued a	585
license, temporary permit, or registration certificate under	586
Chapter 4741. of the Revised Code.	587
(H) Notwithstanding any section of the Revised Code that	588
otherwise provides for the distribution of fine moneys, the	589
clerk of court shall forward all fines the clerk collects that	590
are so imposed for any violation of this section to the	591
treasurer of the political subdivision or the state, whose	592
county humane society or law enforcement agency is to be paid	593
the fine money as determined under this division. The treasurer	594
to whom the fines are forwarded shall pay the fine moneys to the	595
county humane society or the county, township, municipal	596
corporation, or state law enforcement agency in this state that	597
primarily was responsible for or involved in the investigation	598

and prosecution of the violation. If a county humane society 599  
receives any fine moneys under this division, the county humane 600  
society shall use the fine moneys either to provide the training 601  
that is required for humane society agents under section ~~1717.06~~ 602  
1717.061 of the Revised Code or to provide additional training 603  
for humane society agents. 604

**Sec. 959.132.** (A) As used in this section: 605

~~(1)~~ "Companion animal" has the same meaning as in section 606  
959.131 of the Revised Code. 607

~~(2)~~ "Impounding agency" means a county humane society 608  
organized under section 1717.05 of the Revised Code, an animal 609  
shelter, or a law enforcement agency that has impounded a 610  
companion animal in accordance with this section. 611

~~(3)~~ "Offense" means a violation of ~~section 959.131 Chapter~~ 612  
959. of the Revised Code or an attempt, in violation of section 613  
2923.02 of the Revised Code, to violate ~~section 959.131 Chapter~~ 614  
959. of the Revised Code. 615

~~(4)~~ "Officer" means any law enforcement officer, ~~agent of~~ 616  
~~a county humane society agent,~~ or other person appointed to act 617  
as an animal control officer for a municipal corporation or 618  
township in accordance with state law, an ordinance, or a 619  
resolution. 620

(B) An officer may seize and cause to be impounded at an 621  
impounding agency ~~a companion-an~~ animal that the officer has 622  
probable cause to believe is the subject of an offense. No 623  
officer or impounding agency shall impound ~~a companion-an~~ animal 624  
that is the subject of an offense in a shelter owned, operated, 625  
or controlled by a board of county commissioners pursuant to 626  
Chapter 955. of the Revised Code unless the board, by 627

resolution, authorizes the impoundment of such ~~a companion-an~~ 628  
animal in a shelter owned, operated, or controlled by that board 629  
and has executed, in the case when the officer is other than a 630  
dog warden or assistant dog warden, a contract specifying the 631  
terms and conditions of the impoundment. 632

(C) The officer shall give written notice of the seizure 633  
and impoundment to the owner, keeper, or harbinger of the 634  
~~companion-animal that not later than twenty-four hours after the~~ 635  
animal was seized and impounded. If the officer is unable to 636  
give the notice to the owner, keeper, or harbinger of the 637  
~~companion-animal~~, the officer shall post the notice on the door 638  
of the residence or in another conspicuous place on the premises 639  
at which the ~~companion-animal~~ was seized. The notice shall 640  
include a statement that a hearing will be held not later than 641  
ten days after the notice is provided or at the next available 642  
court date to determine whether the officer had probable cause 643  
to seize the ~~companion-animal~~ and, if applicable, to determine 644  
the amount of a bond or cash deposit that is needed to provide 645  
for the ~~companion-animal's~~ care and keeping for not less than 646  
thirty days beginning on the date on which the ~~companion-animal~~ 647  
was impounded. 648

(D) ~~A companion-An~~ animal that is seized under this 649  
section may be humanely destroyed immediately or at any time 650  
during impoundment if a licensed veterinarian determines it to 651  
be necessary because the ~~companion-animal~~ is suffering. 652

(E) (1) Not later than ten days after notice is provided or 653  
at the next available court date, the court shall hold a hearing 654  
to determine whether the officer impounding ~~a companion-an~~ 655  
animal had probable cause to seize the ~~companion-animal~~. If the 656  
court determines that probable cause exists, the court shall 657

determine the amount of a bond or cash deposit that is ~~needed~~ 658  
necessary and reasonable to provide for the ~~companion~~-animal's 659  
care and keeping for not less than thirty days beginning on the 660  
date on which the ~~companion~~-animal was impounded. 661

(2) If the court determines that probable cause does not 662  
exist, the court immediately shall order the impounding agency 663  
to return the ~~companion~~-animal to its owner if possible. If the 664  
~~companion~~-animal cannot be returned because it has died as a 665  
result of neglect or other misconduct by the impounding agency 666  
or if the ~~companion~~-animal is injured as a result of neglect or 667  
other misconduct by the impounding agency, the court shall order 668  
the impounding agency to pay the owner an amount determined by 669  
the court to be equal to the reasonable market value of the 670  
~~companion~~-animal at the time that it was impounded plus 671  
statutory interest as defined in section 1343.03 of the Revised 672  
Code from the date of the impoundment or an amount determined by 673  
the court to be equal to the reasonable cost of treatment of the 674  
injury to the ~~companion~~-animal, as applicable. The requirement 675  
established in division (E)(2) of this section regarding the 676  
payment of the reasonable market value of the ~~companion~~-animal 677  
shall not apply in the case of a dog that, in violation of 678  
section 955.01 of the Revised Code, was not registered at the 679  
time it was seized and impounded. 680

(3) If the court determines that probable cause exists and 681  
determines the amount of a bond or cash deposit, the case shall 682  
continue and the owner shall post a bond or cash deposit to 683  
provide for the ~~companion~~-animal's care and keeping for not less 684  
than thirty days beginning on the date on which the ~~companion~~- 685  
animal was impounded. The owner may renew a bond or cash deposit 686  
by posting, not later than ten days following the expiration of 687  
the period for which a previous bond or cash deposit was posted, 688



a new bond or cash deposit in an amount that the court, in 689  
consultation with the impounding agency, determines is 690  
~~sufficient~~ necessary and reasonable to provide for the ~~companion-~~ 691  
animal's care and keeping for not less than thirty days 692  
beginning on the date on which the previous period expired. If 693  
no bond or cash deposit is posted or if a bond or cash deposit 694  
expires and is not renewed, the impounding agency may determine 695  
the disposition of the ~~companion-~~ animal unless the court issues 696  
an order that specifies otherwise. 697

(F) If a person is convicted of committing an offense, the 698  
court may impose the following additional penalties against the 699  
person: 700

(1) A requirement that the person pay for the costs 701  
incurred by the impounding agency in caring for a ~~companion-an~~ 702  
animal involved in the applicable offense, provided that the 703  
costs were incurred during the ~~companion-~~ animal's impoundment. A 704  
bond or cash deposit posted under this section may be applied to 705  
the costs. 706

(2) An order permanently terminating the person's right to 707  
possession, title, custody, or care of the ~~companion-~~ animal that 708  
was involved in the offense. If the court issues such an order, 709  
the court shall order the disposition of the ~~companion-~~ animal. 710

(G) If a person is found not guilty of committing an 711  
offense, the court immediately shall order the impounding agency 712  
to return the ~~companion-~~ animal to its owner if possible and to 713  
return the entire amount of any bond or cash deposit posted 714  
under division (E) of this section. If the ~~companion-~~ animal 715  
cannot be returned because it has died as a result of neglect or 716  
other misconduct by the impounding agency or if the ~~companion-~~ 717  
animal is injured as a result of neglect or other misconduct by 718

the impounding agency, the court shall order the impounding 719  
agency to pay the owner an amount determined by the court to be 720  
equal to the reasonable market value of the ~~companion~~ animal at 721  
the time that it was impounded plus statutory interest as 722  
defined in section 1343.03 of the Revised Code from the date of 723  
the impoundment or an amount determined by the court to be equal 724  
to the reasonable cost of treatment of the injury to the 725  
~~companion~~ animal, as applicable. The requirements established in 726  
this division regarding the return of a bond or cash deposit and 727  
the payment of the reasonable market value of the ~~companion~~ 728  
animal shall not apply in the case of a dog that, in violation 729  
of section 955.01 of the Revised Code, was not registered at the 730  
time it was seized and impounded. 731

(H) If charges are filed under section 959.131 of the 732  
Revised Code against the custodian or caretaker of a companion 733  
animal, but the companion animal that is the subject of the 734  
charges is not impounded, the court in which the charges are 735  
pending may order the owner or person having custody of the 736  
companion animal to provide to the companion animal the 737  
necessities described in division (D) (2), (D) (3), (E) (2), (E) 738  
(3), (F) (2), or (F) (3) of section 959.131 of the Revised Code 739  
until the final disposition of the charges. If the court issues 740  
an order of that nature, the court also may authorize an officer 741  
or another person to visit the place where the companion animal 742  
is being kept, at the times and under the conditions that the 743  
court may set, to determine whether the companion animal is 744  
receiving those necessities and to remove and impound the 745  
companion animal if the companion animal is not receiving those 746  
necessities. 747

**Sec. 959.99.** (A) Whoever violates section 959.18 or 959.19 748  
of the Revised Code is guilty of a minor misdemeanor. 749

(B) Except as otherwise provided in this division, whoever 750  
violates section 959.02 of the Revised Code is guilty of a 751  
misdemeanor of the second degree. If the value of the animal 752  
killed or the injury done amounts to three hundred dollars or 753  
more, whoever violates section 959.02 of the Revised Code is 754  
guilty of a misdemeanor of the first degree. 755

