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## States' Animal Cruelty Statutes: *Ohio*



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# A National Agricultural Law Center Research Publication

## States' Animal Cruelty Statutes: Ohio

**Ohio Rev. Code § 959.01 through 959.99  
Ohio Rev. Code § 1717.03 through 1717.15**

*Current through File 20 of the 135th General Assembly (2023-2024).*

### **Ohio Rev. Code § 959.01. Abandoning animals.**

No owner or keeper of a dog, cat, or other domestic animal, shall abandon such animal.

### **Ohio Rev. Code § 959.02. Injuring animals.**

No person shall maliciously, or willfully, and without the consent of the owner, kill or injure a horse, mare, foal, filly, jack, mule, sheep, goat, cow, steer, bull, heifer, ass, ox, swine, dog, cat, or other domestic animal that is the property of another. This section does not apply to a licensed veterinarian acting in an official capacity.

### **Ohio Rev. Code § 959.03. Poisoning animals.**

No person shall maliciously, or willfully and without the consent of the owner, administer poison, except a licensed veterinarian acting in such capacity, to a horse, mare, foal, filly, jack, mule, sheep, goat, cow, steer, bull, heifer, ass, ox, swine, dog, cat, poultry, or any other domestic animal that is the property of another; and no person shall, willfully and without the consent of the owner, place any poisoned food where it may be easily found and eaten by any of such animals, either upon his own lands or the lands of another.

### **Ohio Rev. Code § 959.04. Trespassing animals.**

Sections 959.02 and 959.03 of the Revised Code do not extend to a person killing or injuring an animal or attempting to do so while endeavoring to prevent it from trespassing upon his enclosure, or while it is so trespassing, or while driving it away from his premises; provided within fifteen days thereafter, payment is made for damages done to such animal by such killing or injuring, less the actual amount



of damage done by such animal while so trespassing, or a sufficient sum of money is deposited with the nearest judge of a county court or judge of a municipal court having jurisdiction within such time to cover such damages. Such deposit shall remain in the custody of such judge until there is a determination of the damages resulting from such killing or injury and from such trespass. Such judge and his bondsmen shall be responsible for the safekeeping of such money and for the payment thereof as for money collected upon a judgment.

**Ohio Rev. Code § 959.05. Drugging animals entered in competition prohibited.**

No person shall administer to any animal within forty-eight hours prior to the time that the animal competes at a fair or exhibition conducted by a county or independent agricultural society authorized under Chapter 1711. of the Revised Code or by the Ohio expositions commission any drug or medicament not specifically permitted under rules of the state racing commission promulgated pursuant to Chapter 3769. of the Revised Code or under rules of the society, in respect to a county or independent agricultural society, or of the Ohio expositions commission, in respect to the Ohio state fair. This section does not apply to any horse racing meeting conducted under a permit issued pursuant to Chapter 3769. of the Revised Code.

**Ohio Rev. Code § 959.06. Painless destruction of domestic animals.**

(A) As used in this section, “animal shelter” means a facility operated by a humane society or any society organized under Chapter 1717. of the Revised Code, a dog pound operated pursuant to Chapter 955. of the Revised Code, or a local animal shelter that is operated by any entity of local government.

(B) No person shall destroy any domestic animal by the use of either of the following:

(1) A high altitude decompression chamber; or

(2) Any method other than a method that immediately and painlessly renders the domestic animal initially unconscious and subsequently dead.

