

Dangerous Wild Animals and Restricted Snakes  
Review of Ohio Revised Code 935

*Section by Section Breakdown*

**935.01 – Definitions**

This section defines key terms that are used in the bill. You will find the definitions used for dangerous wild animals (DWA) and a restricted snake. Any questions about the meaning of a term should start in this section. If a word or term is not defined in 935.01 it is to be given its plain meaning.

**935.11 – Adding animals to the definition of a dangerous wild animal or restricted snake**

This section states that the director cannot add new species to these definitions without legislative approval.

**935.02 – Blanket prohibitions on possession and transfer of DWA**

(A) No person shall possess a DWA on or after January 1, 2014

**Exceptions:** Many exceptions apply. Permit holders will be able to possess, exempted facilities may continue to possess, and any animals that do not meet the definition of a DWA may continue to be possessed.

(B) Generally prohibits acquisition, buying, selling, trading, or transfer of possession or ownership of a DWA after the effective date of the section.

**Exceptions:** This prohibition does not apply to restricted snakes. There is an exception that allows people to acquire a DWA through inheritance or as next of kin, and there is an exception that provides for the director of ODA to authorize a rescue facility to acquire animals as long as they do not buy them before January 1, 2014. After this date, only a permitted rescue facility can be authorized by the director in this manner.

**935.03– Exceptions to ban on possession of DWA and exempted facilities**

(A) **Permitted entities/seeking accreditation** – provides a limited exemption to three classes of entities from the outright ban on possession that goes into effect on January 1, 2014:

- (1) **Individuals seeking accreditation** – individuals who are licensed by USDA under the Federal Animal Welfare Act, AND that the director determines are in the process of becoming an accredited member of the Association of Zoos and Aquariums (AZA) or the Zoological Association of America (ZAA), *only if* the director has informed that person that they are exempt;

- (2) **Organizations seeking accreditation** – exempts from the ban on ownership organizations that are in the process of becoming an accredited or verified wildlife sanctuary by the Global Federation of Animal Sanctuaries (GFAS), *only if* the director has informed the organization that a limited exemption applies; and
- (3) **Permit holders** – any person whose possession of a DWA is authorized by an unexpired permit issued under this chapter. (Examples include a wildlife shelter permit, a wildlife propagation permit and a wildlife rescue permit.)
- (B) **Exempted entities** – exempts a whole host of entities from the legislation *except that even these exempted entities must still register their DWA*. Please refer to Ohio Revised Code (ORC) 935.03(B) for the entire list of exempted entities.

**Example:** The owner of an emperor penguin, moose and rat snake is not affected by the legislation in any way because these animals are not classified as DWAs or as a restricted snake. However, the owner of a lemur is required to register pursuant to ORC 935.041 even though it is not a DWA.

#### **935.04 – Registration requirements**

- (A) **DWA owners must register** – a person that possesses a DWA on the effective date of this section shall register with the director not later than sixty days after the effective date of this section.  
  
**NOTE:** Section became effective on September 5, 2012 and 60 day registration period ends on November 5, 2012. Restricted snakes are not required to register.
- (B) **Form information** – lists information required to be on the form by law.
- (C) **Must adhere to rules once adopted** – 90 days after director adopts rules; registered animal owner shall comply with those rules regarding care and housing.
- (D) **Microchip requirement** – requires that any animal registered must have a microchip implanted with an identification number and a passive integrated transponder that operates on the frequency of 125, 134.2 or 400 kilohertz.
- (E) **Eventual permit application** – states that a person who owns a registered DWA on October 1, 2013 and wishes to continue to possess the dangerous wild animal on or after January 1, 2014 shall obtain a wildlife shelter or propagation permit.

#### **935.041 – Registration requirement for certain non-human primates that are not DWA**

- (A) **Small non-human primates** – a person that possess a marmoset, squirrel monkey, capuchin or lemur must register their animals with the state, but these animals are not DWA. This is the only provision of the law that would apply to these animals.

**935.05 – Wildlife shelter permit instructions**

(A) **When to apply for permit** – a person that possess a registered DWA in this state on October 1, 2013, and wishes to continue to possess the dangerous wild animal on or after January 1, 2014, and that does not intend to propagate the animal shall apply for a wildlife shelter permit.

(B) **Application information** – must file an application for a permit with the director and an applicant need only apply for one permit regardless of the number of DWA they possess. Application must contain the following:

- (1) The name, address, date of birth, social security number, and federal employee identification number, if applicable, of the applicant;
- (2) If different from the above information, the address where each DWA will be confined;
- (3) A thorough description of each animal;
- (4) ID number of the microchip implanted in each DWA and the frequency of the passive integrated transponder contained in the microchip;

**NOTE:** The preceding information is the same information that was required on the animal registration form. The following are new requirements specific to the permit.

- (5) Proof of financial responsibility;
- (6) Proof of at least two years of experience in the care of their species of DWA. If they cannot provide proof of experience, they must pass a written examination administered by ODA;
- (7) A plan of action if a DWA escapes that must also be submitted to the sheriff of the county and to the chief law enforcement officer and fire chief of the township or municipal corporation having jurisdiction where the DWA are confined;
- (8) Proof of a veterinarian-client relationship with regard to each DWA;
- (9) Any additional information required in rules.

(C) **Application fees**

- (1) \$250 if applicant possesses 3 or less DWA;
- (2) \$500 if applicant possesses 4-10 DWA;
- (3) 1,000 if applicant possesses 11-15 DWA;

- (4) \$1,000 if applicant possesses 16 or more DWA, plus an additional \$125 for each animal after fifteen animals.

**Examples:** The fee for 16 animals = \$1,125. The fee for 25 animals = \$2,250 etc.

- (D) **Proof of financial responsibility** – applicant shall obtain and maintain proof of financial responsibility in one of the following forms:

- (1)(a) **Liability insurance** – a policy with an insurer authorized or approved to write such policies in this state that covers claims for injury or damage to persons or property caused by a DWA possessed by an applicant or any resulting claims against the state.
- (1)(b) **Surety bond** - a bond which shall be executed by a surety company authorized to do business in this state that covers claims for injury or damage to persons or property caused by a DWA possessed by an applicant or any resulting claims against the state. The bond shall be in a form approved by the director.
- (2) **Proof of financial responsibility amounts**
  - (a) \$200,000 if applicant possesses 5 or less DWA;
  - (b) \$500,000 if applicant possesses 6-15 DWA;
  - (c) \$1,000,000 if applicant possess 16 or more DWA.