(C) Whoever violates section 959.03, 959.06, 959.12, or 756  
959.17 or division (A) of section 959.15 of the Revised Code is 757  
guilty of a misdemeanor of the fourth degree. 758

(D) Whoever violates division (A) of section 959.13 or 759  
section 959.21 of the Revised Code is guilty of a misdemeanor of 760  
the second degree. In addition, the court may order the offender 761  
to forfeit the animal or livestock and may provide for its 762  
disposition, including, but not limited to, the sale of the 763  
animal or livestock. If an animal or livestock is forfeited and 764  
sold pursuant to this division, the proceeds from the sale first 765  
shall be applied to pay the expenses incurred with regard to the 766  
care of the animal from the time it was taken from the custody 767  
of the former owner. The balance of the proceeds from the sale, 768  
if any, shall be paid to the former owner of the animal. 769

(E) (1) Whoever violates division (B) of section 959.131 of 770  
the Revised Code is guilty of a misdemeanor of the first degree 771  
on a first offense and a felony of the fifth degree on each 772  
subsequent offense. 773

(2) Whoever violates division (C) of section 959.131 of 774  
the Revised Code is guilty of a felony of the fifth degree. 775

(3) Whoever violates section 959.01 of the Revised Code or 776  
division (D) of section 959.131 of the Revised Code is guilty of 777  
a misdemeanor of the second degree on a first offense and a 778

misdemeanor of the first degree on each subsequent offense.	779
(4) Whoever violates division (E) of section 959.131 of the Revised Code is guilty of a felony of the fifth degree.	780 781
(5) Whoever violates division (F) of section 959.131 of the Revised Code is guilty of a misdemeanor of the first degree.	782 783
(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.	784 785 786 787 788 789 790 791
(b) A court may order a person who is convicted of or pleads guilty to a violation of <u>division (A) of section 959.13</u> <u>or</u> section 959.131 of the Revised Code to reimburse an impounding agency for the <del>reasonably</del> <u>reasonable and necessary</u> costs incurred by the agency for the care of <del>a companion</del> <u>an</u> animal <u>or livestock</u> that the agency impounded as a result of the investigation or prosecution of the violation, provided that the costs were not otherwise paid under section 959.132 of the Revised Code.	792 793 794 795 796 797 798 799 800
(7) If a court has reason to believe that a person who is convicted of or pleads guilty to a violation of section 959.131 or 959.21 of the Revised Code suffers from a mental or emotional disorder that contributed to the violation, the court may impose as a community control sanction or as a condition of probation a requirement that the offender undergo psychological evaluation or counseling. The court shall order the offender to pay the	801 802 803 804 805 806 807

costs of the evaluation or counseling. 808

(F) Whoever violates section 959.14 of the Revised Code is 809  
guilty of a misdemeanor of the second degree on a first offense 810  
and a misdemeanor of the first degree on each subsequent 811  
offense. 812

(G) Whoever violates section 959.05 or 959.20 of the 813  
Revised Code is guilty of a misdemeanor of the first degree. 814

(H) Whoever violates section 959.16 of the Revised Code is 815  
guilty of a felony of the fourth degree for a first offense and 816  
a felony of the third degree on each subsequent offense. 817

(I) Whoever violates division (B) or (C) of section 959.15 818  
of the Revised Code is guilty of a felony and shall be fined not 819  
more than ten thousand dollars. 820

**Sec. 1717.01.** As used in sections 1717.01 to ~~1717.14,~~ 821  
~~inclusive,~~ 1717.18 of the Revised Code, and in every law 822  
relating to animals: 823

(A) "Animal" includes every living dumb creature; 824

(B) "Cruelty," "torment," and "torture" include every act, 825  
omission, or neglect by which unnecessary or unjustifiable pain 826  
or suffering is caused, permitted, or allowed to continue, when 827  
there is a reasonable remedy or relief; 828

(C) "Owner" and "person" include corporations. For the 829  
purpose of this section the knowledge and acts of the agents and 830  
employees of a corporation, in regard to animals transported, 831  
owned, or employed by, or in the custody of, such agents and 832  
employees, are the knowledge and acts of the corporation. 833

**Sec. 1717.02.** The objects of ~~the Ohio humane society, and~~ 834  
all societies organized under section 1717.05 of the Revised 835

Code, shall be the inculcation of humane principles and the 836  
enforcement of laws for the prevention of cruelty, especially to 837  
~~children and~~ animals. To promote those objects such societies 838  
may acquire property, real or personal, by purchase or gift. All 839  
property acquired by such a society, by gift, devise, or 840  
bequest, for special purposes, shall be vested in its board of 841  
trustees, which shall consist of three members elected by the 842  
society. The board shall manage such property and apply it in 843  
accordance with the terms of the gift, devise, or bequest, and 844  
may sell it and reinvest the proceeds. 845

**Sec. 1717.05.** (A) A county humane society for the 846  
prevention of acts of cruelty to animals may be organized in any 847  
county by the association of not less than seven persons. 848

(B) The members of ~~such a county humane society~~, at a 849  
meeting called for the purpose, shall elect not less than three 850  
of their members as its board of directors, and such directors 851  
~~shall~~ continue in office until their successors are duly chosen. 852

(C) The secretary or clerk of ~~such the~~ meeting shall make 853  
a true record of the proceedings thereat and certify and forward 854  
~~such the~~ record to the secretary of state, who shall record it. 855  
~~Such The~~ record ~~shall must~~ contain the name by which the 856  
association is to be known, ~~and from~~. On and after its filing 857  
with the secretary of state, the board of directors and the 858  
associates, and their successors, ~~shall~~ have the powers, 859  
privileges, and immunities incident to incorporated companies. A 860  
copy of ~~such the~~ record, certified by the secretary of state, 861  
~~shall must~~ be taken in all courts and places in this state as 862  
evidence that ~~such the county humane society~~ is a duly organized 863  
and incorporated body. 864

~~Such~~ (D) A county humane society may elect ~~such~~ officers, 865

and make ~~such~~ rules, regulations, and bylaws, as are deemed 866  
expedient by its members for its own government and the proper 867  
management of its affairs. 868

(E) A humane society that organized as a branch of the 869  
Ohio humane society prior to the effective date of this 870  
amendment shall continue to have the same powers and duties that 871  
were authorized on March 1, 2019. Such a humane society is 872  
considered to be a county humane society organized under this 873  
section for purposes of this chapter and any other laws 874  
regarding county humane societies. 875

**Sec. 1717.06.** (A) A county humane society organized under 876  
section 1717.05 of the Revised Code may appoint humane society 877  
agents for the purpose of prosecuting any person guilty of an 878  
act of cruelty to ~~persons or~~ animals. Such agents may arrest any 879  
person found violating this chapter or any other law for 880  
protecting ~~persons or~~ animals or preventing acts of cruelty 881  
thereto. Upon making an arrest, the humane society agent 882  
~~forthwith~~ shall convey the person arrested before ~~some~~ a court 883  
or magistrate having jurisdiction of the offense, and there make 884  
complaint against the person on oath or affirmation of the 885  
offense. 886

~~All appointments of agents~~ (B) A humane society agent that 887  
was appointed prior to the effective date of this amendment by a 888  
branch of the Ohio humane society is considered to be a humane 889  
society agent appointed under this section for purposes of this 890  
chapter and any other laws regarding humane society agents. 891

(C) (1) The appointment of an agent under this section is 892  
subject to the requirements of section 1717.061 of the Revised 893  
Code, and is not final until the appointment has been approved 894  
under division (C) (2) of this section. 895

(2) The appointment of an agent under this section shall 896  
be does not take effect unless it has been approved by the mayor 897  
of the municipal corporation for which they are it is made. If 898  
the society exists operates outside a municipal corporation, 899  
such appointments shall be the appointment does not take effect 900  
until it has been approved by the probate judge of the county 901  
for which they are it is made. The mayor or probate judge shall 902  
keep a record of such the appointments and shall maintain as a 903  
public record a copy of the proof of successful completion of 904  
training for each humane society agent acting within the 905  
approving authority's jurisdiction. 906

~~In order to qualify for appointment as a humane agent~~ 907  
~~under this section, a person first shall successfully complete a~~ 908  
~~minimum of twenty hours of training on issues relating to the~~ 909  
~~investigation and prosecution of cruelty to and neglect of~~ 910  
~~animals. The training shall comply with rules recommended by the~~ 911  
~~peace officer training commission under section 109.73 of the~~ 912  
~~Revised Code and shall include, without limitation, instruction~~ 913  
~~regarding animal husbandry practices as described in division~~ 914  
~~(A) (12) of that section. A person who has been appointed as a~~ 915  
~~humane agent under this section prior to April 9, 2003, may~~ 916  
~~continue to act as a humane agent for a period of time on and~~ 917  
~~after April 9, 2003, without completing the training. However,~~ 918  
~~on or before December 31, 2004, a person who has been appointed~~ 919  
~~as a humane agent under this section prior to April 9, 2003,~~ 920  
~~shall successfully complete the training described in this~~ 921  
~~paragraph and submit proof of its successful completion to the~~ 922  
~~appropriate appointing mayor or probate judge in order to~~ 923  
~~continue to act as a humane agent after December 31, 2004.~~ 924