(C)



- (1) Except as provided in division (C)(2) of this section, no animal shelter shall destroy a domestic animal by the use of a carbon monoxide gas chamber, carbon dioxide gas chamber, or any other nonanesthetic inhalant.
- (2) An animal shelter may destroy a domestic animal by the use of a carbon monoxide gas chamber, carbon dioxide gas chamber, or any other nonanesthetic inhalant if the state veterinary medical licensing board, in consultation with the state board of pharmacy, declares that there is a shortage of approved lethal injection substances.
- (D) This section does not apply to or prohibit the destruction of an animal under Chapter 941. of the Revised Code, the slaughtering of livestock under Chapter 945. of the Revised Code, or the taking of any wild animal, as defined in section 1531.01 of the Revised Code, when taken in accordance with Chapter 1533. of the Revised Code.
- (E) This section does not apply to either of the following:
- (1) The lawful practice of veterinary medicine by a person who has been issued a license, temporary permit, or registration certificate under Chapter 4741. of the Revised Code;
- (2) An animal used in scientific research conducted by a research facility in accordance with the federal animal welfare act and related regulations. As used in division (E)(2) of this section, “federal animal welfare act” has the same meaning as in section 959.131 of the Revised Code.
- (F) The offenses established under this section are strict liability offenses and section 2901.20 of the Revised Code does not apply. The designation of these offenses as strict liability offenses shall not be construed to imply that any other offense, for which there is no specified degree of culpability, is not a strict liability offense.

**Ohio Rev. Code § 959.07. Animal abuse reporting requirements.**



(A) As used in sections 959.07 to 959.10 of the Revised Code:

- (1) “Companion animal” has the same meaning as in section 959.131 of the Revised Code.
- (2) “Licensed veterinarian” has the same meaning as in section 4741.01 of the Revised Code.
- (3) “Protective services” has the same meaning as in section 5101.60 of the Revised Code.
- (4) “Officer” has the same meaning as in section 959.132 of the Revised Code.
- (5) “Social service professional” means an employee or agent of a public children services agency or an employee or agent of a county department of job and family services with responsibility for protective services.
- (6) “Older adult” means any person sixty years of age or older within this state who is disabled by the infirmities of aging or who has a physical or mental impairment which prevents the person from providing for the person’s own care or protection, and who resides in an independent living arrangement.
- (7) “Violation involving a companion animal” means any violation of section 959.01, 959.02, 959.03, 959.13, 959.131, 959.15, 959.16, or 959.21 of the Revised Code involving a companion animal.

(B)

- (1) No person listed in division (B)(2) of this section shall fail to immediately report a violation involving a companion animal to an officer who is not a dog warden or deputy dog warden when that person has knowledge or reasonable cause to suspect that such a violation has occurred or is occurring.
- (2) Division (B)(1) of this section applies to all of the following operating in an official or professional capacity:
  - (a) A licensed veterinarian;
  - (b) A social service professional;



(c) A person licensed under Chapter 4757. of the Revised Code.

**Ohio Rev. Code § 959.12. Alteration of brands.**

No person shall maliciously alter or deface an artificial earmark or brand upon a horse, mare, foal, filly, jack, mule, sheep, goat, cow, steer, bull, heifer, ass, ox, swine, that is the property of another.

**Ohio Rev. Code § 959.13. Cruelty to animals.**

(A) No person shall:

- (1) Torture an animal, deprive one of necessary sustenance, unnecessarily or cruelly beat, needlessly mutilate or kill, or impound or confine an animal without supplying it during such confinement with a sufficient quantity of good wholesome food and water;
- (2) Impound or confine an animal without affording it, during such confinement, access to shelter from wind, rain, snow, or excessive direct sunlight if it can reasonably be expected that the animal would otherwise become sick or in some other way suffer. Division (A)(2) of this section does not apply to animals impounded or confined prior to slaughter. For the purpose of this section, shelter means a man-made enclosure, windbreak, sunshade, or natural windbreak or sunshade that is developed from the earth's contour, tree development, or vegetation.
- (3) Carry or convey an animal in a cruel or inhuman manner;
- (4) Keep animals other than cattle, poultry or fowl, swine, sheep, or goats in an enclosure without wholesome exercise and change of air, nor or [sic.] feed cows on food that produces impure or unwholesome milk;
- (5) Detain livestock in railroad cars or compartments longer than twenty-eight hours after they are so placed without supplying them with necessary food, water, and attention, nor permit such stock to be so crowded as to overlie, crush, wound, or kill each other.