**NOTE:** The amounts specified above shall be for each occurrence of injury or damage.

### **935.06 – Issuance, denial, and renewal of wildlife shelter permit**

- (A) **How long does ODA have to review?** – no longer than 90 days after receipt of an application the director of agriculture shall issue or deny a wildlife shelter permit. The director shall issue the permit only if the following apply:
  - (1) Applicant must be 18 years of age or older.
  - (2) Applicant has registered the DWA that are the subject of an application.
  - (3) Applicant is in compliance with the housing and care standards established by rule.
  - (4) Applicant has sterilized each male animal.

**Exception:** Animals are not required to be sterilized if a veterinarian that is qualified to provide care determines that sterilization is medically contraindicated and applicant submits a copy of the veterinarian's written determination with their application.

- (5) Applicant must sign an affidavit attesting that applicant will not allow members of public to be in physical contact with DWA.

**Exception:** This provision does not apply to an employee of the applicant or a volunteer who assists the applicant in the care of a dangerous wild animal listed in ORC 935.01 (C)(20) [*small non-human primates only*].

- (6) Applicant must not have been convicted of or pled guilty to:
- a. Felony drug use offense;
  - b. An offense of violence that is a felony;
  - c. R.C. 959.13 (Cruelty to animals);
  - d. R.C. 959.131 (Prohibitions concerning companion animals); or
  - e. R.C. 2927.21 (Report escape of dangerous animals).

**NOTE:** R.C. 2927.21 was repealed by S.B. 310 and replaced with a similar provision in R.C. 935.18. However, past convictions under 2927.21 will still bar a permit applicant.

- (7) Facility at which the DWA is maintained consists of at least one acre.

**Exceptions:** One acre requirement does not apply to the small non-human primates listed in ORC 935.01(C)(20) and there is a procedure in the law for the applicant to request a written waiver from the director.

- (8) Applicant has signed an affidavit attesting that the facility where the DWA will be maintained and the conditions in which they will be kept are in compliance with the statute and rules.
- (9) Applicant must submit a complete application and pay the applicable fee.

If permit is issued, Director shall assign a unique ID number.

- (B) **Background check** – prior to issuing a permit, the director must submit a request to BCI&I for a criminal records check for the offenses listed above. Applicant is responsible for paying all costs of the criminal records check.
- (C) **Permit denial** – \$250 of application fee is retained as payment for reasonable processing expenses and the rest is returned to applicant.
- (D) **Annual renewal** – not later than December 1 each year, a permit holder shall apply to the director for a renewal permit if the permit holder intends to retain possession of the DWA identified on the permit. Not later than 30 days after receipt of an application for renewal, the director shall renew or deny the permit. The director shall renew if permit holder complies with the chapter and rules and the applicant pays a renewal fee of the same amount established for initial permits.

- (E) **Right to adjudication if renewal permit denied** – director must notify the renewal applicant of the denial, the grounds for denial, and the person’s right to an adjudication under Chapter 119.
- (F) **Failure to appeal or renewal denial affirmed** – not later than 30 days after a decision not to appeal or after the determination is affirmed, the person shall transfer the DWA to a humane society, wildlife sanctuary, rescue facility, AZA or ZAA accredited facility, or a facility that is located in another state that complies with that state’s laws. After transfer has occurred, the former applicant shall submit proof to the director that the DWA was transferred and shall specify where the animals were transferred.

**NOTE:** Person is responsible for all costs associated with the transfer.

- (G) **Next of kin provisions** – if a person has been issued either a wildlife shelter permit or a wildlife propagation permit, the person’s next of kin shall do one of the following:
  - (1) **Next of kin may take possession** – if the next of kin wishes to possess the DWA, they must obtain the appropriate permit and comply with the law and rules;  
**Exception:** Next of kin does not need to pay an initial permit application fee.
  - (2) **Transfer by will** – if deceased has a will that specifies that DWA are to be transferred to another person that has been issued a wildlife shelter permit, wildlife propagation permit or rescue facility permit, transfer the DWA to the applicable permit holder; or
  - (3) **No desire to keep and no instructions from deceased** – transfer the DWA that were possessed by the deceased to any of the facilities listed in (F) above.
- (H) **Where do fees go?** – all fees collected under this section (*application fees, renewal fees, \$250 kept from application denials*) shall be credited to the dangerous and restricted animal fund created in 935.25 of the Revised Code.

### **935.07 – Wildlife propagation permit instructions**

- (A) **When to apply for permit** – a person that possess a registered DWA in this state on October 1, 2013, and wishes to continue to possess the dangerous wild animal on or after January 1, 2014, and that intends to propagate the animal solely for the purposes of a species survival program that complies with the rules, shall apply for a wildlife propagation permit.
- (B) **Application information** – the application process for the wildlife propagation permit is exactly the same as the process for the wildlife shelter permit except for a few differences.

### **Different application fees**

- (1) \$1,000 if applicant possesses 50 DWA or less;
- (2) \$3,000 if applicant possesses more than 50 DWA.

(C) **Different acreage requirement**

Facility where DWA are maintained shall consist of two acres.

**Exceptions:** Two acre requirement does not apply to the small non-human primates listed in (C)(20) and there is a procedure in the law for the applicant to request a written waiver from the director.

(D) **Where do fees go?** – all fees collected under this section (*application fees, renewal fees, \$250 kept from application denials*) shall be credited to the dangerous and restricted animal fund created in 935.25 of the Revised Code.

(E) **No requirement to sterilize** – division (A)(4) of section 935.06 of the Revised Code does not apply to an applicant for a wildlife propagation permit.

**NOTE:** Exempts applicants for a propagation permit from having to have their animals sterilized.

**935.08 – Restricted snake possession permit instructions**

(A)(1) **When to apply for permit** – a person that possess a restricted snake in this state prior to January 1, 2014, that wishes to continue to possess the restricted snake on or after that date, and that does not intend to propagate, sell, trade, or otherwise transfer the snake shall obtain a restricted snake possession permit under this section not later than January 1, 2014.

(A)(2) **Permit application for those who acquire after January 1, 2014** – a person that acquires a restricted snake after January 1, 2014, that does not intend to propagate, sell, trade or otherwise transfer snake shall obtain a restricted snake possession permit not later than 120 days after acquiring the snake.