(D) The approving authority shall notify the appropriate 925  
county sheriff and the board of county commissioners when the 926



appointment of a humane society agent has been approved and, not 927  
later than two business days after the appointment has been 928  
approved, shall file a copy of the proof of successful 929  
completion of training with the sheriff. The county sheriff 930  
shall maintain as a public record a copy of the proof for each 931  
humane society agent that is operating in the county. 932

(E) A humane society shall notify the county sheriff and 933  
the approving authority when all approved humane society agents 934  
have ceased to perform the duties of the appointment and there 935  
are no humane society agents operating in the county. 936

~~An agent of a county~~ (F) A humane society agent only has 937  
the specific authority granted to the agent under this section 938  
and section 1717.08 of the Revised Code. 939

**Sec. 1717.061.** In order to qualify for appointment as a 940  
humane society agent under section 1717.06 of the Revised Code, 941  
an individual shall do both of the following: 942

(A) Successfully complete a minimum of twenty hours of 943  
training on issues relating to the investigation and prosecution 944  
of cruelty to and neglect of animals. The training shall comply 945  
with rules recommended by the peace officer training commission 946  
under section 109.73 of the Revised Code and shall include, 947  
without limitation, instruction regarding animal husbandry 948  
practices as described in division (A)(12) of that section. 949

(B) Present proof of successful completion of training, 950  
that has been signed by the chief executive officer of the 951  
organization or entity that provided the training, or the 952  
officer's designee, to the current active approving authority 953  
for approval. 954

**Sec. 1717.062.** (A) An individual who has reasonable cause 955

to believe that a humane society agent has not successfully 956  
completed the training that is required under section 1717.061 957  
of the Revised Code or who has reasonable cause to believe that 958  
an agent's proof of successful completion of training contains 959  
false or misleading information may file a complaint, in the 960  
form of a affidavit sworn to by the individual, with the current 961  
acting authority that is responsible for considering approval of 962  
agent appointments within the jurisdiction. The authority shall 963  
notify the agent's humane society, and shall investigate the 964  
complaint. 965

(B) If the authority finds that the agent has not provided 966  
signed proof of successful completion of training as required 967  
under section 1717.061 of the Revised Code, the authority shall 968  
provide written notification to the agent's humane society to 969  
inform the society that the agent has a right to cure period of 970  
thirty days from the date of the notification. If the agent has 971  
not provided signed proof by the end of the right to cure 972  
period, the authority shall rescind the approval of the 973  
appointment and order the applicable humane society to revoke 974  
the appointment. 975

(C) If the authority finds that the agent knowingly 976  
provided proof of successful completion of training that 977  
contains false or misleading information, the authority shall 978  
rescind the approval of the appointment and order the applicable 979  
humane society to revoke the appointment. 980

(D) The applicable humane society shall file written 981  
notice with the county sheriff of the revocation under this 982  
section of a humane society agent's appointment. 983

**Sec. 1717.07.** Upon the approval by the mayor of a 984  
municipal corporation of the appointment of an agent under 985

section 1717.06 of the Revised Code, the legislative authority 986  
of such municipal corporation shall pay monthly to such agent, 987  
from the general revenue fund of the municipal corporation, ~~such~~ 988  
the salary as that the legislative authority deems considers 989  
just and reasonable. Upon the approval by the probate judge of a 990  
county of such an appointment, the board of county commissioners 991  
of ~~such the~~ county shall pay monthly to ~~such the~~ agent, from the 992  
general ~~revenue~~ fund of the county, ~~such or from the dog and~~ 993  
kennel fund of the county, the salary as that the board deems 994  
considers just and reasonable. Such board and such legislative 995  
authority may agree upon the amount each is to pay ~~such the~~ 996  
agent monthly. The salary to be paid monthly to ~~such the~~ agent 997  
by the legislative authority of a village shall be not less than 998  
~~five twenty-five~~ dollars; by the legislative authority of a 999  
city, not less than ~~twenty one hundred twenty-five~~ dollars; and 1000  
by the board of county commissioners of a county, not less than 1001  
~~twenty five one hundred fifty~~ dollars. Beginning January 1, 1002  
2020, and on the first day of January every five years 1003  
thereafter, these minimum salary amounts shall increase by five 1004  
dollars. Not more than one such agent in each county shall 1005  
receive remuneration from the board under this section. 1006

**Sec. 1717.08.** An officer, agent, or member ~~of the Ohio~~ 1007  
~~humane society or~~ of a county humane society may interfere to 1008  
prevent the perpetration of any act of cruelty to animals in ~~his~~ 1009  
the officer's, agent's, or member's presence, may use such force 1010  
as is necessary to prevent it, and to that end may summon to ~~his~~ 1011  
the officer's, agent's, or member's aid any bystanders. 1012

**Sec. 1717.09.** A member ~~of the Ohio humane society or~~ of a 1013  
county humane society may require the sheriff of any county, the 1014  
constable of any township, the marshal or a ~~policeman~~ police 1015  
officer of any municipal corporation, or any agent of such a 1016

society, to arrest any person found violating the laws in 1017  
relation to cruelty to ~~persons or~~ animals, and to take 1018  
possession of any animal cruelly treated in their respective 1019  
counties or municipal corporations, and deliver such animal to 1020  
the proper officers of the society. 1021

**Sec. 1717.10.** For all services rendered in carrying out 1022  
sections 1717.01 to ~~1717.14, inclusive,~~ 1717.18 of the Revised 1023  
Code, a sheriff, constable, marshal, or ~~policeman~~ police officer 1024  
shall be paid such fees as ~~he~~ the sheriff, constable, marshal, 1025  
or police officer is allowed for like services in other cases. 1026  
Such fees must be charged as costs, and reimbursed to the humane 1027  
society by the person convicted. 1028

**Sec. 1717.16.** (A) Annually, a county humane society shall 1029  
submit enforcement activity reports to the county sheriff. 1030

(B) Records of an enforcement activity by a humane society 1031  
agent are public records under section 149.43 of the Revised 1032  
Code, except that any such records that are confidential law 1033  
enforcement investigatory records, as defined in division (A) (2) 1034  
of section 149.43 of the Revised Code, are not public records. 1035

**Sec. 1717.17.** (A) A probate judge of a county in which a 1036  
humane society agent operates may revoke the approval of an 1037  
appointment for just cause, under the procedure established in 1038  
division (B) of this section. 1039

(B) (1) A movant may commence the procedure by filing with 1040  
the probate court a motion to revoke the appointment, in the 1041  
form of an affidavit sworn to by the movant, describing the 1042  
conduct that constitutes just cause for the motion. The probate 1043  
judge, upon a review of the facts, may dismiss the motion 1044  
without a hearing, or shall direct the clerk of the probate 1045

court to serve the humane society agent and the humane society 1046  
with a summons and a copy of the motion and any accompanying 1047  
memorandum in accordance with the Rules of Civil Procedure. The 1048  
summons must state the time and place at which the probate court 1049  
will conduct a hearing on the motion. 1050

(2) The humane society agent may waive the right to a 1051  
hearing. If the humane society agent waives the right to a 1052  
hearing, the probate judge shall revoke the humane society 1053  
agent's approval of appointment as prayed for in the motion. If 1054  
the humane society agent does not waive the right to a hearing, 1055  
the probate judge shall conduct a hearing on the motion. 1056

(3) The humane society agent is entitled to the assistance 1057  
of counsel at the hearing. The Rules of Evidence govern conduct 1058  
of the hearing. At the hearing, the movant has the burden of 1059  
proving, by a preponderance of the evidence, that just cause 1060  
exists for the revocation of the humane society agent's 1061  
appointment. 1062

(4) If, after the hearing, the probate judge finds that 1063  
the movant has not sustained the burden of proof, the probate 1064  
judge shall deny the motion. If, after the hearing, the probate 1065  
judge finds that the movant has sustained the burden of proof, 1066  
the probate judge shall grant the motion and revoke the humane 1067  
society agent's approval of appointment. 1068

**Sec. 1717.18.** (A) A humane society may not enter into a 1069  
written agreement with a person, wherein the humane society 1070  
agrees not to prosecute the person for an alleged violation of 1071  
law, unless the proposed agreement has been reviewed and 1072  
approved by the judge that has presided over the hearing that is 1073  
required to determine if the officer had probable cause to seize 1074  
the animal, and which is related to the case that is the subject 1075

of the agreement. As part of the review, if bond has previously 1076  
been set, the judge shall reconsider whether or not the amount 1077  
of the bond determined by the court to be needed for the 1078  
animal's care is necessary and reasonable. A judge shall not 1079  
approve a nonprosecution agreement that requires a person to 1080  
provide financial compensation that is in excess of what is 1081  
necessary and reasonable for the animal's care for the duration 1082  
of the impoundment. 1083

(B) A nonprosecution agreement between a humane society 1084  
and a person, as described in division (A) of this section, is 1085  
void and unenforceable unless it has been approved under 1086  
division (A) of this section. 1087

**Sec. 2151.421.** (A) (1) (a) No person described in division 1088  
(A) (1) (b) of this section who is acting in an official or 1089  
professional capacity and knows, or has reasonable cause to 1090  
suspect based on facts that would cause a reasonable person in a 1091  
similar position to suspect, that a child under eighteen years 1092  
of age, or a person under twenty-one years of age with a 1093  
developmental disability or physical impairment, has suffered or 1094  
faces a threat of suffering any physical or mental wound, 1095  
injury, disability, or condition of a nature that reasonably 1096  
indicates abuse or neglect of the child shall fail to 1097  
immediately report that knowledge or reasonable cause to suspect 1098  
to the entity or persons specified in this division. Except as 1099  
otherwise provided in this division or section 5120.173 of the 1100  
Revised Code, the person making the report shall make it to the 1101  
public children services agency or a peace officer in the county 1102  
in which the child resides or in which the abuse or neglect is 1103  
occurring or has occurred. If the person making the report is a 1104  
peace officer, the officer shall make it to the public children 1105  
services agency in the county in which the child resides or in 1106

which the abuse or neglect is occurring or has occurred. In the 1107  
circumstances described in section 5120.173 of the Revised Code, 1108  
the person making the report shall make it to the entity 1109  
specified in that section. 1110