(B) Upon the written request of the owner or person in custody of any particular shipment of livestock, which written request shall be separate and apart from any printed bill of lading or other railroad form, the length of time



in which such livestock may be detained in any cars or compartments without food, water, and attention, may be extended to thirty-six hours without penalty therefor. This section does not prevent the dehorning of cattle.

(C) All fines collected for violations of this section shall be paid to the society or association for the prevention of cruelty to animals, if there be such in the county, township, or municipal corporation where such violation occurred.

**Ohio Rev. Code § 959.131. Cruelty against companion animal.**

(A) As used in this section:

- (1) "Companion animal" means any animal that is kept inside a residential dwelling and any dog or cat regardless of where it is kept. "Companion animal" does not include livestock or any wild animal.
- (2) "Cruelty," "torment," and "torture" have the same meanings as in section 1717.01 of the Revised Code.
- (3) "Residential dwelling" means a structure or shelter or the portion of a structure or shelter that is used by one or more humans for the purpose of a habitation.
- (4) "Practice of veterinary medicine" has the same meaning as in section 4741.01 of the Revised Code.
- (5) "Wild animal" has the same meaning as in section 1531.01 of the Revised Code.
- (6) "Federal animal welfare act" means the "Laboratory Animal Act of 1966," Pub. L. No. 89-544, 80 Stat. 350 (1966), 7 U.S.C.A. 2131 et seq., as amended by the "Animal Welfare Act of 1970," Pub. L. No. 91-579, 84 Stat. 1560 (1970), the "Animal Welfare Act Amendments of 1976," Pub. L. No. 94-279, 90 Stat. 417 (1976), and the "Food Security Act of 1985," Pub. L. No. 99-198, 99 Stat. 1354 (1985), and as it may be subsequently amended.
- (7) "Dog kennel" means an animal rescue for dogs, a boarding kennel, or a training kennel.



- (8) "Boarding kennel" and "animal rescue for dogs" have the same meanings as in section 956.01 of the Revised Code.
- (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.
- (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.
- (11) "Captive white-tailed deer" has the same meaning as in section 1531.01 of the Revised Code.
- (12) "Serious physical harm" means any of the following:
- (a) Physical harm that carries an unnecessary or unjustifiable substantial risk of death;
  - (b) Physical harm that involves either partial or total permanent incapacity;
  - (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;
- (B) No person shall knowingly torture, torment, needlessly mutilate or maim, cruelly beat, poison, needlessly kill, or commit an act of cruelty against a companion animal.
- (C) No person shall knowingly cause serious physical harm to a companion animal.
- (D) No person who confines or who is the custodian or caretaker of a companion animal shall negligently do any of the following:
- (1) Torture, torment, or commit an act of cruelty against the companion animal;
  - (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;

(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.

(E) No person who confines or who is the custodian or caretaker of a companion animal shall recklessly 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.

(F) 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:

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

(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 is reasonably expected that the companion animal would die or experience unnecessary or unjustifiable pain or suffering as a result of the deprivation or confinement;

(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 is reasonably expected that the companion animal would die or experience unnecessary or unjustifiable pain or suffering as a result of or due to the lack of adequate shelter.

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



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

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

- (1) A companion animal used in scientific research conducted by an institution in accordance with the federal animal welfare act and related regulations;
- (2) The lawful practice of veterinary medicine by a person who has been issued a license, temporary permit, or registration certificate to do so under Chapter 4741. of the Revised Code;
- (3) Dogs being used or intended for use for hunting or field trial purposes, provided that the dogs are being treated in accordance with usual and commonly accepted practices for the care of hunting dogs;
- (4) The use of common training devices, if the companion animal is being treated in accordance with usual and commonly accepted practices for the training of animals;
- (5) The administering of medicine to a companion animal that was properly prescribed by a person who has been issued a license, temporary permit, or registration certificate under Chapter 4741. of the Revised Code.