(B) **Application information** – must file an application for a permit with the director and an applicant need only apply for one permit regardless of the number of restricted snakes they possess. Application must contain the following:

- (1) The name, date of birth, address, social security number, and federal employee identification number, if applicable, of the applicant;
- (2) If different from the above information, the address where each restricted snake will be confined;
- (3) A thorough description of each restricted snake;

(4) Proof of financial responsibility;

**Exception:** The financial responsibility requirement does not apply to the owners of the constricting snakes. This requirement only applies to the venomous restricted snake owners.

(5) Proof of at least two years of experience in the care of the species of restricted snake. If they cannot provide proof of experience, they must pass a written examination administered by ODA;

**Exception:** No experience requirement needed for constricting snakes.

(6) A plan of action if a restricted snake escapes that must also be submitted to the sheriff of the county and to the chief law enforcement officer and fire chief of the township or municipal corporation having jurisdiction where the restricted snakes are confined;

(7) Written statement from a veterinarian stating they are willing to provide care to applicant's restricted snakes when care is needed;

(8) Any additional information required in rules.

(C) **Restricted Snake Possession Permit Application Fee** – all applicants submit a flat \$150 permit fee regardless of the amount of snakes they possess.

(D) **Proof of financial responsibility** – applicant shall obtain and maintain proof of financial responsibility in one of the following forms:

(1) (a) **Liability insurance** – a policy with an insurer authorized or approved to write such policies in this state that covers claims for injury or damage to persons or property caused by a restricted snake possessed by an applicant or any resulting claims against the state.

(b) **Surety bond** – a bond which shall be executed by a surety company authorized to do business in this state that covers claims for injury or damage to persons or property caused by a restricted snake possessed by an applicant or any resulting claims against the state. The bond shall be in a form approved by the director.

(2) **Proof of financial responsibility amounts**

(a) \$100,000 if applicant possesses 5 or less restricted snakes;

(b) \$250,000 if applicant possesses 6-15 restricted snakes;

(c) \$500,000 if applicant possess 16 or more restricted snakes.

**NOTE:** The amounts specified above shall be for each occurrence of injury or damage.

**935.09 – Issuance, denial, and renewal of restricted snake possession permit**

(A) **How long does ODA have to review?** - no longer than 90 days after receipt of an application the director of agriculture shall issue or deny a restricted snake possession permit. The director shall issue the permit only if the following apply:

- (1) Applicant must be 18 years of age or older.
- (2) Applicant has signed an affidavit attesting that the applicant will not allow members of the public to be in physical contact with a restricted snake.

**Exceptions:** Applicants that display constricting snakes to primary or secondary aged school children, or an employee or volunteer who has entered into a written agreement with the applicant that assists in the care of the restricted snake, are allowed to come into contact with those snakes.

- (3) Applicant must not have been convicted of or pled guilty to:
  - a. Felony drug use offense;
  - b. An offense of violence that is a felony;
  - c. R.C. 959.13 (Cruelty to animals);
  - d. R.C. 959.131 (Prohibitions concerning companion animals); or
  - e. R.C. 2927.21 (Report escape of dangerous animals).
- (4) Applicant has signed an affidavit attesting that the facility where the restricted snakes will be maintained and the conditions in which they will be kept are in compliance with the statute and rules.
- (5) Applicant must submit a complete application and pay the applicable fee.

If permit is issued, Director shall assign a unique ID number.

- (B) **Background check** – prior to issuing a permit, the Director must submit a request to BCI&I for a criminal records check for the offenses listed above. Applicant is responsible for paying all costs of the criminal records check.
- (C) **Permit denial** – \$75 of application fee is retained as payment for reasonable processing expenses and the rest is returned to applicant.
- (D) **Annual renewal** – not later than December 1 each year, a permit holder shall apply to the director for a renewal permit if the permit holder intends to retain possession of the restricted snakes identified on the permit. Not later than 30 days after receipt of an application for renewal, the director shall renew or deny the permit. The director shall renew if permit holder complies with the chapter and rules and the applicant pays a

renewal fee of the same amount established for initial permits. If renewal is denied, director can again keep \$75 dollars and must return the rest.

- (E) **Right to adjudication if renewal permit denied** – director must notify the renewal applicant of the denial, the grounds for denial, and the person’s right to an adjudication under Chapter 119.
- (F) **Failure to appeal or renewal denial affirmed** – not later than 30 days after a decision not to appeal or after the determination is affirmed, the person shall transfer the restricted snakes to a humane society, wildlife sanctuary, rescue facility, AZA or ZAA accredited facility, or a facility that is located in another state that complies with that state’s laws. After transfer has occurred, the former applicant shall submit proof to the director that the restricted snakes were transferred and shall specify where the snakes were transferred.

**NOTE:** Person is responsible for all costs associated with the transfer.

- (G) **Next of kin provisions** – if a person has been issued either a restricted snake possession permit or a restricted snake propagation permit, the person’s next of kin shall do one of the following:
  - (1) **Next of kin may take possession** – if the next of kin wishes to possess the restricted, they must obtain the appropriate permit and comply with the law and rules;
    - Exception:** – Next of kin does not need to pay an initial permit application fee.
  - (2) **Transfer by will** – if deceased has a will that specifies that DWA are to be transferred to another person that has been issued a wildlife shelter permit, wildlife propagation permit or rescue facility permit, transfer the DWA to the applicable permit holder; or
  - (3) **No desire to keep and no instructions from deceased** – transfer the DWA that were possessed by the deceased to any of the facilities listed in (F) above.
- (H) **Where do fees go?** – all fees collected under this section (*application fees, renewal fees, \$75 kept from application denials*) shall be credited to the dangerous and restricted animal fund created in 935.25 of the Revised Code.

### **935.10 - Restricted snake propagation permit instructions**

- (A)(1) **When to apply for permit** – a person that possess a restricted snake in this state prior to January 1, 2014, that wishes to continue to possess the restricted snake on or after that date, and that intends to propagate, sell, trade, or otherwise transfer the snake shall obtain a restricted snake propagation permit under this section not later than January 1, 2014.

- (2) **Permit application for those who acquire after January 1, 2014** – a person that acquires a restricted snake after January 1, 2014, that intends to propagate, sell, trade or otherwise transfer snake shall obtain a restricted snake propagation permit not later than 120 days after acquiring the snake.
- (B) **Application information** – the application process for the restricted snake propagation permit is exactly the same as the process for the restricted snake possession permit except for a few small differences.
- Different application fee:**  
The application fee for a restricted snake propagation permit is \$300.
- (C) **Application denial** – if a permit application is denied, \$150 of the permit application fee shall be retained as payment for the reasonable expenses of processing the application. The remainder of the fee shall be returned to the applicant.
- (D) **Where do fees go?** – all fees collected under this section (*application fees, renewal fees, \$150 kept from application denials*) shall be credited to the dangerous and restricted animal fund created in 935.25 of the Revised Code.