(b) Division (A) (1) (a) of this section applies to any 1111  
person who is an attorney; health care professional; 1112  
practitioner of a limited branch of medicine as specified in 1113  
section 4731.15 of the Revised Code; licensed school 1114  
psychologist; independent marriage and family therapist or 1115  
marriage and family therapist; coroner; administrator or 1116  
employee of a child day-care center; administrator or employee 1117  
of a residential camp, child day camp, or private, nonprofit 1118  
therapeutic wilderness camp; administrator or employee of a 1119  
certified child care agency or other public or private children 1120  
services agency; school teacher; school employee; school 1121  
authority; peace officer; ~~agent of a county~~ humane society 1122  
agent; person, other than a cleric, rendering spiritual 1123  
treatment through prayer in accordance with the tenets of a 1124  
well-recognized religion; employee of a county department of job 1125  
and family services who is a professional and who works with 1126  
children and families; superintendent or regional administrator 1127  
employed by the department of youth services; superintendent, 1128  
board member, or employee of a county board of developmental 1129  
disabilities; investigative agent contracted with by a county 1130  
board of developmental disabilities; employee of the department 1131  
of developmental disabilities; employee of a facility or home 1132  
that provides respite care in accordance with section 5123.171 1133  
of the Revised Code; employee of an entity that provides 1134  
homemaker services; a person performing the duties of an 1135  
assessor pursuant to Chapter 3107. or 5103. of the Revised Code; 1136  
third party employed by a public children services agency to 1137

assist in providing child or family related services; court 1138  
appointed special advocate; or guardian ad litem. 1139

(c) If two or more health care professionals, after 1140  
providing health care services to a child, determine or suspect 1141  
that the child has been or is being abused or neglected, the 1142  
health care professionals may designate one of the health care 1143  
professionals to report the abuse or neglect. A single report 1144  
made under this division shall meet the reporting requirements 1145  
of division (A) (1) of this section. 1146

(2) Except as provided in division (A) (3) of this section, 1147  
an attorney or a physician is not required to make a report 1148  
pursuant to division (A) (1) of this section concerning any 1149  
communication the attorney or physician receives from a client 1150  
or patient in an attorney-client or physician-patient 1151  
relationship, if, in accordance with division (A) or (B) of 1152  
section 2317.02 of the Revised Code, the attorney or physician 1153  
could not testify with respect to that communication in a civil 1154  
or criminal proceeding. 1155

(3) The client or patient in an attorney-client or 1156  
physician-patient relationship described in division (A) (2) of 1157  
this section is deemed to have waived any testimonial privilege 1158  
under division (A) or (B) of section 2317.02 of the Revised Code 1159  
with respect to any communication the attorney or physician 1160  
receives from the client or patient in that attorney-client or 1161  
physician-patient relationship, and the attorney or physician 1162  
shall make a report pursuant to division (A) (1) of this section 1163  
with respect to that communication, if all of the following 1164  
apply: 1165

(a) The client or patient, at the time of the 1166  
communication, is a child under eighteen years of age or is a 1167



person under twenty-one years of age with a developmental 1168  
disability or physical impairment. 1169

(b) The attorney or physician knows, or has reasonable 1170  
cause to suspect based on facts that would cause a reasonable 1171  
person in similar position to suspect that the client or patient 1172  
has suffered or faces a threat of suffering any physical or 1173  
mental wound, injury, disability, or condition of a nature that 1174  
reasonably indicates abuse or neglect of the client or patient. 1175

(c) The abuse or neglect does not arise out of the 1176  
client's or patient's attempt to have an abortion without the 1177  
notification of her parents, guardian, or custodian in 1178  
accordance with section 2151.85 of the Revised Code. 1179

(4) (a) No cleric and no person, other than a volunteer, 1180  
designated by any church, religious society, or faith acting as 1181  
a leader, official, or delegate on behalf of the church, 1182  
religious society, or faith who is acting in an official or 1183  
professional capacity, who knows, or has reasonable cause to 1184  
believe based on facts that would cause a reasonable person in a 1185  
similar position to believe, that a child under eighteen years 1186  
of age, or a person under twenty-one years of age with a 1187  
developmental disability or physical impairment, has suffered or 1188  
faces a threat of suffering any physical or mental wound, 1189  
injury, disability, or condition of a nature that reasonably 1190  
indicates abuse or neglect of the child, and who knows, or has 1191  
reasonable cause to believe based on facts that would cause a 1192  
reasonable person in a similar position to believe, that another 1193  
cleric or another person, other than a volunteer, designated by 1194  
a church, religious society, or faith acting as a leader, 1195  
official, or delegate on behalf of the church, religious 1196  
society, or faith caused, or poses the threat of causing, the 1197

wound, injury, disability, or condition that reasonably 1198  
indicates abuse or neglect shall fail to immediately report that 1199  
knowledge or reasonable cause to believe to the entity or 1200  
persons specified in this division. Except as provided in 1201  
section 5120.173 of the Revised Code, the person making the 1202  
report shall make it to the public children services agency or a 1203  
peace officer in the county in which the child resides or in 1204  
which the abuse or neglect is occurring or has occurred. In the 1205  
circumstances described in section 5120.173 of the Revised Code, 1206  
the person making the report shall make it to the entity 1207  
specified in that section. 1208

(b) Except as provided in division (A) (4) (c) of this 1209  
section, a cleric is not required to make a report pursuant to 1210  
division (A) (4) (a) of this section concerning any communication 1211  
the cleric receives from a penitent in a cleric-penitent 1212  
relationship, if, in accordance with division (C) of section 1213  
2317.02 of the Revised Code, the cleric could not testify with 1214  
respect to that communication in a civil or criminal proceeding. 1215

(c) The penitent in a cleric-penitent relationship 1216  
described in division (A) (4) (b) of this section is deemed to 1217  
have waived any testimonial privilege under division (C) of 1218  
section 2317.02 of the Revised Code with respect to any 1219  
communication the cleric receives from the penitent in that 1220  
cleric-penitent relationship, and the cleric shall make a report 1221  
pursuant to division (A) (4) (a) of this section with respect to 1222  
that communication, if all of the following apply: 1223

(i) The penitent, at the time of the communication, is a 1224  
child under eighteen years of age or is a person under twenty- 1225  
one years of age with a developmental disability or physical 1226  
impairment. 1227

(ii) The cleric knows, or has reasonable cause to believe 1228  
based on facts that would cause a reasonable person in a similar 1229  
position to believe, as a result of the communication or any 1230  
observations made during that communication, the penitent has 1231  
suffered or faces a threat of suffering any physical or mental 1232  
wound, injury, disability, or condition of a nature that 1233  
reasonably indicates abuse or neglect of the penitent. 1234

(iii) The abuse or neglect does not arise out of the 1235  
penitent's attempt to have an abortion performed upon a child 1236  
under eighteen years of age or upon a person under twenty-one 1237  
years of age with a developmental disability or physical 1238  
impairment without the notification of her parents, guardian, or 1239  
custodian in accordance with section 2151.85 of the Revised 1240  
Code. 1241

(d) Divisions (A) (4) (a) and (c) of this section do not 1242  
apply in a cleric-penitent relationship when the disclosure of 1243  
any communication the cleric receives from the penitent is in 1244  
violation of the sacred trust. 1245

(e) As used in divisions (A) (1) and (4) of this section, 1246  
"cleric" and "sacred trust" have the same meanings as in section 1247  
2317.02 of the Revised Code. 1248

(B) Anyone who knows, or has reasonable cause to suspect 1249  
based on facts that would cause a reasonable person in similar 1250  
circumstances to suspect, that a child under eighteen years of 1251  
age, or a person under twenty-one years of age with a 1252  
developmental disability or physical impairment, has suffered or 1253  
faces a threat of suffering any physical or mental wound, 1254  
injury, disability, or other condition of a nature that 1255  
reasonably indicates abuse or neglect of the child may report or 1256  
cause reports to be made of that knowledge or reasonable cause 1257

to suspect to the entity or persons specified in this division. 1258  
Except as provided in section 5120.173 of the Revised Code, a 1259  
person making a report or causing a report to be made under this 1260  
division shall make it or cause it to be made to the public 1261  
children services agency or to a peace officer. In the 1262  
circumstances described in section 5120.173 of the Revised Code, 1263  
a person making a report or causing a report to be made under 1264  
this division shall make it or cause it to be made to the entity 1265  
specified in that section. 1266

(C) Any report made pursuant to division (A) or (B) of 1267  
this section shall be made forthwith either by telephone or in 1268  
person and shall be followed by a written report, if requested 1269  
by the receiving agency or officer. The written report shall 1270  
contain: 1271

(1) The names and addresses of the child and the child's 1272  
parents or the person or persons having custody of the child, if 1273  
known; 1274