(I) Notwithstanding any section of the Revised Code that otherwise provides for the distribution of fine moneys, the clerk of court shall forward all fines the clerk collects that are so imposed for any violation of this section to the treasurer of the political subdivision or the state, whose county humane society or law enforcement agency is to be paid the fine money as determined under this division. The treasurer to whom the fines are forwarded shall pay the fine moneys to the county humane society or the county, township, municipal corporation, or state law enforcement agency in this state that primarily was responsible for or involved in the investigation and prosecution of the violation. If a county humane society receives any fine moneys under this division, the county humane society shall use the fine moneys either to provide the training that is required for humane agents under section 1717.06 of the Revised Code or to provide additional training for humane agents.

**Ohio Rev. Code § 959.132. Seizure and impoundment of companion animal: hearing.**

(A) As used in this section:

“Companion animal” has the same meaning as in section 959.131 of the Revised Code.

“Impounding agency” means a county humane society organized under section 1717.05 of the Revised Code, an animal shelter, or a law enforcement agency that has impounded a companion animal in accordance with this section.

“Offense” means a violation of Chapter 959 of the Revised Code or an attempt, in violation of section 2923.02 of the Revised Code, to violate Chapter 959 of the Revised Code.

“Officer” means any law enforcement officer, humane society agent, or other person appointed to act as an animal control officer for a municipal corporation or township in accordance with state law, an ordinance, or a resolution.

(B) An officer may seize and cause to be impounded at an impounding agency an animal that the officer has probable cause to believe is the subject of an offense. No officer or impounding agency shall impound an animal that is the subject of an offense in a shelter owned, operated, or controlled by a board of county commissioners pursuant to Chapter 955. of the Revised



Code unless the board, by resolution, authorizes the impoundment of such an animal in a shelter owned, operated, or controlled by that board and has executed, in the case when the officer is other than a dog warden or assistant dog warden, a contract specifying the terms and conditions of the impoundment.

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

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

(E)

(1) Not later than ten days after notice is provided or at the next available court date, the court shall hold a hearing to determine whether the officer impounding an animal had probable cause to seize the animal. If the court determines that probable cause exists, the court shall determine the amount of a bond or cash deposit that is necessary and reasonable to provide for the animal's care and keeping for not less than thirty days beginning on the date on which the animal was impounded.

(2) If the court determines that probable cause does not exist, the court immediately shall order the impounding agency to return the animal to its owner if possible. If the animal cannot be returned because it has died as a result of neglect or other misconduct by the impounding agency or if the animal is injured as a result of neglect or other misconduct by the impounding agency, the court shall order the impounding agency to pay the owner an amount determined by the court to be equal to the reasonable market value of the animal at the time that it was impounded plus statutory interest as defined in section 1343.03 of the Revised Code from the date of the impoundment or an amount



determined by the court to be equal to the reasonable cost of treatment of the injury to the animal, as applicable. The requirement established in division (E)(2) of this section regarding the payment of the reasonable market value of the animal shall not apply in the case of a dog that, in violation of section 955.01 of the Revised Code, was not registered at the time it was seized and impounded.

(3) If the court determines that probable cause exists and determines the amount of a bond or cash deposit, the case shall continue and the owner shall post a bond or cash deposit to provide for the animal's care and keeping for not less than thirty days beginning on the date on which the animal was impounded. The owner may renew a bond or cash deposit by posting, not later than ten days following the expiration of the period for which a previous bond or cash deposit was posted, a new bond or cash deposit in an amount that the court, in consultation with the impounding agency, determines is necessary and reasonable to provide for the animal's care and keeping for not less than thirty days beginning on the date on which the previous period expired. If no bond or cash deposit is posted or if a bond or cash deposit expires and is not renewed, the impounding agency may determine the disposition of the animal unless the court issues an order that specifies otherwise.

