

**As Introduced**

**126th General Assembly  
Regular Session  
2005-2006**

**H. B. No. 189**

**Representatives Walcher, Webster**

—

**A BILL**

To amend sections 955.11, 955.22, 955.28, 955.99, 1  
1901.18, 1907.031, and 4741.03 and to enact 2  
section 955.222 of the Revised Code to establish a 3  
process by which owners, keepers, or harborers of 4  
dogs that have been designated as dangerous or 5  
vicious may appeal that designation, to revise the 6  
definitions of "dangerous dog," "vicious dog," and 7  
"without provocation," to increase the fee imposed 8  
for the transfer of ownership of a dog, and to 9  
make other changes to the laws governing dogs. 10

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That sections 955.11, 955.22, 955.28, 955.99, 11  
1901.18, 1907.031, and 4741.03 be amended and section 955.222 of 12  
the Revised Code be enacted to read as follows: 13

**Sec. 955.11.** (A) As used in this section: 14

(1)(a) "Dangerous dog" means a dog that, without provocation, 15  
and subject to division (A)(1)(b) of this section, has chased or 16  
approached any person in ~~either~~ a menacing fashion ~~or an apparent~~ 17  
~~attitude of attack,~~ ~~or~~ has attempted to bite or otherwise endanger 18  
any person, or has caused injury other than serious physical harm 19  
to any person while that dog is off the premises of its owner, 20

keeper, or harborer and not under the ~~reasonable~~ physical control 21  
of its owner, keeper, harborer, or some other responsible person, 22  
~~or not physically restrained or confined in a locked pen which has~~ 23  
~~a top, locked fenced yard, or other locked enclosure which has a~~ 24  
~~top.~~ 25

(b) "Dangerous dog" does not include a police dog that has 26  
chased or approached any person in ~~either~~ a menacing fashion ~~or an~~ 27  
~~apparent attitude of attack,~~ or has attempted to bite or otherwise 28  
endanger any person while the police dog is being used to assist 29  
one or more law enforcement officers in the performance of their 30  
official duties. 31

(2) "Menacing fashion" means that a dog would cause any 32  
person being chased or approached to reasonably believe that the 33  
dog will cause physical injury to that person. 34

(3) "Police dog" means a dog that has been trained, and may 35  
be used, to assist one or more law enforcement officers in the 36  
performance of their official duties. 37

(4)(a) "Vicious dog" means a dog that, ~~without provocation~~ 38  
~~and~~ subject to division (A)(4)(b) of this section, meets any of 39  
the following: 40

(i) Has killed or caused serious ~~injury~~ physical harm to any 41  
person without provocation; 42

(ii) Has ~~caused injury, other than killing or serious injury,~~ 43  
~~to any person, or has killed another dog.~~ without provocation; 44

(iii) ~~Belongs to a breed that is commonly known as a pit bull~~ 45  
~~dog. The ownership, keeping, or harboring of such a breed of dog~~ 46  
~~shall be prima facie evidence of the ownership, keeping, or~~ 47  
~~harboring of a vicious dog~~ Has been possessed, trained, or used 48  
for purposes of dogfighting. 49

(b) "Vicious dog" does not include either of the following: 50

(i) A police dog that has killed or caused serious ~~injury~~ physical harm to any person or that has caused injury, other than killing or serious ~~injury~~ physical harm, to any person while the police dog is being used to assist one or more law enforcement officers in the performance of their official duties;

(ii) A dog that has killed or caused serious ~~injury~~ physical harm to any person while a person was committing or attempting to commit a trespass or other criminal offense on the property of the owner, keeper, or harbinger of the dog.

(5) "Without provocation" means that a dog was not teased, tormented, ~~or physically abused, or attempted to be physically abused~~ by a person or another animal, or that the dog was not coming to the aid or the defense of a person who was not engaged in illegal or criminal activity and who was not using the dog as a means of carrying out such activity.

(6) "Serious physical harm" means physical harm that involves any of the following:

(a) A substantial risk of death;

(b) Permanent incapacity, whether partial or total, or temporary, substantial incapacity;

(c) Permanent disfigurement or temporary, serious disfigurement;

(d) Acute pain of a duration that results in substantial suffering;

(e) Any degree of prolonged or intractable pain.

(B) Upon the transfer of ownership of any dog, the seller of the dog shall give the buyer a transfer of ownership certificate that shall be signed by the seller. The certificate shall contain the registration number of the dog, the name of the seller, and a brief description of the dog. Blank forms of the certificate may

be obtained from the county auditor. A transfer of ownership shall  
be recorded by the auditor upon presentation of a transfer of  
ownership certificate that is signed by the former owner of a dog  
and that is accompanied by a fee of ~~twenty-five cents~~ one dollar.