(2) The child's age and the nature and extent of the 1275  
child's injuries, abuse, or neglect that is known or reasonably 1276  
suspected or believed, as applicable, to have occurred or of the 1277  
threat of injury, abuse, or neglect that is known or reasonably 1278  
suspected or believed, as applicable, to exist, including any 1279  
evidence of previous injuries, abuse, or neglect; 1280

(3) Any other information, including, but not limited to, 1281  
results and reports of any medical examinations, tests, or 1282  
procedures performed under division (D) of this section, that 1283  
might be helpful in establishing the cause of the injury, abuse, 1284  
or neglect that is known or reasonably suspected or believed, as 1285  
applicable, to have occurred or of the threat of injury, abuse, 1286  
or neglect that is known or reasonably suspected or believed, as 1287

applicable, to exist. 1288

(D) (1) Any person, who is required by division (A) of this 1289  
section to report child abuse or child neglect that is known or 1290  
reasonably suspected or believed to have occurred, may take or 1291  
cause to be taken color photographs of areas of trauma visible 1292  
on a child and, if medically necessary for the purpose of 1293  
diagnosing or treating injuries that are suspected to have 1294  
occurred as a result of child abuse or child neglect, perform or 1295  
cause to be performed radiological examinations and any other 1296  
medical examinations of, and tests or procedures on, the child. 1297

(2) The results and any available reports of examinations, 1298  
tests, or procedures made under division (D) (1) of this section 1299  
shall be included in a report made pursuant to division (A) of 1300  
this section. Any additional reports of examinations, tests, or 1301  
procedures that become available shall be provided to the public 1302  
children services agency, upon request. 1303

(3) If a health care professional provides health care 1304  
services in a hospital, children's advocacy center, or emergency 1305  
medical facility to a child about whom a report has been made 1306  
under division (A) of this section, the health care professional 1307  
may take any steps that are reasonably necessary for the release 1308  
or discharge of the child to an appropriate environment. Before 1309  
the child's release or discharge, the health care professional 1310  
may obtain information, or consider information obtained, from 1311  
other entities or individuals that have knowledge about the 1312  
child. Nothing in division (D) (3) of this section shall be 1313  
construed to alter the responsibilities of any person under 1314  
sections 2151.27 and 2151.31 of the Revised Code. 1315

(4) A health care professional may conduct medical 1316  
examinations, tests, or procedures on the siblings of a child 1317

about whom a report has been made under division (A) of this 1318  
section and on other children who reside in the same home as the 1319  
child, if the professional determines that the examinations, 1320  
tests, or procedures are medically necessary to diagnose or 1321  
treat the siblings or other children in order to determine 1322  
whether reports under division (A) of this section are warranted 1323  
with respect to such siblings or other children. The results of 1324  
the examinations, tests, or procedures on the siblings and other 1325  
children may be included in a report made pursuant to division 1326  
(A) of this section. 1327

(5) Medical examinations, tests, or procedures conducted 1328  
under divisions (D)(1) and (4) of this section and decisions 1329  
regarding the release or discharge of a child under division (D) 1330  
(3) of this section do not constitute a law enforcement 1331  
investigation or activity. 1332

(E)(1) When a peace officer receives a report made 1333  
pursuant to division (A) or (B) of this section, upon receipt of 1334  
the report, the peace officer who receives the report shall 1335  
refer the report to the appropriate public children services 1336  
agency, unless an arrest is made at the time of the report that 1337  
results in the appropriate public children services agency being 1338  
contacted concerning the possible abuse or neglect of a child or 1339  
the possible threat of abuse or neglect of a child. 1340

(2) When a public children services agency receives a 1341  
report pursuant to this division or division (A) or (B) of this 1342  
section, upon receipt of the report, the public children 1343  
services agency shall do both of the following: 1344

(a) Comply with section 2151.422 of the Revised Code; 1345

(b) If the county served by the agency is also served by a 1346

children's advocacy center and the report alleges sexual abuse 1347  
of a child or another type of abuse of a child that is specified 1348  
in the memorandum of understanding that creates the center as 1349  
being within the center's jurisdiction, comply regarding the 1350  
report with the protocol and procedures for referrals and 1351  
investigations, with the coordinating activities, and with the 1352  
authority or responsibility for performing or providing 1353  
functions, activities, and services stipulated in the 1354  
interagency agreement entered into under section 2151.428 of the 1355  
Revised Code relative to that center. 1356

(F) No peace officer shall remove a child about whom a 1357  
report is made pursuant to this section from the child's 1358  
parents, stepparents, or guardian or any other persons having 1359  
custody of the child without consultation with the public 1360  
children services agency, unless, in the judgment of the 1361  
officer, and, if the report was made by physician, the 1362  
physician, immediate removal is considered essential to protect 1363  
the child from further abuse or neglect. The agency that must be 1364  
consulted shall be the agency conducting the investigation of 1365  
the report as determined pursuant to section 2151.422 of the 1366  
Revised Code. 1367

(G) (1) Except as provided in section 2151.422 of the 1368  
Revised Code or in an interagency agreement entered into under 1369  
section 2151.428 of the Revised Code that applies to the 1370  
particular report, the public children services agency shall 1371  
investigate, within twenty-four hours, each report of child 1372  
abuse or child neglect that is known or reasonably suspected or 1373  
believed to have occurred and of a threat of child abuse or 1374  
child neglect that is known or reasonably suspected or believed 1375  
to exist that is referred to it under this section to determine 1376  
the circumstances surrounding the injuries, abuse, or neglect or 1377

the threat of injury, abuse, or neglect, the cause of the 1378  
injuries, abuse, neglect, or threat, and the person or persons 1379  
responsible. The investigation shall be made in cooperation with 1380  
the law enforcement agency and in accordance with the memorandum 1381  
of understanding prepared under division (K) of this section. A 1382  
representative of the public children services agency shall, at 1383  
the time of initial contact with the person subject to the 1384  
investigation, inform the person of the specific complaints or 1385  
allegations made against the person. The information shall be 1386  
given in a manner that is consistent with division (I)(1) of 1387  
this section and protects the rights of the person making the 1388  
report under this section. 1389

A failure to make the investigation in accordance with the 1390  
memorandum is not grounds for, and shall not result in, the 1391  
dismissal of any charges or complaint arising from the report or 1392  
the suppression of any evidence obtained as a result of the 1393  
report and does not give, and shall not be construed as giving, 1394  
any rights or any grounds for appeal or post-conviction relief 1395  
to any person. The public children services agency shall report 1396  
each case to the uniform statewide automated child welfare 1397  
information system that the department of job and family 1398  
services shall maintain in accordance with section 5101.13 of 1399  
the Revised Code. The public children services agency shall 1400  
submit a report of its investigation, in writing, to the law 1401  
enforcement agency. 1402

(2) The public children services agency shall make any 1403  
recommendations to the county prosecuting attorney or city 1404  
director of law that it considers necessary to protect any 1405  
children that are brought to its attention. 1406

(H) (1) (a) Except as provided in divisions (H) (1) (b) and 1407



(I) (3) of this section, any person, health care professional, 1408  
hospital, institution, school, health department, or agency 1409  
shall be immune from any civil or criminal liability for injury, 1410  
death, or loss to person or property that otherwise might be 1411  
incurred or imposed as a result of any of the following: 1412

(i) Participating in the making of reports pursuant to 1413  
division (A) of this section or in the making of reports in good 1414  
faith, pursuant to division (B) of this section; 1415

(ii) Participating in medical examinations, tests, or 1416  
procedures under division (D) of this section; 1417

(iii) Providing information used in a report made pursuant 1418  
to division (A) of this section or providing information in good 1419  
faith used in a report made pursuant to division (B) of this 1420  
section; 1421

(iv) Participating in a judicial proceeding resulting from 1422  
a report made pursuant to division (A) of this section or 1423  
participating in good faith in a proceeding resulting from a 1424  
report made pursuant to division (B) of this section. 1425

(b) Immunity under division (H) (1) (a) (ii) of this section 1426  
shall not apply when a health care provider has deviated from 1427  
the standard of care applicable to the provider's profession. 1428

(c) Notwithstanding section 4731.22 of the Revised Code, 1429  
the physician-patient privilege shall not be a ground for 1430  
excluding evidence regarding a child's injuries, abuse, or 1431  
neglect, or the cause of the injuries, abuse, or neglect in any 1432  
judicial proceeding resulting from a report submitted pursuant 1433  
to this section. 1434

(2) In any civil or criminal action or proceeding in which 1435  
it is alleged and proved that participation in the making of a 1436

report under this section was not in good faith or participation 1437  
in a judicial proceeding resulting from a report made under this 1438  
section was not in good faith, the court shall award the 1439  
prevailing party reasonable attorney's fees and costs and, if a 1440  
civil action or proceeding is voluntarily dismissed, may award 1441  
reasonable attorney's fees and costs to the party against whom 1442  
the civil action or proceeding is brought. 1443

(I)(1) Except as provided in divisions (I)(4) and (O) of 1444  
this section, a report made under this section is confidential. 1445  
The information provided in a report made pursuant to this 1446  
section and the name of the person who made the report shall not 1447  
be released for use, and shall not be used, as evidence in any 1448  
civil action or proceeding brought against the person who made 1449  
the report. Nothing in this division shall preclude the use of 1450  
reports of other incidents of known or suspected abuse or 1451  
neglect in a civil action or proceeding brought pursuant to 1452  
division (N) of this section against a person who is alleged to 1453  
have violated division (A)(1) of this section, provided that any 1454  
information in a report that would identify the child who is the 1455  
subject of the report or the maker of the report, if the maker 1456  
of the report is not the defendant or an agent or employee of 1457  
the defendant, has been redacted. In a criminal proceeding, the 1458  
report is admissible in evidence in accordance with the Rules of 1459  
Evidence and is subject to discovery in accordance with the 1460  
Rules of Criminal Procedure. 1461