**935.101 – Rescue facility permit**

- (A)(1) **Currently operating** – in lieu of obtaining another permit under this chapter, a person that operates a rescue facility in this state prior to January 1, 2014, and that wishes to continue to operate a rescue facility shall obtain a rescue facility permit not later than January 1, 2014.
- (A)(2) **New facility** – a person that wishes to begin operation as a rescue facility in this state on or after January 1, 2014, shall obtain a rescue facility permit not later than 60 days prior to beginning operation.
- (B)(1) **Permit application information** – an applicant for a rescue facility permit shall file an application with the director on a form prescribed and provided by the director. The application shall include information that the director requires in rules.
- (B)(2) **Permit application fees**  
(a) \$500 if the applicant possesses not more than 3 DWA;  
(b) \$1,000 if the applicant possesses 4-15 DWA; or  
(c) \$2,000 if the applicant possesses 16 or more DWA.
- (B)(3) **Application permit denial** – if the permit application is denied, \$250 of the application shall be retained by the director as payment for reasonable expenses.

- (C) **Animals must be sterilized** – the director shall issue or deny a rescue facility permit in accordance with rules. The director shall issue a permit only if the dangerous wild animals that are to be possessed are sterilized.
- (D) **Care and housing requirements** – a person issued a rescue facility permit shall comply with the requirements regarding care and housing established in rules under 935.17(G).
- (E) **Acquisition permissible** – a person that has a rescue facility permit may acquire, except by purchase, possession of a dangerous wild animal.

### **935.11 – Dual permitting**

This section simply provides language stating that if you would engage in activity that requires two different permits, you are required to get both permits.

**Example:** if you own a king cobra and tiger, and have no intention or propagating either animal, you would be required to get both a restricted snake possession permit and a wildlife shelter permit.

### **935.12 – Care and housing requirements for all permit holders**

- (A) **Care and housing for all DWA permit holders** – a person that has been issued a permit under this chapter for a dangerous wild animal(s) shall comply with the requirements regarding the care and housing of dangerous wild animal(s) established in rules.
- (B) **Exception:** a person issued a wildlife shelter permit, wildlife propagation permit, or rescue facility permit under this chapter for a dangerous wild animal(s) specified in ORC 935.01(C)(20) shall comply with both of the following:
  - (1) The requirements regarding the care of those animals established in regulations adopted under the animal welfare act;
  - (2) The requirements regarding the housing of those animals established in rules.
- (C) **Care for restricted snake possession and propagation permit holders** – a person issued a restricted snake possession permit or a restricted snake propagation permit shall comply with the requirements regarding care and housing of those snakes established in standards adopted by the ZAA.

### **935.13 – Suspension or revocation of a permit**

The director may suspend or revoke a permit for a violation of this chapter or rules. A person adversely affected by an order of suspension or revocation may request an adjudication under Chapter 119.

**935.14 – Director to maintain a database**

- (A) The director shall maintain a database on both of the following:
  - (1) **Registration Information** – until January 1, 2014, the name and address of each person that possesses a dangerous wild animal and that registers the animal;
  - (2) **Permit Information** – on and after January 1, 2014, the name and address of each person that has applied for and been issued a permit under this chapter.
- (B) **Database Access** – the director shall allow the directors of health and natural resources to have access to the database.

**935.15 – Permit holder record keeping requirements**

- (A) **Record keeping requirements** – a person that has been issued a permit shall maintain records of all of the following regarding each DWA or restricted snake:
  - (1) The scientific and common names, including the species;
  - (2) If the animal or snake was purchased or otherwise acquired from another person, the name and address of the other person;
  - (3) The date on which the animal or snake was acquired, if applicable;
  - (4) If the permit holder propagates dangerous wild animals, the date of birth of the animal if it was propagated by the permit holder;
  - (5) If the permit holder propagates restricted snakes, the date of birth of the snake if it was propagated by the permit holder;
  - (6) The name and address of the person to whom the animal or snake was sold or otherwise transferred, if applicable;
  - (7) The date on which the animal or snake died or escaped, if applicable;
  - (8) The identification number of the microchip and frequency of the passive integrated transponder in the microchip.
- (B) Permit holder must maintain records in accordance with rules.

**935.16 – Responsibilities if an animal escapes**

- (A) **Notification** – if a DWA or restricted snake escapes the person that possesses the animal or snake must immediately notify the following:
- (1) The sheriff of the county and the chief law enforcement officer of the township or municipal corporation where the escape occurred;
  - (2) The Division of Animal Health via the 24 hour hotline.
- (B) **Animal can be destroyed/no liability** – a law enforcement officer or natural resources officer may destroy an escaped animal or snake that poses a threat to public safety, and is not liable for damages in a civil action for any injury, death, or loss to person or property that allegedly arises from the destruction of the animal or snake.
- (C) **Who pays costs of escape?** – the person that possesses the animal or snake is responsible for all reasonable costs associated with the capture or destruction of the animal or snake. This section also specifies that the person must reimburse the appropriate political subdivision or state agency.
- (D) **Where does money go?** – money collected under (C) above shall be credited to a special fund which is created in the applicable political subdivision and shall be used for the administration and enforcement of this chapter.

**Exception:** money collected under (C) above for costs incurred by a state highway patrol troopers or a natural resources law enforcement officers shall be deposited in the state treasury to the credit of the dangerous and restricted wild animals fund.

**What if multiple officers are involved?** – if law enforcement officers from more than one jurisdiction are involved, the money is to be proportionally distributed.

### **935.17 – Rulemaking authority**

The director of agriculture shall adopt rules that establish all of the following:

- (A) **Registration rules** – both of the following concerning registration of DWA:
- (1) Any additional information that must be included with registration;
  - (2) Standards for the care and housing of registered dangerous wild animals, including standards for the proper care of each species and caging and fencing of the animals.
- (B) **Well-Being rules** – standards for the care and well-being of all dangerous wild animals except the non-human primates in (C)(20) that are possessed by a permit holder. The standards shall govern at least sanitation for, provision of health care for, and feeding, caging, housing, and fencing of dangerous wild animals. In adopting these rules, director

shall consider issues like biosecurity, AZA and ZAA standards, public health and safety, etc.

