



Ohio Legislative Service Commission

Bill Analysis

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H.B. 289

129th General Assembly
(As Introduced)

Reps. Goyal and McClain, Garland

BILL SUMMARY

- Prohibits a person from knowingly engaging in sexual conduct or contact with an animal, causing, aiding, or abetting another person to engage in sexual conduct or contact with an animal, or permitting sexual conduct or contact with an animal to be engaged in on property under the person's control.
- Provides that a person who violates any prohibition set forth in the prior dot point is guilty of "engaging in an act of bestiality."
- Permits a court to order an offender who is convicted of engaging in an act of bestiality to not harbor animals, own animals, or reside in any household in which animals are present, to participate in appropriate counseling at the offender's expense, and to reimburse an animal shelter or humane society for the reasonable costs incurred for the care and maintenance of any animal taken to the animal shelter or humane society as a result of the offender's conviction.
- Specifies that the bill does not prohibit accepted animal husbandry practices or accepted veterinary medical practices by a licensed veterinarian or registered veterinary technician.

CONTENT AND OPERATION

Prohibition on engaging in an act of bestiality

The bill prohibits a person from knowingly doing any of the following:¹

¹ R.C. 2907.13(A).

- Engaging in sexual conduct with an animal or engaging in sexual contact with an animal;
- Causing, aiding, or abetting another person to engage in sexual conduct with an animal or to engage in sexual contact with an animal;
- Permitting sexual conduct with an animal or sexual contact with an animal to be engaged in on property under the person's control.

A person who violates this prohibition is guilty of "engaging in an act of bestiality," a fifth degree felony on the first offense and a fourth degree felony on each subsequent offense.²

In addition to any other penalty imposed for the offense, the court may order an offender who pleads guilty to or is convicted of engaging in an act of bestiality to do any of the following:³

- Not harbor animals, own animals, or reside in any household in which animals are present;
- Participate in appropriate counseling at the offender's expense;
- Reimburse an animal shelter or humane society for the reasonable costs incurred for the care and maintenance of any animal taken to the animal shelter or humane society as a result of the offender's violation of this section.

The bill specifies that the bill does not prohibit accepted animal husbandry practices or accepted veterinary medical practices by a licensed veterinarian or registered veterinary technician.⁴

Seizure of animals

Under the bill, if a court has reasonable grounds to believe that a violation of the prohibition on engaging in an act of bestiality has occurred, the court may order the

² R.C. 2907.13(B).

³ R.C. 2907.13(D).

⁴ R.C. 2907.13(E).

seizure of all animals involved in the alleged violation as a condition of bond of a person charged with the violation.⁵

Definitions

The bill creates the following definitions:⁶

"Animal" means every creature, either alive or dead, other than a human being.

"Sexual contact with an animal" means any of the following actions taken by a person for the purpose of sexual gratification or sexual arousal:

- Touching or fondling, either directly or through clothing, of the sex organ, genitals, or anus of an animal;
- Making contact, however slight, between the mouth, sex organ, genitals, or anus of the person and the mouth, sex organ, genitals, or anus of an animal.

"Sexual conduct with an animal" means any of the following acts taken by a person for the purpose of sexual gratification or sexual arousal:

- The penetration, however slight, of any part of the body of the person into the sex organs, genitals, or anus of an animal;
- The insertion, however slight, of any instrument, apparatus, or other object into the sex organs, genitals, or anus of an animal;
- Transferring or transmitting semen upon any part of an animal.

HISTORY

ACTION	DATE
Introduced	06-30-11

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⁵ R.C. 2907.13(C).

⁶ R.C. 2907.13(F).