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Bill Analysis

Version: As Introduced

Primary Sponsors: Reps. Plummer & Young

Amanda Goodman, Attorney

SUMMARY

Abuse of a companion animal corpse

- Prohibits a person from knowingly treating a companion animal corpse in a way that would outrage reasonable community sensibilities.
- Specifies that a person who violates the prohibition is guilty of a first degree misdemeanor on a first offense and a fifth degree felony on a second and any subsequent offense and, in addition to other potential penalties, requires the offender to undergo psychological evaluation or counseling.

Prohibition against a violent felon residing with certain dogs

- Clarifies that a person who is convicted of certain felony offenses, but who is not incarcerated, cannot knowingly own or reside with specified types of dogs beginning on the date that the person plead guilty or was convicted of the offense rather than the date of the person's final release from any sanctions imposed for the offense.

Animal abuse offenses

- Establishes certain prohibitions, sanctions, and requirements concerning a person who is convicted of or pleads guilty to an animal abuse offense, including requiring a court to impose as a financial sanction certain mandatory fines.

Prohibition against an animal abuse offender residing with dogs

- Completely bars a person who is convicted of a felony animal abuse offense from knowingly owning, possessing, having custody of, or residing in a residence with any dog.
- Prohibits a person who is convicted of a misdemeanor animal abuse offense from knowingly owning, possessing, having custody of, or residing in a residence with any dog for a period of two years.

“Do Not Adopt” registry

- Requires the Auditor of State to establish a “Do Not Adopt” registry of all persons who have been convicted of or plead guilty to an animal abuse offense and to make the registry publicly available on its website.

Statewide dangerous and vicious dog registry

- Requires the Director of Agriculture to establish a statewide dangerous and vicious dog registry that lists the name and address of every person who has been issued a dangerous dog registration certificate from a county auditor and to make the registry publicly available on its website.

Peace officer continuing professional training

- Requires two hours of a peace officers’ required annual continuing professional training to be dedicated to the education of Ohio laws governing animal welfare and cruelty.

Dog pound spaying and neutering requirement

- Requires a dog pound operated by a municipal corporation, a county, or a humane society to ensure that a dog has been spayed or neutered prior to allowing the dog to be adopted or prior to transferring ownership of the dog.

DETAILED ANALYSIS

Abuse of a companion animal corpse

The bill prohibits a person from knowingly treating a companion animal corpse in a way that would outrage reasonable community sensibilities unless authorized by law.¹ Under the bill, a companion animal is a dog, cat, or any animal that is kept inside a residential dwelling (it does not include livestock or any wild animal).²

It also applies certain existing exemptions that pertain to the laws governing animal abuse to the new prohibition. Most applicably, the prohibition does not apply to either 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; and
2. The lawful practice of veterinary medicine by a licensed person.³

The bill specifies that a person who violates the above prohibition is guilty of a first degree misdemeanor on a first offense and a fifth degree felony on a second and any subsequent

¹ R.C. 959.131(H).

² R.C. 959.131(A)(1).

³ R.C. 959.131(I).

offense.⁴ A first degree misdemeanor is generally punishable by a jail term of up to 180 days⁵ and a fine of up to \$1,000.⁶ A fifth degree felony is generally punishable by a prison term of six to twelve months⁷ and a fine of up to \$2,500.⁸

Additionally, if a person is convicted of or pleads guilty to the violation, a court must impose a requirement that the offender undergo psychological evaluation or counseling in addition to any other criminal penalty. The court must order the offender to pay the costs of the evaluation or counseling.⁹

Prohibition against a violent felon residing with certain dogs

Regarding a person who is convicted of or pleads guilty to a felony offense of violence and certain other felony offenses,¹⁰ but who is not incarcerated for the offense, the bill alters the commencement date of the three-year period during which the offender cannot knowingly own or reside with either of the following:

1. An unspayed or unneutered dog older than 12 weeks; or
2. A designated dangerous or vicious dog.

Under current law, the commencement date is the date of the offender's final release from any sanctions imposed for the offense. The bill specifies, instead, that the commencement date is the date that the person plead guilty to or was convicted of the offense.¹¹ This change eliminates an oddity in the law that allows the offender to own or reside with the otherwise prohibited types of dogs during the period in which the person is still subject to sanctions for the felony offense.

Animal abuse offenses

The bill establishes certain prohibitions, sanctions, and requirements concerning a person who is convicted of or pleads guilty to an animal abuse offense (see list of offenses below).

Financial sanctions

The bill requires a court to impose as a financial sanction a mandatory fine of \$2,500 if a person is convicted of or pleads guilty to an animal abuse offense that is a misdemeanor or a fifth

⁴ R.C. 959.99(E)(6).

⁵ R.C. 2929.24(A)(1), not in the bill.

⁶ R.C. 2929.28(A)(2)(a)(i), not in the bill.

⁷ R.C. 2929.14(A)(5), not in the bill.

⁸ R.C. 2929.18(A)(3)(e), not in the bill.