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

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

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

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



other misconduct by the impounding agency, the court shall order the impounding agency to pay the owner an amount determined by the court to be equal to the reasonable market value of the animal at the time that it was impounded plus statutory interest as defined in section 1343.03 of the Revised Code from the date of the impoundment or an amount determined by the court to be equal to the reasonable cost of treatment of the injury to the animal, as applicable. The requirements established in this division regarding the return of a bond or cash deposit and the payment of the reasonable market value of the animal shall not apply in the case of a dog that, in violation of section 955.01 of the Revised Code, was not registered at the time it was seized and impounded.

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

### **Ohio Rev. Code § 959.133. Immunity for damage resulting from forcible entry of motor vehicle for purpose of removing animal.**

(A) Except as provided in division (C) of this section, a person shall be immune from civil liability for any damage resulting from the forcible entry of a motor vehicle for the purpose of removing an animal from the vehicle if the person does all of the following:

- (1) Determines the vehicle is locked or there is otherwise no reasonable method for the animal to exit the vehicle.
- (2) Has a good faith belief that forcible entry into the vehicle is necessary because the animal is in imminent danger of suffering harm if not immediately removed from the vehicle and, based upon the circumstances known to the person at the time, the belief is a reasonable one.



- (3) Has made a good faith effort to contact the local law enforcement agency, the fire department, or a 9-1-1 operator prior to forcibly entering the vehicle. If contact is not possible prior to forcibly entering the vehicle, the person shall make contact as soon as possible after forcibly entering the vehicle.
- (4) Makes a good faith effort to place a notice on the vehicle's windshield with the person's contact information, the reason the entry was made, the location of the animal, and the fact that the authorities have been notified.
- (5) Remains with the animal in a safe location until law enforcement or emergency responders arrive.
- (6) Used not more force to enter the vehicle and remove the animal from the vehicle than was necessary under the circumstances.

(B) Nothing in this section shall affect the person's civil liability if the person attempts to render aid to the animal in addition to what is authorized by this section.

(C) A person shall not be immune from civil liability for any damage resulting from the forcible entry of a motor vehicle for the purpose of removing an animal from the vehicle if the person's actions constitute recklessness or willful or wanton misconduct with regard to the forcible entry of the motor vehicle.

(D) As used in this section, "harm" means injury or death.

### **Ohio Rev. Code § 959.134. Chemical capture not act of cruelty.**

(A) As used in this section:

- (1) "Chemical capture" and "certified officer" have the same meanings as in section 955.151 of the Revised Code.
- (2) "Companion animal" has the same meaning as in section 959.131 of the Revised Code.

(B) Chemical capture of a companion animal by a certified officer in accordance with the laws of this state is not an act of cruelty.



## **Ohio Rev. Code § 959.14. Offenses relating to horses.**

No owner or person having the custody, control, or possession of a horse, nor an agent or employee of such owner or custodian, shall cut off or cause to be cut off or amputated the skin, flesh, muscles, bone, or integuments of the dock or tail of the horse in order to shorten its natural length or proportions.

No person shall pull out the hairs of the foretop, mane, or withers of a horse except minimum quantities required for medical testing.

This section does not prohibit the cutting or amputation of the dock or tail of a horse when necessary because of accident, malformation, or disease or as a proactive measure to prevent injury if performed by a veterinarian that is licensed under Chapter 4741. of the Revised Code or in another state.

## **Ohio Rev. Code § 959.15. Animal fights.**

(A) No person shall knowingly do either of the following:

- (1) Engage in cockfighting, bearbaiting, or pitting an animal against another;
- (2) Use, train, or possess any animal for seizing, detaining, or maltreating a domestic animal.