(2)(a) Except as provided in division (I)(2)(b) of this 1462  
section, no person shall permit or encourage the unauthorized 1463  
dissemination of the contents of any report made under this 1464  
section. 1465

(b) A health care professional that obtains the same 1466

information contained in a report made under this section from a 1467  
source other than the report may disseminate the information, if 1468  
its dissemination is otherwise permitted by law. 1469

(3) A person who knowingly makes or causes another person 1470  
to make a false report under division (B) of this section that 1471  
alleges that any person has committed an act or omission that 1472  
resulted in a child being an abused child or a neglected child 1473  
is guilty of a violation of section 2921.14 of the Revised Code. 1474

(4) If a report is made pursuant to division (A) or (B) of 1475  
this section and the child who is the subject of the report dies 1476  
for any reason at any time after the report is made, but before 1477  
the child attains eighteen years of age, the public children 1478  
services agency or peace officer to which the report was made or 1479  
referred, on the request of the child fatality review board or 1480  
the director of health pursuant to guidelines established under 1481  
section 3701.70 of the Revised Code, shall submit a summary 1482  
sheet of information providing a summary of the report to the 1483  
review board of the county in which the deceased child resided 1484  
at the time of death or to the director. On the request of the 1485  
review board or director, the agency or peace officer may, at 1486  
its discretion, make the report available to the review board or 1487  
director. If the county served by the public children services 1488  
agency is also served by a children's advocacy center and the 1489  
report of alleged sexual abuse of a child or another type of 1490  
abuse of a child is specified in the memorandum of understanding 1491  
that creates the center as being within the center's 1492  
jurisdiction, the agency or center shall perform the duties and 1493  
functions specified in this division in accordance with the 1494  
interagency agreement entered into under section 2151.428 of the 1495  
Revised Code relative to that advocacy center. 1496

(5) A public children services agency shall advise a 1497  
person alleged to have inflicted abuse or neglect on a child who 1498  
is the subject of a report made pursuant to this section, 1499  
including a report alleging sexual abuse of a child or another 1500  
type of abuse of a child referred to a children's advocacy 1501  
center pursuant to an interagency agreement entered into under 1502  
section 2151.428 of the Revised Code, in writing of the 1503  
disposition of the investigation. The agency shall not provide 1504  
to the person any information that identifies the person who 1505  
made the report, statements of witnesses, or police or other 1506  
investigative reports. 1507

(J) Any report that is required by this section, other 1508  
than a report that is made to the state highway patrol as 1509  
described in section 5120.173 of the Revised Code, shall result 1510  
in protective services and emergency supportive services being 1511  
made available by the public children services agency on behalf 1512  
of the children about whom the report is made, in an effort to 1513  
prevent further neglect or abuse, to enhance their welfare, and, 1514  
whenever possible, to preserve the family unit intact. The 1515  
agency required to provide the services shall be the agency 1516  
conducting the investigation of the report pursuant to section 1517  
2151.422 of the Revised Code. 1518

(K) (1) Each public children services agency shall prepare 1519  
a memorandum of understanding that is signed by all of the 1520  
following: 1521

(a) If there is only one juvenile judge in the county, the 1522  
juvenile judge of the county or the juvenile judge's 1523  
representative; 1524

(b) If there is more than one juvenile judge in the 1525  
county, a juvenile judge or the juvenile judges' representative 1526

selected by the juvenile judges or, if they are unable to do so 1527  
for any reason, the juvenile judge who is senior in point of 1528  
service or the senior juvenile judge's representative; 1529

(c) The county peace officer; 1530

(d) All chief municipal peace officers within the county; 1531

(e) Other law enforcement officers handling child abuse 1532  
and neglect cases in the county; 1533

(f) The prosecuting attorney of the county; 1534

(g) If the public children services agency is not the 1535  
county department of job and family services, the county 1536  
department of job and family services; 1537

(h) The county humane society; 1538

(i) If the public children services agency participated in 1539  
the execution of a memorandum of understanding under section 1540  
2151.426 of the Revised Code establishing a children's advocacy 1541  
center, each participating member of the children's advocacy 1542  
center established by the memorandum. 1543

(2) A memorandum of understanding shall set forth the 1544  
normal operating procedure to be employed by all concerned 1545  
officials in the execution of their respective responsibilities 1546  
under this section and division (C) of section 2919.21, division 1547  
(B) (1) of section 2919.22, division (B) of section 2919.23, and 1548  
section 2919.24 of the Revised Code and shall have as two of its 1549  
primary goals the elimination of all unnecessary interviews of 1550  
children who are the subject of reports made pursuant to 1551  
division (A) or (B) of this section and, when feasible, 1552  
providing for only one interview of a child who is the subject 1553  
of any report made pursuant to division (A) or (B) of this 1554

section. A failure to follow the procedure set forth in the 1555  
memorandum by the concerned officials is not grounds for, and 1556  
shall not result in, the dismissal of any charges or complaint 1557  
arising from any reported case of abuse or neglect or the 1558  
suppression of any evidence obtained as a result of any reported 1559  
child abuse or child neglect and does not give, and shall not be 1560  
construed as giving, any rights or any grounds for appeal or 1561  
post-conviction relief to any person. 1562

(3) A memorandum of understanding shall include all of the 1563  
following: 1564

(a) The roles and responsibilities for handling emergency 1565  
and nonemergency cases of abuse and neglect; 1566

(b) Standards and procedures to be used in handling and 1567  
coordinating investigations of reported cases of child abuse and 1568  
reported cases of child neglect, methods to be used in 1569  
interviewing the child who is the subject of the report and who 1570  
allegedly was abused or neglected, and standards and procedures 1571  
addressing the categories of persons who may interview the child 1572  
who is the subject of the report and who allegedly was abused or 1573  
neglected. 1574

(4) If a public children services agency participated in 1575  
the execution of a memorandum of understanding under section 1576  
2151.426 of the Revised Code establishing a children's advocacy 1577  
center, the agency shall incorporate the contents of that 1578  
memorandum in the memorandum prepared pursuant to this section. 1579

(5) The clerk of the court of common pleas in the county 1580  
may sign the memorandum of understanding prepared under division 1581  
(K) (1) of this section. If the clerk signs the memorandum of 1582  
understanding, the clerk shall execute all relevant 1583

responsibilities as required of officials specified in the 1584  
memorandum. 1585

(L) (1) Except as provided in division (L) (4) or (5) of 1586  
this section, a person who is required to make a report pursuant 1587  
to division (A) of this section may make a reasonable number of 1588  
requests of the public children services agency that receives or 1589  
is referred the report, or of the children's advocacy center 1590  
that is referred the report if the report is referred to a 1591  
children's advocacy center pursuant to an interagency agreement 1592  
entered into under section 2151.428 of the Revised Code, to be 1593  
provided with the following information: 1594

(a) Whether the agency or center has initiated an 1595  
investigation of the report; 1596

(b) Whether the agency or center is continuing to 1597  
investigate the report; 1598

(c) Whether the agency or center is otherwise involved 1599  
with the child who is the subject of the report; 1600

(d) The general status of the health and safety of the 1601  
child who is the subject of the report; 1602

(e) Whether the report has resulted in the filing of a 1603  
complaint in juvenile court or of criminal charges in another 1604  
court. 1605

(2) A person may request the information specified in 1606  
division (L) (1) of this section only if, at the time the report 1607  
is made, the person's name, address, and telephone number are 1608  
provided to the person who receives the report. 1609

When a peace officer or employee of a public children 1610  
services agency receives a report pursuant to division (A) or 1611

(B) of this section the recipient of the report shall inform the 1612  
person of the right to request the information described in 1613  
division (L) (1) of this section. The recipient of the report 1614  
shall include in the initial child abuse or child neglect report 1615  
that the person making the report was so informed and, if 1616  
provided at the time of the making of the report, shall include 1617  
the person's name, address, and telephone number in the report. 1618

Each request is subject to verification of the identity of 1619  
the person making the report. If that person's identity is 1620  
verified, the agency shall provide the person with the 1621  
information described in division (L) (1) of this section a 1622  
reasonable number of times, except that the agency shall not 1623  
disclose any confidential information regarding the child who is 1624  
the subject of the report other than the information described 1625  
in those divisions. 1626

(3) A request made pursuant to division (L) (1) of this 1627  
section is not a substitute for any report required to be made 1628  
pursuant to division (A) of this section. 1629

(4) If an agency other than the agency that received or 1630  
was referred the report is conducting the investigation of the 1631  
report pursuant to section 2151.422 of the Revised Code, the 1632  
agency conducting the investigation shall comply with the 1633  
requirements of division (L) of this section. 1634