- (C) **Standards for small non-human primates** – director shall establish standards for the housing of dangerous wild animals specified in (C)(20) that are possessed by wildlife shelter permit and propagation permit holders.
- (D) **Rules for applications concerning wildlife shelter and propagation permit holders** – the director shall establish rules for all of the following items concerning applications for these types of permits:
  - (1) any additional information to be included with the permit application.
  - (2) **Species Survival Program** – criteria for determining what constitutes a species survival program and requirements and procedures to determine if a program meets those criteria.
  - (3) **Examination** – the rules shall require the examination to test an applicant’s knowledge on topics that include proper diet, health care, exercise needs, and housing of the species that are the subject of the application.
  - (4) **Administration of Exam** – procedures and requirements concerning the administration of the examination.
- (E) **Rules specific to restricted snake possession and propagation permit** – all of the following concerning application for permits under section 935.09 and 935.10.
  - (1) any additional information to be included with the permit application;
  - (2) **Examination** – the rules shall require the examination to test an applicant’s knowledge on topics that include proper diet, health care, exercise needs, and housing of the species that are the subject of the application.
  - (3) **Administration of exam** – procedures and requirements concerning the administration of the examination.
- (F) **Rules specific to rescue facility permit** – both of the following concerning applications for permits under section 935.101.
  - (1) any additional information to be included with the permit application;
  - (2) criteria and procedures for the issuance or denial of a permit.
- (G) **Care standards for rescue facilities** – standards for the care and well-being of dangerous wild animals that are possessed by rescue facility permit holders. The

standards shall govern at least sanitation for, provision of health care for, and feeding, caging, housing, and fencing of dangerous wild animals. In adopting these rules, the director may consider the standards of care and housing established in rules adopted under division (B) of this section and section 935.12.

- (H) **Records** – procedures and requirements governing the maintenance of records under R.C. 935.15.
- (I) **Signage** – standards for signs that are required to be posted and displayed in accordance with R.C. 935.18.
- (J) **Civil penalties** – the amount of civil penalties that may be assessed under R.C. 935.24.
- (K) **Distribution of funds** – procedures and requirements governing the distribution of money from the dangerous and restricted wild animal fund.
- (L) **Catch-All** – any other provisions necessary to administer and enforce this chapter.

### **935.18 – General prohibitions in the law**

- (A) **Animal auctions** – except for a restricted constricting snake, no person shall sell or offer for sale at auction a dangerous wild animal or restricted snake.
- (B) **Microchip removal** – except for a microchip removed for purposes of a medical emergency by a veterinarian that is qualified to provide veterinary care to the dangerous wild animal, no person shall knowingly remove a microchip that is implanted in a dangerous wild animal.
- (C) **Signage requirements** – no person that possesses a DWA or restricted snake shall fail to post and display any of the following:
  - (1) On each cage in which a DWA is confined, signs warning the public that a DWA is confined in the cage;
  - (2) At each entrance to the property where a DWA is confined, a sign warning the public that a DWA is on the property;
  - (3) On each container in which a restricted snake is confined, signs warning the public that a restricted snake is in the container;
  - (4) At the main entrance to each structure where a restricted snake is confined, a sign warning the public that a restricted snake is in the structure;
  - (5) On a vehicle that is used to transport a DWA or restricted snake, a sign warning that a DWA or restricted snake is in the vehicle.

The signs shall comply with the standards established in rules.

- (D) **Illegal release** – no person shall knowingly release a DWA or restricted snake into the wild.
- (E) **Roaming** – no person shall allow a DWA or restricted snake to roam off the property where it is confined.
- (F) **Declawing/Defanging** – no person shall remove any teeth or claws from a DWA or restricted snake unless determined to be medically necessary by a veterinarian.
- (G) **Catch-All** – No person shall violate any other provisions of this chapter or rules.

**935.19 – Right of entry**

- (A)(1) **May enter with consent of owner** – the director or his designee may enter at all reasonable times any premises at which a DWA or restricted snake is confined, with the consent of the owner of the premises, for the purpose of determining compliance with this chapter and rules.
- (A)(2) **Search warrant** – if the director or his designee is denied access, and if director reasonably suspects the person is not in compliance, the director may apply for a search warrant in a court of competent jurisdiction authorizing access to the premises.
- (A)(3) **Probable cause requirement** – the court shall issue the search warrant if there is probable cause to believe that the person is not in compliance with this chapter or rules. Probable Cause may be based on hearsay.
- (B) **Inspections** – the director may designate any of the following to conduct inspections under this section:
  - (1) ODA employees;
  - (2) ODNR law enforcement officers with the consent of ODNR’s director;
  - (3) Employees of ODH with consent of ODH’s director;
  - (4) Employees of a board of health, with consent from the board of health;
  - (5) Agents of the humane society, with consent of the humane society.
- (C) **Notification of violation to director** – if a person designated to conduct an inspection determines that a violation has occurred, is occurring, or may occur, the person shall immediately notify the director of agriculture.

**935.20 – Procedure for conducting investigations - quarantine and transfer orders**

- (A) On and after January 1, 2014, the director immediately shall cause an investigation to be conducted if the director has reason to believe any of the following may be occurring:
- (1) **No DWA permit** – a DWA is possessed by a person that has not been issued a wildlife shelter permit, wildlife propagation permit, or rescue facility permit.
  - (2) **No restricted snake permit** – a restricted snake is possessed by a person that has not been issued a restricted snake possession permit or restricted snake propagation permit.
  - (3) **Illegal treatment** – a DWA or restricted snake is being treated or kept in a manner that is a violation of this chapter or rules.
- Quarantine and transfer power** – for the purposes of the investigation, director or designee may through a written order, compel the animal to be quarantined or may order the animal to be transferred to a facility that is on the list maintained by the director.
- (B) **Notice of quarantine or transfer** – director shall attempt to notify the person owning or possessing the animal that has been ordered quarantined or transferred. Notice shall be delivered via certified mail. Director may also post the quarantine order at two conspicuous sites on the location where the animal is quarantined. ODA must maintain a copy of the order and evidence the director attempted to notify the person owning or possessing the animal.
- (C) **Contents of quarantine or transfer order** – a quarantine or transfer order shall contain all of the following:
- (1) Name and address of the person owning or possessing the animal, if known;
  - (2) Description of the quarantined or transferred animal;
  - (3) Description of the premises affected by the quarantine or transfer;
  - (4) Reason for the quarantine or transfer;
  - (5) Any terms or conditions of the quarantine or transfer;
  - (6) Notice that a person adversely impacted by a quarantine or transfer order may request a hearing to review the order.
- (D) **Hearing request** – a person adversely affected by a quarantine or transfer order may request in writing an adjudication in accordance with Chapter 119 if made within 30 days after the order is issued.
- (E) **Costs of quarantine or transfer** – owners or possessors of a quarantined or transferred animal are responsible for all costs including the costs of transportation, housing, food, and veterinary care. If they are unable to pay the costs, the director shall certify the costs to the county auditor to be assessed against any property of the owner. All money collected this way shall be credited in accordance with division (J) below.