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(C) Prior to the transfer of ownership or possession of any  
dog, upon the buyer's or other transferee's request, the seller or  
other transferor of the dog shall give to the person a written  
notice relative to the behavior and propensities of the dog.

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(D) Within ten days after the transfer of ownership or  
possession of any dog, if the seller or other transferor of the  
dog has knowledge that the dog is a dangerous or vicious dog, ~~he~~  
the seller or other transferor shall give to the buyer or other  
transferee, the board of health for the district in which the  
buyer or other transferee resides, and the dog warden of the  
county in which the buyer or other transferee resides, a completed  
copy of a written form on which the seller or other transferor  
shall furnish the following information:

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(1) The name and address of the buyer or other transferee of  
the dog;

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(2) The age, sex, color, breed, and current registration  
number of the dog.

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In addition, the seller or other transferor shall answer the  
following questions, which shall be specifically stated on the  
form as follows:

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"Has the dog ever chased or attempted to attack or bite a  
person? If yes, describe the incident(s) in which the behavior  
occurred."

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"Has the dog ever bitten a person? If yes, describe the  
incident(s) in which the behavior occurred."

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"Has the dog ever seriously injured or killed a person? If

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yes, describe the incident(s) in which the behavior occurred." 111

The dog warden of the county in which the seller or other 112  
transferor resides shall furnish the form to the seller or other 113  
transferor at no cost. 114

(E) No seller or other transferor of a dog shall fail to 115  
comply with the applicable requirements of divisions (B) to (D) of 116  
this section. 117

**Sec. 955.22.** (A) As used in this section, ~~"dangerous:~~ 118

(1) "Dangerous dog" and "vicious dog" have the same meanings 119  
as in section 955.11 of the Revised Code. 120

(2) "Locked" means secured with a device that requires a key 121  
or combination to open. 122

(B) No owner, keeper, or harborer of any female dog shall 123  
permit it to go beyond the premises of the owner, keeper, or 124  
harborer at any time the dog is in heat unless the dog is properly 125  
in leash. 126

(C) Except when a dog is lawfully engaged in hunting and 127  
accompanied by the owner, keeper, harborer, or handler of the dog, 128  
no owner, keeper, or harborer of any dog shall fail at any time to 129  
do either of the following: 130

(1) Keep the dog physically confined or restrained upon the 131  
premises of the owner, keeper, or harborer by ~~a~~ an adequate leash, 132  
tether, ~~adequate~~ or fence, under adequate supervision, or within a 133  
secure enclosure to prevent escape; 134

(2) Keep the dog under the ~~reasonable~~ physical control of 135  
some person. 136

(D) Except when a dangerous or vicious dog is lawfully 137  
engaged in hunting or training for the purpose of hunting and is 138  
accompanied by the owner, keeper, harborer, or handler of the dog, 139

no owner, keeper, or harbinger of a dangerous or vicious dog shall  
fail to do either of the following:

(1) While that dog is on the premises of the owner, keeper,  
or harbinger, securely confine it at all times in a locked pen that  
has a top, ~~locked fenced a yard that is enclosed by a locked fence~~  
not less than six feet in height, or some other locked enclosure  
that has a top, except that a dangerous dog may, in the  
alternative, be tied with a leash or tether so that the dog is  
adequately restrained;

(2) While that dog is off the premises of the owner, keeper,  
or harbinger, ~~keep that dog on a chain-link leash or tether that is~~  
~~not more than six feet in length and additionally do at least one~~  
of the following:

(a) Keep that dog in a locked pen that has a top, ~~locked~~  
~~fenced a yard that is enclosed by a locked fence not less than six~~  
feet in height, or some other locked enclosure that has a top;

(b) ~~Have the leash or tether controlled by a person who is of~~  
~~suitable age and discretion or securely attach, tie, or affix the~~  
~~leash or tether to the ground or a stationary object or fixture so~~  
~~that the dog is adequately restrained and station such a person in~~  
~~close enough proximity to that dog so as to prevent it from~~  
~~causing injury to any person;~~

~~(c) Muzzle that dog~~ Adequately muzzle the dog and keep the  
dog on a chain-link leash that is not more than six feet in length  
and that is controlled by a person who is of suitable age and  
discretion. In no case shall the person controlling the leash be  
younger than fourteen years of age.