(5) A health care professional who made a report under 1635  
division (A) of this section, or on whose behalf such a report 1636  
was made as provided in division (A) (1) (c) of this section, may 1637  
authorize a person to obtain the information described in 1638  
division (L) (1) of this section if the person requesting the 1639  
information is associated with or acting on behalf of the health 1640  
care professional who provided health care services to the child 1641



about whom the report was made. 1642

(M) The director of job and family services shall adopt 1643  
rules in accordance with Chapter 119. of the Revised Code to 1644  
implement this section. The department of job and family 1645  
services may enter into a plan of cooperation with any other 1646  
governmental entity to aid in ensuring that children are 1647  
protected from abuse and neglect. The department shall make 1648  
recommendations to the attorney general that the department 1649  
determines are necessary to protect children from child abuse 1650  
and child neglect. 1651

(N) Whoever violates division (A) of this section is 1652  
liable for compensatory and exemplary damages to the child who 1653  
would have been the subject of the report that was not made. A 1654  
person who brings a civil action or proceeding pursuant to this 1655  
division against a person who is alleged to have violated 1656  
division (A) (1) of this section may use in the action or 1657  
proceeding reports of other incidents of known or suspected 1658  
abuse or neglect, provided that any information in a report that 1659  
would identify the child who is the subject of the report or the 1660  
maker of the report, if the maker is not the defendant or an 1661  
agent or employee of the defendant, has been redacted. 1662

(O) (1) As used in this division: 1663

(a) "Out-of-home care" includes a nonchartered nonpublic 1664  
school if the alleged child abuse or child neglect, or alleged 1665  
threat of child abuse or child neglect, described in a report 1666  
received by a public children services agency allegedly occurred 1667  
in or involved the nonchartered nonpublic school and the alleged 1668  
perpetrator named in the report holds a certificate, permit, or 1669  
license issued by the state board of education under section 1670  
3301.071 or Chapter 3319. of the Revised Code. 1671

(b) "Administrator, director, or other chief administrative officer" means the superintendent of the school district if the out-of-home care entity subject to a report made pursuant to this section is a school operated by the district.

(2) No later than the end of the day following the day on which a public children services agency receives a report of alleged child abuse or child neglect, or a report of an alleged threat of child abuse or child neglect, that allegedly occurred in or involved an out-of-home care entity, the agency shall provide written notice of the allegations contained in and the person named as the alleged perpetrator in the report to the administrator, director, or other chief administrative officer of the out-of-home care entity that is the subject of the report unless the administrator, director, or other chief administrative officer is named as an alleged perpetrator in the report. If the administrator, director, or other chief administrative officer of an out-of-home care entity is named as an alleged perpetrator in a report of alleged child abuse or child neglect, or a report of an alleged threat of child abuse or child neglect, that allegedly occurred in or involved the out-of-home care entity, the agency shall provide the written notice to the owner or governing board of the out-of-home care entity that is the subject of the report. The agency shall not provide witness statements or police or other investigative reports.

(3) No later than three days after the day on which a public children services agency that conducted the investigation as determined pursuant to section 2151.422 of the Revised Code makes a disposition of an investigation involving a report of alleged child abuse or child neglect, or a report of an alleged threat of child abuse or child neglect, that allegedly occurred

in or involved an out-of-home care entity, the agency shall send 1703  
written notice of the disposition of the investigation to the 1704  
administrator, director, or other chief administrative officer 1705  
and the owner or governing board of the out-of-home care entity. 1706  
The agency shall not provide witness statements or police or 1707  
other investigative reports. 1708

(P) As used in this section: 1709

(1) "Children's advocacy center" and "sexual abuse of a 1710  
child" have the same meanings as in section 2151.425 of the 1711  
Revised Code. 1712

(2) "Health care professional" means an individual who 1713  
provides health-related services including a physician, hospital 1714  
intern or resident, dentist, podiatrist, registered nurse, 1715  
licensed practical nurse, visiting nurse, licensed psychologist, 1716  
speech pathologist, audiologist, person engaged in social work 1717  
or the practice of professional counseling, and employee of a 1718  
home health agency. "Health care professional" does not include 1719  
a practitioner of a limited branch of medicine as specified in 1720  
section 4731.15 of the Revised Code, licensed school 1721  
psychologist, independent marriage and family therapist or 1722  
marriage and family therapist, or coroner. 1723

(3) "Investigation" means the public children services 1724  
agency's response to an accepted report of child abuse or 1725  
neglect through either an alternative response or a traditional 1726  
response. 1727

(4) "Peace officer" means a sheriff, deputy sheriff, 1728  
constable, police officer of a township or joint police 1729  
district, marshal, deputy marshal, municipal police officer, or 1730  
a state highway patrol trooper. 1731

**Sec. 2921.02.** (A) No person, with purpose to corrupt a 1732  
public servant or party official, or improperly to influence a 1733  
public servant or party official with respect to the discharge 1734  
of the public servant's or party official's duty, whether before 1735  
or after the public servant or party official is elected, 1736  
appointed, qualified, employed, summoned, or sworn, shall 1737  
promise, offer, or give any valuable thing or valuable benefit. 1738

(B) No person, either before or after the person is 1739  
elected, appointed, qualified, employed, summoned, or sworn as a 1740  
public servant or party official, shall knowingly solicit or 1741  
accept for self or another person any valuable thing or valuable 1742  
benefit to corrupt or improperly influence the person or another 1743  
public servant or party official with respect to the discharge 1744  
of the person's or the other public servant's or party 1745  
official's duty. 1746

(C) No person, with purpose to corrupt a witness or 1747  
improperly to influence a witness with respect to the witness's 1748  
testimony in an official proceeding, either before or after the 1749  
witness is subpoenaed or sworn, shall promise, offer, or give 1750  
the witness or another person any valuable thing or valuable 1751  
benefit. 1752

(D) No person, either before or after the person is 1753  
subpoenaed or sworn as a witness, shall knowingly solicit or 1754  
accept for self or another person any valuable thing or valuable 1755  
benefit to corrupt or improperly influence self or another 1756  
person with respect to testimony given in an official 1757  
proceeding. 1758

(E) No person, with purpose to corrupt a director, 1759  
officer, or employee of a municipal school district 1760  
transformation alliance established under section 3311.86 of the 1761

Revised Code, or improperly to influence a director, officer, or 1762  
employee of a municipal school district transformation alliance 1763  
with respect to the discharge of the director's, officer's, or 1764  
employee's duties, whether before or after the director, 1765  
officer, or employee is appointed or employed, shall promise, 1766  
offer, or give the director, officer, or employee any valuable 1767  
thing or valuable benefit. 1768

(F) No person, either before or after the person is 1769  
appointed or employed as a director, officer, or employee of a 1770  
municipal school district transformation alliance established 1771  
under section 3311.86 of the Revised Code, shall knowingly 1772  
solicit or accept for self or another person any valuable thing 1773  
or valuable benefit to corrupt or improperly influence the 1774  
person or another director, officer, or employee of a municipal 1775  
school district transformation alliance with respect to the 1776  
discharge of the person's or other director's, officer's, or 1777  
employee's duties. 1778

(G) As used in this section, "public servant" includes a 1779  
humane society agent approved under section 1717.06 of the 1780  
Revised Code. 1781

(H) Whoever violates this section is guilty of bribery, a 1782  
felony of the third degree. 1783

~~(H)~~ (I) A public servant or party official, or director, 1784  
officer, or employee of a municipal school district 1785  
transformation alliance established under section 3311.86 of the 1786  
Revised Code, who is convicted of bribery is forever 1787  
disqualified from holding any public office, employment, or 1788  
position of trust in this state. 1789

**Sec. 2931.18.** (A) A humane society ~~or its agent may employ~~ 1790

appoint an attorney, and may also ~~employ~~ appoint one or more 1791  
assistant attorneys, to prosecute violations of law relating to 1792

~~(1) Except the prevention of cruelty to animals, except as~~ 1793  
provided in division (B) of this section, ~~prevention of cruelty-~~ 1794  
~~to animals or children;~~ 1795

~~(2) Abandonment, nonsupport, or ill treatment of a child-~~ 1796  
~~by its parent;~~ 1797

~~(3) Employment of a child under fourteen years of age in-~~ 1798  
~~public exhibitions or vocations injurious to health, life, or~~ 1799  
~~morals or which cause or permit such child to suffer unnecessary-~~ 1800  
~~physical or mental pain;~~ 1801

~~(4) Neglect or refusal of an adult to support a destitute-~~ 1802  
~~parent.~~ 1803

~~Such~~ The attorneys shall be paid out of the county 1804  
treasury, from the general fund of the county or from the dog 1805  
and kennel fund of the county, in an amount approved as just and 1806  
reasonable by the board of county commissioners of that county. 1807

(B) A humane society or its agent shall not employ an 1808  
attorney or one or more assistant attorneys to prosecute a 1809  
felony violation of section 959.131 of the Revised Code. 1810

**Sec. 5101.63.** (A) (1) Any individual listed in division (A) 1811  
(2) of this section having reasonable cause to believe that an 1812  
adult is being abused, neglected, or exploited, or is in a 1813  
condition which is the result of abuse, neglect, or exploitation 1814  
shall immediately report such belief to the county department of 1815  
job and family services. 1816

(2) All of the following are subject to division (A) (1) of 1817  
this section: 1818