(B) No person shall knowingly do either of the following:

- (1) Be employed at cockfighting, bearbaiting, or pitting an animal against another;
- (2) Do any of the following regarding an event involving cockfighting, bearbaiting, or pitting an animal against another:
  - (a) Wager money or anything else of value on the results of the event;
  - (b) Pay money or give anything else of value in exchange for admission to or being present at the event;



- (c) Receive money or anything else of value in exchange for the admission of another person to the event or for another person to be present at the event;
  - (d) Use, possess, or permit or cause to be present at the event any device or substance intended to enhance an animal's ability to fight or to inflict injury on another animal;
  - (e) Permit or cause a minor to be present at the event if any person present at or involved with the event is conducting any of the activities described in division (B)(1) or (B)(2)(a), (b), (c), or (d) of this section.
- (C) A person who knowingly witnesses cockfighting, bearbaiting, or an event in which one animal is pitted against another when a violation of division (B) of this section is occurring at the cockfighting, bearbaiting, or event is an aider and abettor and has committed a violation of this division.

### **Ohio Rev. Code § 959.16. Dogfighting.**

- (A) No person shall knowingly do any of the following:
  - (1) Promote, engage in, or be employed at dogfighting;
  - (2) Receive money or anything else of value for the admission of another person to a dogfighting event or a place kept for dogfighting;
  - (3) Sell, purchase, possess, or train a dog for dogfighting;
  - (4) Use, train, or possess a dog for seizing, detaining, or maltreating a domestic animal;
  - (5) Pay money or give anything else of value in exchange for admission to or be present at a dogfight;
  - (6) Witness a dogfight if it is presented as a public spectacle.

- (B) The department of agriculture may investigate complaints and follow up rumors of dogfighting activities and may report any information so gathered to an appropriate prosecutor or law enforcement agency.



(C) Any peace officer, as defined in section 2935.01 of the Revised Code, may seize and cause to be impounded in accordance with section 959.161 of the Revised Code any dogs that have been, are, or are intended to be used in dogfighting. In addition, any peace officer shall confiscate any equipment or devices used in training such dogs or as part of dogfights.

**Ohio Rev. Code § 959.161. Seizure and impoundment of fighting dog.**

(A) As used in this section:

- (1) “Fighting dog” means a dog that a peace officer has probable cause to believe has been, is, or is intended to be used in dogfighting in violation of section 959.16 of the Revised Code.
- (2) “Impounding entity” means the entity that has possession of an impounded fighting dog during its impoundment.
- (3) “Peace officer” has the same meaning as in section 2935.01 of the Revised Code.
- (4) “Violation” means a violation of section 959.16 of the Revised Code or an attempt, in violation of section 2923.02 of the Revised Code, to violate section 959.16 of the Revised Code.

(B) A peace officer may seize and cause to be impounded with an impounding entity a fighting dog that the peace officer has probable cause to believe is involved in a violation.

(C) A fighting dog that is seized under this section may be humanely destroyed under either of the following circumstances:

- (1) During its seizure if it is necessary because the fighting dog is suffering;
- (2) At any time during its impoundment if a licensed veterinarian determines it to be necessary because the fighting dog is suffering.

(D) Procedures, requirements, and other provisions that are established in divisions (C), (E), (F), and (G) of section 959.132 of the Revised Code shall apply to the seizure, impoundment, and disposition of a fighting dog. For purposes of that application, references in those divisions of section



959.132 of the Revised Code to "companion animal," "impounding agency," "officer," and "offense" shall be deemed to be replaced, respectively, with references to "fighting dog," "impounding entity," "peace officer," and "violation" as defined in this section. Likewise, references in those divisions of section 959.132 of the Revised Code to "section 959.131 of the Revised Code" shall be deemed to be replaced with references to section 959.16 of the Revised Code, as applicable.

### **Ohio Rev. Code § 959.17. Trapshooting.**

Live birds or fowl shall not be used as targets in trapshooting.

### **Ohio Rev. Code § 959.18. Prohibition against killing a carrier pigeon.**

No person who is not the owner thereof, shall shoot, kill, or maim an Antwerp or homing pigeon, commonly known as "carrier" pigeon, nor shall such person entrap, catch, or detain a carrier pigeon, provided it has the name of the owner stamped upon its wing or tail, or has a band with the owner's name, initial, or number on its leg.

