



Ohio Legislative Service Commission

Bill Analysis

Aida S. Montano

H.B. 641

130th General Assembly
(As Introduced)

Reps. Celebrezze, Barborak, Cera, Foley, Beck, Antonio, Fedor, O'Brien, R. Hagan

BILL SUMMARY

- Requires the Attorney General to establish and maintain a registry of violations of specified prohibitions in the Animal Cruelty Law.
- Requires an individual who has been convicted of any of those prohibitions to submit certain information to the Attorney General to be included in the registry and to pay a fee to be deposited into the Animal Abuser Registration Fund created by the bill, and prohibits the individual from violating the requirement.
- Requires a law enforcement officer, humane society agent, dog warden, or deputy dog warden who becomes aware of a violation of any of those prohibitions to inform the Attorney General of the violation and to provide certain information if known.
- Prohibits an animal shelter from placing for adoption an animal kept by the shelter with an individual whose name is on the registry.

CONTENT AND OPERATION

Registry of violators of Animal Cruelty Law

The bill requires the Attorney General (AG) to establish and maintain a registry of violations of specified prohibitions in the Animal Cruelty Law (see below), to make the registry available to local and state law enforcement agencies, and to post the registry on the AG's website.¹

¹ R.C. 959.32(A).

Animal Cruelty Law prohibitions

The bill requires the registry to include specified information regarding violators of the following existing prohibitions in the Animal Cruelty Law:²

- Abandoning a dog, cat, or other domestic animal.
- Killing or injuring a domestic animal.³
- Poisoning a domestic animal.
- Specified acts of cruelty to animals.
- Specified prohibitions concerning companion animals.
- Cutting or amputating a horse dock or tail or parts of them.
- Engaging in or being employed in animal fights.
- Dogfighting offenses.
- Trapshooting.
- Killing a carrier pigeon.
- Use of certain devices on work animals.

Submission of information for registry by violator

The bill requires an individual who has been convicted of a violation of any of the above prohibitions to submit the following information to the AG not later than 30 days after the conviction:⁴

- The individual's name, address, gender, and date of birth.
- Details of the violation, including a description of and the gender and age of each animal that was a victim of the violation.

² R.C. 959.32(B) and references in the bill to R.C. 959.01, 959.02, 959.03, 959.13, 959.131, 959.14, 959.15, 959.16, 959.17, 959.18, and 959.20.

³ The prohibitions against killing, injuring, or maiming a domestic animal include horses, mules, sheep, goats, cows, and oxen as domestic animals.

⁴ R.C. 959.31(A).



- A description of any enforcement action taken.
- Any additional information the AG considers necessary.

Fee; Animal Abuser Registration Fund

The bill requires the individual submitting the above information to pay a \$10 fee to be credited to the Animal Abuser Registration Fund created by the bill in the state treasury. The AG must use money in the Fund to administer and enforce the bill's provisions.⁵

Prohibition

The bill prohibits any individual from violating the above requirements regarding the submission of information and payment of the fee to the AG, and imposes a penalty for a first degree misdemeanor for a violation of the prohibition.⁶

Other persons' submission of information for registry

The bill requires a "law enforcement officer," agent of a "humane society" appointed under the Humane Society Law, or dog warden or deputy dog warden who becomes aware of a violation of any of the above prohibitions in the Animal Cruelty Law to inform the AG of that violation and provide the information regarding the violation as specified above in "**Submission of information for registry by violator**," if known. The AG must enter that information into the registry.⁷

Prohibition against adoption of animal by abuser

The bill prohibits an "animal shelter" from placing for adoption an animal that is kept or harbored by the shelter with an individual whose name is on the registry.⁸

Definitions

As used in the bill:⁹

⁵ R.C. 959.31(B) and 959.34.

⁶ R.C. 959.31(C) and 959.99(G).

⁷ R.C. 959.32(C).

⁸ R.C. 959.33.

⁹ R.C. 959.30.

"Animal shelter" has the same meaning as in the law governing pharmacists.¹⁰

"Humane society" and "law enforcement officer" have the same meanings as in the law governing the possession of wild animals.¹¹

HISTORY

ACTION	DATE
Introduced	10-20-14

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¹⁰ By reference to R.C. 4729.01(V), not in the bill.

¹¹ By reference to R.C. 935.01, not in the bill.