(E) No owner, keeper, or harbinger of a vicious dog shall fail  
to obtain liability insurance with an insurer authorized to write  
liability insurance in this state providing coverage in each  
occurrence, subject to a limit, exclusive of interest and costs,

of not less than one hundred thousand dollars because of damage or	171
bodily injury to or death of a person caused by the vicious dog.	172
<u>Failure to produce proof of the required liability insurance at</u>	173
<u>the request of a person who is authorized to enforce this chapter</u>	174
<u>shall be prima-facie evidence of the lack of the insurance.</u>	175
(F) No person shall do any of the following:	176
(1) Debark or surgically silence a dog that the person knows	177
or has reason to believe is a vicious dog;	178
(2) Possess a vicious dog if the person knows or has reason	179
to believe that the dog has been debarked or surgically silenced;	180
(3) Falsely attest on a waiver form provided by the	181
veterinarian under division (G) of this section that the person's	182
dog is not a vicious dog or otherwise provide false information on	183
that written waiver form.	184
(G) Before a veterinarian debarks or surgically silences a	185
dog, the veterinarian may give the owner of the dog a written	186
waiver form that attests that the dog is not a vicious dog. The	187
written waiver form shall include all of the following:	188
(1) The veterinarian's license number and current business	189
address;	190
(2) The number of the license of the dog if the dog is	191
licensed;	192
(3) A reasonable description of the age, coloring, and gender	193
of the dog as well as any notable markings on the dog;	194
(4) The signature of the owner of the dog attesting that the	195
owner's dog is not a vicious dog;	196
(5) A statement that division (F) of section 955.22 of the	197
Revised Code prohibits any person from doing any of the following:	198
(a) Debarking or surgically silencing a dog that the person	199

knows or has reason to believe is a vicious dog; 200

(b) Possessing a vicious dog if the person knows or has 201  
reason to believe that the dog has been debarked or surgically 202  
silenced; 203

(c) Falsely attesting on a waiver form provided by the 204  
veterinarian under division (G) of section 955.22 of the Revised 205  
Code that the person's dog is not a vicious dog or otherwise 206  
provide false information on that written waiver form. 207

(H) It is an affirmative defense to a charge of a violation 208  
of division (F) of this section that the veterinarian who is 209  
charged with the violation obtained, prior to debarking or 210  
surgically silencing the dog, a written waiver form that complies 211  
with division (G) of this section and that attests that the dog is 212  
not a vicious dog. 213

(I) No person shall own, keep, or harbor more than one 214  
vicious dog or allow the presence of more than one vicious dog on 215  
the premises where the person resides. 216

(J) No person who has been convicted of a violation of this 217  
chapter or of Chapter 959. or 2925. of the Revised Code that is a 218  
felony shall own, keep, or harbor a vicious dog or reside on 219  
premises where a vicious dog is owned, kept, or harbored. 220

(K) Before releasing a dog that has been seized by a person 221  
who is authorized to enforce this chapter in response to an 222  
alleged violation of this chapter, the person who seized the dog 223  
may require the owner, keeper, or harborer of the dog to have the 224  
dog registered and vaccinated as required by law and, if the dog 225  
is a vicious dog, may require proof that the owner, keeper, or 226  
harborer possesses the liability insurance that is required under 227  
this section. The person who seized the dog may hold the owner, 228  
keeper, or harborer liable for any costs associated with 229  
registering and vaccinating the dog that the person incurred as 230

well as for costs associated with the housing, feeding, and care 231  
of the dog after the seizure. The person who seized the dog is not 232  
required to release the dog until the owner, keeper, or harborer 233  
pays all applicable costs. 234

**Sec. 955.222.** (A)(1) Except as otherwise provided in division 235  
(A)(2) of this section, the board of county commissioners of each 236  
county shall appoint at least one hearing officer to conduct 237  
hearings in accordance with this section concerning the 238  
designation of a dog as a dangerous or vicious dog. In order to be 239  
eligible for appointment as a hearing officer, a person shall be 240  
an employee of the county or shall be experienced and 241  
knowledgeable concerning canine behavior, or both. The board shall 242  
not appoint a person as a hearing officer if the person is 243  
authorized to enforce this chapter, is employed by a person 244  
authorized to enforce this chapter, or is employed by a court. 245

A person who is appointed as a hearing officer under this 246  
section shall complete a course in canine behavior that is at 247  
least six hours in length and that is approved by the state 248  
veterinary medical licensing board under section 4741.03 of the 249  
Revised Code. The training requirement shall be considered to be 250  
satisfied if the course is completed during the time period that 251  
begins two years prior to the appointment and ends six months 252  
after the appointment. The training requirement does not apply to 253  
an appointee who has graduated from a veterinary college approved 254  
by the state veterinary medical licensing board or accredited by 255  
the American veterinary medical association or who has been issued 256  
a certificate by the education commission for foreign veterinary 257  
graduates of the American veterinary medical association. 258

A board of county commissioners has complete discretion 259  
concerning matters of compensation of any hearing officer that it 260  
appoints under this section. 261