### **Ohio Rev. Code § 959.19. Prohibition against servicing mare in public street.**

No owner of a stallion or jack or the agent of such owner, shall permit it to serve a mare within thirty feet of a public street or alley in a municipal corporation.

### **Ohio Rev. Code § 959.20. Definitions.**

As used in this section:

(A) "Work animal" includes a horse, pony, mule, donkey, mare, ox, bull, gelding, or other animal used or intended to be used for a work purpose.

(B) "Work purpose" means the performance by a work animal of some work or labor, including showing, performing, or being used in any exhibition, show, circus, rodeo, or similar use.

(C) "Owner" includes any person, firm, association, or corporation owning or having a proprietary interest in or possession, custody, or charge of a work animal.

No person shall directly or indirectly or by aiding, abetting, or permitting the doing thereof put, place, fasten, use, or fix upon or to any work animal



used or bucking      readied for use for a work purpose, twisted wire snaffles, unpadded straps, unpadded flank straps, electric or other prods, or similar devices.

The commission or performance of any act prohibited by this section is the act of the owner of the work animal upon or to which such act was done.

**Ohio Rev. Code § 959.21. Offenses relating to sexual conduct with an animal; impoundment.**

(A) As used in this section:

(1) "Animal" means a nonhuman mammal, bird, reptile, or amphibian, either dead or alive.

(2) "Offense" means a violation of this section or an attempt, in violation of section 2923.02 of the Revised Code, to violate this section.

(3) "Officer" has the same meaning as in section 959.132 of the Revised Code.

(4) "Sexual conduct" means either of the following committed for the purpose of sexual gratification:

(a) Any act done between a person and animal that involves contact of the penis of one and the vulva of the other, the penis of one and the penis of the other, the penis of one and the anus of the other, the mouth of one and the penis of the other, the mouth of one and the anus of the other, the vulva of one and the vulva of the other, the mouth of one and the vulva of the other, any other contact between a reproductive organ of one and a reproductive organ of the other, or any other insertion of a reproductive organ of one into an orifice of the other;

(b) Without a bona fide veterinary or animal husbandry purpose to do so, the insertion, however slight, of any part of a person's body or any instrument, apparatus, or other object into the vaginal, anal, or reproductive opening of an animal.

(B) No person shall knowingly engage in sexual conduct with an animal or knowingly possess, sell, or purchase an animal with the intent that it be subjected to sexual conduct.



(C) No person shall knowingly organize, promote, aid, or abet in the conduct of an act involving any sexual conduct with an animal.

**Ohio Rev. Code § 959.99. Penalties; forfeiture of animals or livestock; forfeiture of companion animals.**

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

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

(C) Whoever violates section 959.03, 959.06, division (C) of section 959.09, 959.12, or 959.17 or division (A) of section 959.15 of the Revised Code is guilty of a misdemeanor of the fourth degree.

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

(E)

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

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

(3) Whoever violates section 959.01 of the Revised Code or division (D) of section 959.131 of the Revised Code is guilty of a misdemeanor of



the second degree on a first offense and a misdemeanor of the first degree on each subsequent offense.

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

(5) Whoever violates division (G) of section 959.131 of the Revised Code is guilty of a misdemeanor of the first degree.

(6)

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

(b) A court may order a person who is convicted of or pleads guilty to a violation of division (A) of section 959.13 or section 959.131 of the Revised Code to reimburse an impounding agency for the reasonably necessary costs incurred by the agency for the care of a companion animal that the agency impounded as a result of the investigation or prosecution of the violation, provided that the costs were not otherwise paid under section 959.132 of the Revised Code.

(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 has 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 costs of the evaluation or counseling.

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

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



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

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

### **Ohio Rev. Code § 1717.03 Ohio humane society – REPEALED**

### **Ohio Rev. Code § 1717.04 Agents of Ohio humane society – REPEALED**

### **Ohio Rev. Code § 1717.05 County humane societies**

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

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

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

(D) A county humane society may elect officers, and make rules, regulations, and bylaws, as are deemed expedient by its members for its own government and the proper management of its affairs.