⁹ R.C. 959.99(E)(6).

¹⁰ The other felony offenses include specified drug offenses and certain offenses related to conspiracy, attempt, complicity, corrupt activities, and firearms.

¹¹ R.C. 955.54.

degree felony.¹² If a person is convicted of or pleads guilty to a third or fourth degree felony animal abuse offense, the court must impose as a financial sanction a fine between \$2,500 and the maximum financial sanction allowed under Ohio's sentencing law.¹³

Residing with a dog

The bill completely bars a person who is convicted of or pleads guilty to a felony animal abuse offense from knowingly owning, possessing, having custody of, or residing in a residence with any dog. Whoever violates this prohibition is guilty of a first degree misdemeanor. Currently, such a person cannot knowingly own or reside with an unspayed or unneutered dog older than 12 weeks or a designated dangerous or vicious dog for a period of three years.¹⁴

The bill also prohibits a person who is convicted of or pleads guilty to a misdemeanor animal abuse offense from knowingly owning, possessing, having custody of, or residing in a residence with any dog for a period of two years beginning either upon the date of release of the person from any period of incarceration imposed for the offense, or, if the person is not incarcerated, upon the date that the person is convicted of or pleads guilty to the offense.¹⁵ Whoever violates this prohibition is guilty of a first degree misdemeanor.¹⁶

“Do Not Adopt” registry

The bill requires the Auditor of State to establish a “Do Not Adopt” registry of all persons who have been convicted of or plead guilty to an animal abuse offense and to make the registry publicly available on its website. A person who was convicted of or plead guilty to a felony animal abuse offense must remain on the registry indefinitely. For a misdemeanor animal abuse offender, the person remains on the registry for a two-year period. When a person is convicted of or pleads guilty to a felony or misdemeanor animal abuse offense, the court, within a reasonable period of time, must notify the Auditor of State of the conviction or guilty plea.¹⁷

List of animal abuse offenses

An animal abuse offense¹⁸ is one of the following:

¹² R.C. 959.99(J)(2) and 2921.321(F)(1).

¹³ R.C. 959.99(J)(3) and 2921.321(F)(2). Also see R.C. 2929.18.

¹⁴ R.C. 955.54(A), 955.55(B), and 955.99(O) .

¹⁵ R.C. 955.55(C).

¹⁶ R.C. 955.99(O).

¹⁷ R.C. 955.55(D) and (E).

¹⁸ R.C. 955.55(A) and 959.99(J)(1).

Animal abuse offenses	
R.C. Section	Prohibition
R.C. 959.01	Abandoning an animal
R.C. 959.02	Injuring or killing certain animals
R.C. 959.03	Poisoning an animal
R.C. 959.06	Illegally euthanizing a domestic animal
R.C. 959.13	Cruelty to an animal
R.C. 959.131	Cruelty to a companion animal, including the new offense against abusing a companion animal corpse
R.C. 959.14	Illegally cutting off a horse tail
R.C. 959.15	Prohibitions concerning animal fights
R.C. 959.16	Prohibitions concerning dog fights
R.C. 959.17	Using a live bird or fowl as targets in trapshooting
R.C. 959.18	Shooting, killing, or maiming a carrier pigeon
R.C. 959.20	Illegally using certain devices on a work animal
R.C. 959.21	Bestiality
R.C. 2921.321	Assaulting or harassing a police dog or horse or service dog

Statewide dangerous and vicious dog registry

The bill requires the Director of Agriculture (ODA Director) to establish a statewide dangerous and vicious dog registry that lists the name and address of every person who has been issued a dangerous dog registration certificate from a county auditor. The Director must make the registry publicly available on the Department of Agriculture's website.

Each county auditor, within 90 days after the bill's effective date, must submit a list of the names and corresponding addresses of every person who has been issued a dangerous dog registration certificate to the ODA Director. Thereafter, each county auditor must notify the ODA Director in a timely manner of any new person who registers a dangerous or vicious dog with the county auditor. A county auditor also must notify the ODA Director whenever the county auditor becomes aware of an address change for a dangerous or vicious dog.

Under the bill, a person may petition the ODA Director, in a manner established by the Director, to have the person's name and address removed from the registry if the person transfers ownership of the dangerous or vicious dog or if the dangerous or vicious dog dies.¹⁹

Peace officer continuing professional training

The bill requires two hours of a peace officers' annual continuing professional training to be dedicated to the education of Ohio laws governing animal welfare and cruelty. Under current law, a peace officer must complete at least 24 hours of continuing professional training each year.²⁰

Dog pound spaying and neutering requirement

The bill requires a dog pound operated by a municipal corporation, a county, or a humane society to ensure that a dog has been spayed or neutered prior to allowing the dog to be adopted or prior to transferring ownership of the dog.²¹

HISTORY

Action	Date
Introduced	08-19-25

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¹⁹ R.C. 955.56.

²⁰ R.C. 109.803(A)(1).

²¹ R.C. 955.57.