- (F) **Dangerous diseases and euthanasia** – if the state veterinarian determines that a quarantined or transferred animal is infected with a dangerous contagious or infectious disease, the director must be notified. The director may order the animal to be humanely euthanized if the state veterinarian has indicated that euthanization may be necessary.
- (G) **When quarantine ends** – a quarantine or transfer order shall remain in effect until one of the following occurs:
- (1) **Written release** – the director, after reviewing the results of the investigation conducted under (A) above, issues a written notice of release.
  - (2) **Court ordered termination** – a court of competent jurisdiction orders the quarantine or transfer order to be terminated in a proceeding conducted under division (H) of this section.
  - (3) **Court ordered seizure** – a court of competent jurisdiction orders the seizure of the animals in a proceeding conducted under division (H) of this section.
- (H) **Proceeding for permanent seizure** – if, after reviewing the results of an investigation concerning a dangerous wild animal or restricted snake conducted under division (A) of this section and after resolution of any proceeding conducted under division (D) of this section, the director determines that a circumstance described in division (A)(1), (2), or (3) of this section is or was occurring, the director shall initiate, in a court of competent jurisdiction, a proceeding for the permanent seizure of the animal or snake, as applicable. If the court affirms the director’s determination the court shall order the animal or snake seized and shall order the method of disposition of the animal or snake. The court may order the person owning or possessing the animal or snake to pay all reasonable costs associated with the seizure and, if applicable, the costs associated with the quarantine or transfer of the animal or snake, including the costs of transportation, housing, food, and veterinary care of the animal or snake. If the court does not affirm the director’s determination, the court shall order the quarantine or transfer order to be terminated.
- (I) **Who can conduct investigations?** – the director may authorize any of the following to conduct an investigation and order a quarantine or transfer of a DWA or restricted snake:
- (1) ODA employees;
  - (2) ODNR law enforcement officers with the consent of ODNR’s director;
  - (3) Employees of ODH with consent of ODH’s director;
  - (4) Employees of a board of health, with consent from the board of health;
  - (5) Agents of the humane society, with consent of the humane society;
  - (6) Law enforcement officers with the consent of the sheriff of the county or the chief law enforcement officer of the township or Municipal Corporation by whom the law enforcement officers are employed;

- (7) Law enforcement officers who are state highway patrol troopers with the consent of the superintendent of the state highway patrol.
- (J) **Where does the money go?** – money collected for reimbursement of costs associated with the quarantine or transfer of dangerous wild animals and restricted snakes shall be credited to one of the following funds, as applicable:
- (1) **State employees** – if the animal or snake was quarantined or transferred by an employee of the department of agriculture or the department of health, a natural resources law enforcement officer, or a law enforcement officer who is a state highway patrol trooper, to the dangerous and restricted animal fund created in section 935.25 of the Revised Code;
  - (2) **Board of health employees** – if the animal or snake was quarantined or transferred by an employee of a board of health, a special fund, which is hereby created in each health district, that shall be used exclusively for the administration and enforcement of this chapter and rules;
  - (3) **Humane society employee** – if the animal or snake was quarantined or transferred by an agent of a humane society, a special fund, which is hereby created in each county that has a humane society, that shall be used exclusively for the administration and enforcement of this chapter and rules;
  - (4) **Local law enforcement officer** – if the animal or snake was quarantined or transferred by a law enforcement officer who is not a state highway patrol trooper, the special fund that is created in the political subdivision that employs the law enforcement officer in division (D) of section 935.16 of the Revised Code.
- (K) **List of facilities that can accept animals** – the director shall maintain a list of facilities inside and outside the state that the director determines are eligible to accept dangerous wild animals and restricted snakes for the purposes of this section.

**935.21 – Backup for an investigation**

The director of agriculture may request either of the following to accompany the director or an employee of the department of agriculture for purposes of investigations:

- (A) A law enforcement officer;
- (B) With the consent of the director of natural resources, a natural resources law enforcement officer.

**935.22 – No liability for destroying an animal that is a threat to public safety**

An employee of an agency or political subdivision of the state that destroys a dangerous wild animal or restricted snake that is a threat to public safety is not liable for damages in a civil action for any injury, death, or loss to person or property that allegedly arises from the destruction of the animal or snake.

**935.23 – Provisions specific to venomous snakes**

- (A) The owner of a restricted snake specified in division (L)(2), (3), or (4) of section 935.01 of the Revised Code shall do both of the following:
- (1) **Antivenom provision** – have access to antivenom for each species of snake that the person owns either at the location where each snake is confined or at a hospital with which the owner has entered into a written agreement to provide the antivenom. However, an owner may apply to the director of agriculture for a waiver to have access to antivenom in a location that is not specified in division (A)(1) of this section.
  - (2) **Proof of access to antivenom** – submit proof of having access to the antivenom required by division (A)(1) of this section to the sheriff of the county and the chief law enforcement officer of the township or municipal corporation in which each snake that the person owns is confined.

**Must submit list of venomous snakes to law enforcement** – in addition, the owner shall submit a list that contains the name of each species of restricted venomous snake specified in division (L)(2), (3), or (4) that the person owns to the sheriff of the county and the chief law enforcement officer of the township or municipal corporation in which each snake is confined. If the restricted snake or snakes owned by the person changes, the owner shall submit an updated list to the sheriff of the county and the chief law enforcement officer of the township or municipal corporation in which each such snake is confined no later than seven days after the change occurs.

- (B) **Liability for bites** – if a restricted venomous snake specified in division (L)(2), (3), or (4) bites a person other than the snake’s owner, the owner is liable for all costs associated with the treatment of the bite, including the cost of replacement of any antivenom that was used to treat the bite.

