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# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
and Drafting

Legislative Budget  
Office

H.B. 678  
135<sup>th</sup> General Assembly

## Bill Analysis

**Version:** As Introduced

**Primary Sponsor:** Rep. Fischer

Amanda Goodman, Attorney

### SUMMARY

- Clarifies that *any* dog or cat is considered a companion animal for purposes of the laws governing companion animal cruelty, regardless of whether the dog or cat is kept or cared for or under physical control of a person.

### DETAILED ANALYSIS

#### Companion animal definition

The bill clarifies that *any* dog or cat is considered a companion animal for purposes of the laws governing companion animal cruelty, regardless of whether the dog or cat is kept or cared for or under physical control of a person.

Under current law, a companion animal is defined to mean an animal that is kept inside a residential dwelling and any dog or cat regardless of where it is kept. However, at least one court found that Ohio's companion animal cruelty laws only apply, with regard to dogs and cats, to all "kept" dogs and cats. "Kept" is not a defined term, and the Eighth District Court of Appeals interpreted current law to mean that the dog or cat must be cared for or under a person's physical control in order to be the subject of a companion animal cruelty offense.<sup>1</sup> The bill clarifies that *any* dog or cat may be the subject of a companion animal cruelty offense, including a dog or cat that is not under the care of a specific person (e.g., a stray dog or cat).<sup>2</sup>

<sup>1</sup> See [State v. Kyles, 2023-Ohio-2691](#). This case was appealed to the Ohio Supreme Court and oral arguments were heard in July 2024. However, as of October 17, 2024, an opinion has not been rendered.

<sup>2</sup> R.C. 959.131.

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## HISTORY

Action	Date
Introduced	10-16-24

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