(E) A humane society that organized as a branch of the Ohio humane society prior to the effective date of this amendment shall continue to have the same powers and duties that were authorized on March 1, 2019. Such a humane society is considered to be a county humane society organized



under this section for purposes of this chapter and any other laws regarding county humane societies.

### **Ohio Rev. Code § 1717.06 Agents of county humane society**

(A) A county humane society organized under section 1717.05 of the Revised Code may appoint humane society agents for the purpose of prosecuting any person guilty of an act of cruelty to animals. Such agents may arrest any person found violating this chapter or any other law for protecting animals or preventing acts of cruelty thereto. Upon making an arrest, the humane society agent shall convey the person arrested before a court or magistrate having jurisdiction of the offense, and there make complaint against the person on oath or affirmation of the offense.

(B) A humane society agent that was appointed prior to March 31, 2021, by a branch of the Ohio humane society is considered to be a humane society agent appointed under this section for purposes of this chapter and any other laws regarding humane society agents.

(C)

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

(2) The appointment of an agent under this section does not take effect unless it has been approved by the mayor of the municipal corporation for which it is made. If the society operates outside a municipal corporation, the appointment does not take effect until it has been approved by the probate judge of the county for which it is made. The mayor or probate judge shall keep a record of the appointments and shall maintain as a public record a copy of the proof of successful completion of training for each humane society agent acting within the approving authority's jurisdiction.

(D) The approving authority shall notify the appropriate county sheriff and the board of county commissioners when the appointment of a humane society agent has been approved and, not later than two business days after the appointment has been approved, shall file a copy of the proof of successful completion of training with the sheriff. The county sheriff



shall maintain as a public record a copy of the proof for each humane society agent that is operating in the county.

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

(F) A humane society agent only has the specific authority granted to the agent under the Revised Code.

(G) The Ohio peace officer training commission shall issue a certificate of completion of the training program required for appointment as a humane society agent under this section in accordance with Chapter 4796. of the Revised Code to an individual if either of the following applies:

- (1) The individual holds a certificate of completion of such a program in another state.
- (2) The individual has satisfactory work experience, a government certification, or a private certification as described in that chapter as a humane society agent in a state that does not require a certificate of completion of such a program.

### **Ohio Rev. Code § 1717.09 Member may require police to act**

A member of a county humane society may require the sheriff of any county, the constable of any township, the marshal or a police officer of any municipal corporation, or any agent of such a society, to arrest any person found violating the laws in relation to cruelty to animals, and to take possession of any animal cruelly treated in their respective counties or municipal corporations, and deliver such animal to the proper officers of the society.

### **Ohio Rev. Code § 1717.13 Any person may protect animal**

When, in order to protect any animal from neglect, it is necessary to take possession of it, any person may do so. When an animal is impounded or confined, and continues without necessary food, water, or proper attention for more than fifteen successive hours, any person may, as often as is necessary, enter any place in which the animal is impounded or confined and supply it with necessary food, water, and attention, so long as it remains there, or, if necessary or convenient, he may remove such



animal; and he shall not be liable to an action for such entry. In all cases the owner or custodian of such animal, if known to such person, immediately shall be notified by him of such action. If the owner or custodian is unknown to such person, and cannot with reasonable effort be ascertained by him, such animal shall be considered an stray and dealt with as such.

The necessary expenses for food and attention given to an animal under this section may be collected from the owner of such animal, and the animal shall not be exempt from levy and sale upon execution issued upon a judgment for such expenses.

**Ohio Rev. Code § 1717.14 Protection of children – REPEALED**

**Ohio Rev. Code § 1717.15 Appropriations from general fund of county to humane society**

The board of county commissioners may, at the end of each year, make a yearly appropriation to the county humane society from the general fund of the county of such funds as the board deems reasonable. Such funds are to supplement any gifts, funds received from the dog and kennel fund, and any other funds received by the society and are to be used to carry out the activities of the society.