**935.24 – Injunction/Civil Penalties**

- (A) **How to seek an injunction** – the attorney general, upon request of the director of agriculture, shall bring an action for injunction against any person who has violated, is violating, or is threatening to violate this chapter or rules. The court of common pleas in which an action for injunction is filed has jurisdiction to and shall grant preliminary and permanent injunctive relief upon a showing that the person against whom the action is brought has violated, is violating, or is threatening to violate this chapter or rules.

- (B)(1) **Civil penalty authority** – the director may assess a civil penalty against any person that the director determines is not in compliance with this chapter or rules.
- (2) **Right to a hearing** – the director shall afford the person an opportunity for an adjudication under Chapter 119. to challenge the director’s determination that the person is not in compliance with this chapter or rules. However, the person may waive the right to an adjudication.
- (3) **Waiver of right to an adjudication** – if the opportunity for an adjudication is waived or if, after an adjudication, the director determines that a violation has occurred or is occurring, the director may issue an order and assess a civil penalty in an amount established in rules against the violator. The order and the assessment of the civil penalty may be appealed in accordance with section 119.12 of the Revised Code.
- (C) **Where money goes** – notwithstanding any other section of the Revised Code, money resulting from any action taken under this section shall be credited to the dangerous and restricted animal fund created in section 935.25 of the Revised Code.

**935.25 – Dangerous and restricted animal fund**

- (A) **Creation of the fund** – there is hereby created in the state treasury the dangerous and restricted animal fund, which shall consist of all of the following:
  - (1) Money collected from permit application fees under this chapter;
  - (2) Money credited to the fund under division (J)(1) of section 935.20 of the Revised Code; (reimbursement of costs associated with a quarantine or transfer order)
  - (3) Money credited to the fund under division (D) of section 935.24 of the Revised Code.
- (B) **Expenditure of funds** – money in the fund shall be used for any of the following purposes:
  - (1) Administration and enforcement of this chapter and rules;
  - (2) Compensation of the department of natural resources or the state highway patrol for the costs incurred in capturing or destroying a dangerous wild animal or restricted snake pursuant to section 935.16 of the Revised Code;
  - (3) Compensation of the departments of natural resources and health, the state highway patrol, and boards of health for the costs incurred in conducting investigations and quarantining or transferring a dangerous wild animal or restricted snake pursuant to section 935.20 of the Revised Code;

- (4) Compensation of a facility that is on the list maintained by the director of agriculture under division (K) of section 935.20 of the Revised Code and that accepts a dangerous wild animal or restricted snake pursuant to that section.

(C) **Investment earnings** – investment earnings of the fund shall be credited to the fund.

**935.26 – Dangerous and restricted animals advisory board (17 members)**

(A) **Creation of the board** – There is hereby created the dangerous and restricted animals advisory board consisting of the following members:

**Permanent members (4):**

- (1) **The director of agriculture** or the director’s designee, who shall be the chairperson of the board;
- (2) **The director of natural resources** or the director’s designee;
- (3) **The director of health** or the director’s designee;
- (4) **The state veterinarian** in the department of agriculture;

**Appointed members (13 total):**

- (5) The following eleven members who shall be appointed by the governor with the advice and consent of the senate and shall be residents of this state:
  - (a) One member representing dangerous wild animal or restricted snake owners;
  - (b) One member who is knowledgeable about dangerous wild animals or restricted snakes;
  - (c) One member representing an accredited member of the association of zoos and aquariums that operates in this state;
  - (d) One member representing an accredited member of the zoological association of America;
  - (e) Two members who are veterinarians;
  - (f) Two members representing the public;
  - (g) One member representing the governor;
  - (h) One member representing a humane society;
  - (i) One member representing a board of health.
- (6) One member appointed by the speaker of the house of representatives who shall be a restricted snake owner;
- (7) One member appointed by the president of the senate who shall be a dangerous wild animal owner.

Not more than seven members appointed to the board at any given time shall be members of the same political party.

- (B)(1) **CRITICAL TIMELINE:** the governor, the speaker of the house of representatives, and the president of the senate shall make initial appointments to the board not later than forty-five days after the effective date of this section.
- (2) **Staggered terms** – the following initial members of the board appointed by the governor shall be appointed for a term **ending January 15, 2013:**
- (a) The member representing dangerous wild animal or restricted snake owners;
  - (b) One of the members who is a veterinarian;
  - (c) The member representing the governor;
  - (d) The member representing an accredited member of the zoological association of America;
  - (e) The member representing a board of health.
- (3) The following initial members of the board shall be appointed for a term **ending January 15, 2014:**
- (a) The member appointed by the speaker of the house of representatives;
  - (b) The member who is knowledgeable about dangerous wild animals or restricted snakes;
  - (c) The member representing a humane society;
  - (d) One of the members representing the public.
- (4) The following initial members of the board shall be appointed for a term **ending January 15, 2015:**
- (a) The member appointed by the president of the senate;
  - (b) The member representing an accredited member of the association of zoos and aquariums that operates in this state;
  - (c) One of the members representing the public;
  - (d) One of the members who is a veterinarian.

**Length of terms for appointed members** – thereafter, terms of office of appointed members shall be for three years with each term ending on the same day of the same month as did the term that it succeeds. An appointed member shall hold office from the date of the member’s appointment until the end of the term for which the member was appointed.

**Length of terms for office holders** – the terms of office of the director of agriculture, the director of natural resources, the director of health, their designees, and the state veterinarian shall coincide with the length of time that the person holds the position of director or state veterinarian or is a designee, as applicable. If a director, a designee, or the state veterinarian resigns or that person’s employment is terminated, that person shall

cease to serve on the board, and the successor of that person shall serve on the board in accordance with this section.