(a) An attorney admitted to the practice of law in this state;	1819 1820
(b) An individual authorized under Chapter 4731. of the Revised Code to practice medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery;	1821 1822 1823
(c) An individual licensed under Chapter 4734. of the Revised Code as a chiropractor;	1824 1825
(d) An individual licensed under Chapter 4715. of the Revised Code as a dentist;	1826 1827
(e) An individual licensed under Chapter 4723. of the Revised Code as a registered nurse or licensed practical nurse;	1828 1829
(f) An individual licensed under Chapter 4732. of the Revised Code as a psychologist;	1830 1831
(g) An individual licensed under Chapter 4757. of the Revised Code as a social worker, independent social worker, professional counselor, professional clinical counselor, marriage and family therapist, or independent marriage and family therapist;	1832 1833 1834 1835 1836
(h) An individual licensed under Chapter 4729. of the Revised Code as a pharmacist;	1837 1838
(i) An individual holding a certificate to practice as a dialysis technician issued under Chapter 4723. of the Revised Code;	1839 1840 1841
(j) An employee of a home health agency, as defined in section 3701.881 of the Revised Code;	1842 1843
(k) An employee of an outpatient health facility;	1844
(l) An employee of a hospital, as defined in section	1845

3727.01 of the Revised Code;	1846
(m) An employee of a hospital or public hospital, as defined in section 5122.01 of the Revised Code;	1847 1848
(n) An employee of a nursing home or residential care facility, as defined in section 3721.01 of the Revised Code;	1849 1850
(o) An employee of a residential facility licensed under section 5119.22 of the Revised Code that provides accommodations, supervision, and personal care services for three to sixteen unrelated adults;	1851 1852 1853 1854
(p) An employee of a health department operated by the board of health of a city or general health district or the authority having the duties of a board of health under section 3709.05 of the Revised Code;	1855 1856 1857 1858
(q) An employee of a community mental health agency, as defined in section 5122.01 of the Revised Code;	1859 1860
(r) <del>An agent of a county</del> <u>A humane society organized under agent appointed under section 1717.05-1717.06</u> of the Revised Code;	1861 1862 1863
(s) An individual who is a firefighter for a lawfully constituted fire department;	1864 1865
(t) An individual who is an ambulance driver for an emergency medical service organization, as defined in section 4765.01 of the Revised Code;	1866 1867 1868
(u) A first responder, emergency medical technician-basic, emergency medical technician-intermediate, or paramedic, as those terms are defined in section 4765.01 of the Revised Code;	1869 1870 1871
(v) An official employed by a local building department to	1872



conduct inspections of houses and other residential buildings;	1873
(w) A peace officer;	1874
(x) A coroner;	1875
(y) A member of the clergy;	1876
(z) An individual who holds a certificate issued under	1877
Chapter 4701. of the Revised Code as a certified public	1878
accountant or is registered under that chapter as a public	1879
accountant;	1880
(aa) An individual licensed under Chapter 4735. of the	1881
Revised Code as a real estate broker or real estate salesperson;	1882
(bb) An individual appointed and commissioned under	1883
section 147.01 of the Revised Code as a notary public;	1884
(cc) An employee of a bank, savings bank, savings and loan	1885
association, or credit union organized under the laws of this	1886
state, another state, or the United States;	1887
(dd) A dealer, investment adviser, sales person, or	1888
investment advisor representative licensed under Chapter 1707.	1889
of the Revised Code;	1890
(ee) A financial planner accredited by a national	1891
accreditation agency;	1892
(ff) Any other individual who is a senior service	1893
provider, other than a representative of the office of the state	1894
long-term care ombudsman program as defined in section 173.14 of	1895
the Revised Code.	1896
(B) Any person having reasonable cause to believe that an	1897
adult has suffered abuse, neglect, or exploitation may report,	1898
or cause a report to be made of such belief to the county	1899

department of job and family services. 1900

This division applies to a representative of the office of 1901  
the state long-term care ombudsman program only to the extent 1902  
permitted by federal law. 1903

(C) The reports made under this section shall be made 1904  
orally or in writing except that oral reports shall be followed 1905  
by a written report if a written report is requested by the 1906  
department. Written reports shall include: 1907

(1) The name, address, and approximate age of the adult 1908  
who is the subject of the report; 1909

(2) The name and address of the individual responsible for 1910  
the adult's care, if any individual is, and if the individual is 1911  
known; 1912

(3) The nature and extent of the alleged abuse, neglect, 1913  
or exploitation of the adult; 1914

(4) The basis of the reporter's belief that the adult has 1915  
been abused, neglected, or exploited. 1916

(D) Any person with reasonable cause to believe that an 1917  
adult is suffering abuse, neglect, or exploitation who makes a 1918  
report pursuant to this section or who testifies in any 1919  
administrative or judicial proceeding arising from such a 1920  
report, or any employee of the state or any of its subdivisions 1921  
who is discharging responsibilities under section 5101.65 of the 1922  
Revised Code shall be immune from civil or criminal liability on 1923  
account of such investigation, report, or testimony, except 1924  
liability for perjury, unless the person has acted in bad faith 1925  
or with malicious purpose. 1926

(E) No employer or any other person with the authority to 1927

do so shall do any of the following as a result of an employee's 1928  
having filed a report under this section: 1929

(1) Discharge, demote, transfer, or prepare a negative 1930  
work performance evaluation; 1931

(2) Reduce benefits, pay, or work privileges; 1932

(3) Take any other action detrimental to an employee or in 1933  
any way retaliate against the employee. 1934

(F) The written or oral report provided for in this 1935  
section and the investigatory report provided for in section 1936  
5101.65 of the Revised Code are confidential and are not public 1937  
records, as defined in section 149.43 of the Revised Code. In 1938  
accordance with rules adopted by the department of job and 1939  
family services, information contained in the report shall upon 1940  
request be made available to the adult who is the subject of the 1941  
report and to legal counsel for the adult. If it determines that 1942  
there is a risk of harm to a person who makes a report under 1943  
this section or to the adult who is the subject of the report, 1944  
the county department of job and family services may redact the 1945  
name and identifying information related to the person who made 1946  
the report. 1947

(G) The county department of job and family services shall 1948  
be available to receive the written or oral report provided for 1949  
in this section twenty-four hours a day and seven days a week. 1950

**Sec. 5147.22.** Except for prisoners participating in a 1951  
county jail industry program established under section 5147.30 1952  
of the Revised Code, the board of county commissioners, or 1953  
officer in charge of any workhouse or jail, shall place to the 1954  
credit of each prisoner the amount of the prisoner's earnings 1955  
that the board or officer considers equitable and just, taking 1956

into consideration the character of the prisoner, the nature of 1957  
the crime for which ~~he~~ the prisoner is imprisoned, and the 1958  
prisoner's general deportment. The board or officer may cancel 1959  
any portion of that credit for violation of the rules, want of 1960  
propriety, or other misconduct. When such earnings are credited 1961  
to any such prisoner and the prisoner has a child under the age 1962  
of sixteen or a spouse, the board or officer in control of the 1963  
workhouse or jail shall pay the earnings weekly to the person 1964  
having custody of the child, ~~to any incorporated humane society~~ 1965  
~~that will serve as trustees for the child without compensation,~~ 1966  
or to the spouse of the prisoner, as the board or officer 1967  
determines. When the prisoner has no such child or spouse, the 1968  
earnings shall be paid to the prisoner upon discharge. 1969

**Section 2.** That existing sections 109.73, 935.19, 935.20, 1970  
955.16, 959.131, 959.132, 959.99, 1717.01, 1717.02, 1717.05, 1971  
1717.06, 1717.07, 1717.08, 1717.09, 1717.10, 2151.421, 2921.02, 1972  
2931.18, 5101.63, and 5147.22 of the Revised Code are hereby 1973  
repealed. 1974

**Section 3.** That sections 1717.03, 1717.04, 1717.14, and 1975  
3113.10 of the Revised Code are hereby repealed. 1976

**Section 4.** (A) Not later than six months after the 1977  
effective date of this act, an individual who is serving as a 1978  
humane society agent on that date shall obtain and present proof 1979  
of successful completion of training, as required under section 1980  
1717.061 of the Revised Code, to the current active approving 1981  
authority for approval. 1982

(B) The approving authority, not later than two business 1983  
days after having received the proof of successful completion of 1984  
training, shall notify the appropriate county sheriff and board 1985  
of county commissioners, and shall file with the sheriff a copy 1986

of the proof of successful completion of training. For a humane 1987  
society agent that was appointed by a branch of the Ohio Humane 1988  
Society prior to the effective date of this act, the approving 1989  
authority is the mayor of the municipal corporation in which the 1990  
society operates. If that society operates outside a municipal 1991  
corporation, the approving authority is the probate judge of the 1992  
county in which the society operates. 1993

(C) An individual who has not presented the required proof 1994  
of successful completion of training to the approving authority, 1995  
as required by this section, is suspended as a humane society 1996  
agent by operation of law until the signed proof of successful 1997  
completion of training is filed with the county sheriff. 1998

**Section 5.** Not later than ninety days after the effective 1999  
date of this act, the probate judge of a county in which a 2000  
humane society agent operates shall send written notice to the 2001  
humane society informing the humane society of the requirements 2002  
of section 1717.16 of the Revised Code and Section 4 as enacted 2003  
in this act. 2004

**Section 6.** Section 959.99 of the Revised Code is presented 2005  
in this act as a composite of the section as amended by both 2006  
Sub. H.B. 60 and Sub. S.B. 331 of the 131st General Assembly. 2007  
The General Assembly, applying the principle stated in division 2008  
(B) of section 1.52 of the Revised Code that amendments are to 2009  
be harmonized if reasonably capable of simultaneous operation, 2010  
finds that the composite is the resulting version of the section 2011  
in effect prior to the effective date of the section as 2012  
presented in this act. 2013