- (C) **How to fill vacancies** – vacancies on the board shall be filled in the manner provided for original appointments. A member appointed to fill a vacancy occurring prior to the expiration of the term for which the member’s predecessor was appointed shall hold office for the remainder of that term. A member shall continue in office subsequent to the expiration date of the member’s term until the member’s successor takes office, or until a period of one hundred eighty days has elapsed, whichever occurs first. A member may be reappointed upon the expiration of the member’s term.
- (D) **Frequency of meetings** – the board shall hold at least three regular meetings each year and may hold additional meetings at times that the chairperson or a majority of the board members considers appropriate. At the first meeting of the board in each calendar year, the director of agriculture or the director’s designee shall designate one member of the board to serve as its vice-chairperson. A majority of the board constitutes a quorum. The board may act only if a quorum is present and only by a majority vote of the members.
- (E) **Board service not considered holding public office** – serving as an appointed member of the board does not constitute holding a public office or position of employment under the laws of this state and does not constitute grounds for removal of public officers or employees from their offices or positions of employment.
- (F) **Board member compensation** – appointed members of the board shall receive no compensation for their services. Members shall be reimbursed for their actual and necessary expenses incurred in the performance of their duties as members. The expenses shall be paid from the dangerous and restricted animal fund created in section 935.25 of the Revised Code. The expenses shall be paid in accordance with the rules and requirements adopted by the department of administrative services that are applicable to state employees.
- (G) **Committees** – the board may create committees that it considers appropriate to make recommendations to the board. Committees may include members who do not serve on the board.
- (H) **Statutory duties of the board** – the board shall do both of the following:
  - (1) **Review rules** – review the rules that have been or are proposed to be adopted under divisions (A)(2) and (B) of section 935.17 of the Revised Code;
  - (2) **Advise director** – advise the director of agriculture on the administration of this chapter and rules.

**935.27 – Dangerous wild animal state emergency response commission**

- (A) **Creation of the commission** – there is hereby created the dangerous wild animal state emergency response commission consisting of all of the following:

**Members on the Commission (8 Members)**

- (1) The director of agriculture or the director’s designee, who shall be the chairperson of the commission;
- (2) The director of natural resources or the director’s designee;
- (3) The director of health or the director’s designee;
- (4) The executive director of the emergency management agency or the executive director’s designee;
- (5) A member of the house of representatives appointed by the speaker of the house of representatives;
- (6) A member of the senate appointed by the president of the senate;

**Governor Appointments**

- (7) Both of the following members who shall be appointed by the governor with the advice and consent of the senate:
  - (a) A person representing a local law enforcement agency;
  - (b) A person representing the owners of dangerous wild animals.

- (B) **CRITICAL TIMELINE:** Not later than thirty days after the effective date of this section, the governor shall make appointments to the commission. Of the initial appointments, one shall serve for a term of two years and one shall serve for a term of three years. Thereafter, terms of office shall be for three years, with each term ending on the same day of the same month as did the term that it succeeds. Each member shall hold office from the date of appointment until the end of the term for which the member was appointed.

**Reappointment** – members may be reappointed. Vacancies shall be filled in the manner provided for original appointments. Any member appointed to fill a vacancy occurring prior to the expiration date of the term for which the member’s predecessor was appointed shall hold office for the remainder of that term. A member shall continue in office subsequent to the expiration date of the member’s term until the member’s successor takes office or until a period of sixty days has elapsed, whichever occurs first.

**Frequency of meetings** – the commission shall meet at times that the chairperson or a majority of the commission members considers appropriate, provided that no meeting shall be held on the call of the chairperson unless at least seven days’ written notice first is provided to all members of the commission. At the first meeting of the commission in each calendar year, the director of agriculture shall designate one member of the commission to serve as its vice-chairperson. A majority vote of the members of the commission is necessary to take action on any matter. A vacancy on the commission does not impair the right of the other members to exercise all of the commission’s powers.

**Commission member compensation** – appointed members of the commission shall serve without compensation for attending commission meetings. Members of the commission shall be reimbursed for their actual and necessary expenses incurred in the performance of official duties as members of the commission.

**Office space and personnel** – the department of agriculture shall provide the commission with the personnel, office space, and incidentals necessary for it to perform its duties and exercise its powers.

- (C) **Statutory duties of the commission** – the commission shall do the following:
- (1) **State response plan** – establish a state dangerous wild animal emergency response plan for escaped dangerous wild animals in this state;
  - (2) **County emergency response teams** – by resolution, appoint members to a dangerous wild animal county emergency response team for each county. A county emergency response team shall consist of the number of members that the commission considers appropriate, but shall include representatives from each of the following groups or organizations: elected local officials, law enforcement personnel, emergency management personnel, firefighting personnel, first aid personnel, health personnel, broadcast and print media personnel, and persons that possess dangerous wild animals.
  - (3) **Approve/Reject county response plans** – examine and approve or reject emergency response plans submitted to the commission by each county’s dangerous wild animal county emergency response team.

The commission shall establish procedures and requirements for the preparation and examination and the approval or rejection of a county’s emergency response plan.

**935.28 – Counties must prepare emergency response plans**

The dangerous wild animal county emergency response team of a county shall prepare an emergency response plan for the county. The plan shall include the methods and procedures that will be utilized in the county in the event of an escaped dangerous wild animal in the county. The emergency response team shall submit the plan to the dangerous wild animal emergency response commission established in section 935.27 of the Revised Code for the commission’s approval. The emergency response team shall update the plan on an annual basis and shall submit the updated plan to the commission for approval.

**935.29 – Local ordinances restricting dangerous wild animals**

- (A) For the purposes of this section, ordinances to control dangerous wild animals, restricted snakes, or both include, but are not limited to, ordinances concerned with the acquisition or possession of dangerous wild animals or restricted snakes, dangerous wild animals or

restricted snakes as public nuisances, and dangerous wild animals or restricted snakes as a threat to public health, safety, and welfare.

- (B) **More Stringent** – a municipal corporation may adopt and enforce ordinances that are more stringent than the requirements established by this chapter and rules in order to control dangerous wild animals, restricted snakes, or both within the municipal corporation.
- (C) No person shall violate an ordinance adopted under this section.

**935.99 - Penalties**

- (A) Whoever violates the following divisions of section 935.18 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:
  - 935.18(A) (No person shall sell at auction a DWA or restricted snake.)
  - 935.18(B) (No person shall knowingly remove a microchip implanted in a DWA)
  - 935.18(C) (Failure to display necessary signage)
  - 935.18(E) (No person shall allow a DWA or restricted snake to roam of the property)
  - 935.18(F) (No person shall declaw or defang a DWA or restricted snake)
  - 935.18(G) (No person shall violate any other provisions of this chapter or rules)
- (B) Whoever violates section 935.18(D) of the Revised Code is guilty of a felony of the fifth degree. (No person shall knowingly release a DWA or restricted snake into the wild)
- (C) Whoever violates section 935.29(C) of the Revised Code is guilty of a minor misdemeanor. (No person shall violate a local ordinance adopted under this section)