(2) A board of county commissioners may choose not to appoint any hearing officers to conduct hearings in accordance with this section. In that case, the municipal court or county court that has territorial jurisdiction over the residence of the owner, keeper, or harborer of a dog shall conduct any hearing concerning the designation of the dog as a dangerous or vicious dog. 262  
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(B) If a person who is authorized to enforce this chapter has reasonable cause to believe that a dog in the person's jurisdiction is a dangerous or vicious dog, the person shall notify the owner, keeper, or harborer of that dog, by certified mail or in person, of both of the following: 268  
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(1) That the person has designated the dog a dangerous or vicious dog, as applicable; 273  
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(2) That the owner, keeper, or harborer of the dog may request a hearing regarding the designation in accordance with this section. The notice shall include instructions for filing a request for a hearing in the county in which the dog's owner, keeper, or harborer resides. 275  
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(C) If the owner, keeper, or harborer of the dog refutes its designation as a dangerous or vicious dog, as applicable, the owner, keeper, or harborer, not later than ten days after receiving notification of the designation, may request a hearing regarding the determination. The request for a hearing shall be in writing and shall be filed with a hearing officer who has been appointed in accordance with this section for the county in which the dog's owner, keeper, or harborer resides. If no such hearing officer has been appointed, the request shall be filed with the municipal court or county court that has territorial jurisdiction over the residence of the dog's owner, keeper, or harborer. 280  
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If the request is filed with a hearing officer, the hearing officer, not later than five days after the filing of the request, 291  
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shall set the date and time for a hearing on the request and shall 293  
notify the owner, keeper, or harborer of the dog and the person 294  
who designated the dog as dangerous or vicious, by certified mail 295  
or in person. The date of the hearing shall be not more than 296  
thirty days after the request is filed with the hearing officer. 297

At a hearing conducted by a hearing officer, the owner, 298  
keeper, or harborer of the dog and the person who designated the 299  
dog as dangerous or vicious may bring witnesses and submit 300  
information to support or refute the dog's designation. After the 301  
hearing, the hearing officer shall make a final determination on 302  
whether the dog is a dangerous or vicious dog, as applicable. The 303  
hearing officer shall notify, by certified mail, the owner, 304  
keeper, or harborer of the dog and the person who designated the 305  
dog as dangerous or vicious of the hearing officer's 306  
determination. 307

Not later than thirty days after the hearing officer makes a 308  
final determination, the owner, keeper, or harborer of the dog or 309  
the person who designated the dog as dangerous or vicious may 310  
appeal the hearing officer's determination to the municipal court 311  
or county court that has territorial jurisdiction over the 312  
residence of the owner, keeper, or harborer. 313

In the case of a hearing conducted by a municipal court or 314  
county court, the owner, keeper, or harborer of the dog or the 315  
person who designated the dog as dangerous or vicious may appeal 316  
the court's final determination as in any other case filed in that 317  
court. 318

(D) A hearing officer or a court, as applicable, upon motion 319  
of an owner, keeper, or harborer or an attorney representing the 320  
owner, keeper, or harborer, may order that the dog designated as a 321  
dangerous or vicious dog be held in the possession of the owner, 322  
keeper, or harborer until the hearing officer or court makes a 323

final determination under this section or during the pendency of 324  
an appeal, as applicable. Until the hearing officer or court makes 325  
a final determination and during the pendency of any appeal, the 326  
dog shall be confined or restrained in accordance with the 327  
provisions of division (D) of section 955.22 of the Revised Code 328  
that apply to dangerous dogs regardless of whether the dog has 329  
been designated as a vicious dog rather than a dangerous dog. The 330  
owner, keeper, or harborer of the dog shall not be required to 331  
comply with any other requirements established in the Revised Code 332  
that concern a dangerous or vicious dog, as applicable, until the 333  
hearing officer or court makes a final determination and during 334  
the pendency of any appeal. 335

**Sec. 955.28.** (A) Subject to divisions (A)(2) and (3) of 336  
section 955.261 of the Revised Code, a dog that is chasing or 337  
approaching in a menacing fashion ~~or apparent attitude of attack,~~ 338  
that attempts to bite or otherwise endanger, or that kills or 339  
injures a person or a dog that chases, injures, or kills 340  
livestock, poultry, other domestic animal, or other animal, that 341  
is the property of another person, except a cat or another dog, 342  
can be killed at the time of that chasing, approaching, attempt, 343  
killing, or injury. If, in attempting to kill such a dog, a person 344  
wounds it, ~~he~~ the person is not liable to prosecution under the 345  
penal laws ~~which~~ that punish cruelty to animals. 346

(B) The owner, keeper, or harborer of a dog is liable in 347  
damages for any injury, death, or loss to person or property that 348  
is caused by the dog, unless the injury, death, or loss was caused 349  
to the person or property of an individual who, at the time, was 350  
committing or attempting to commit a trespass or other criminal 351  
offense on the property of the owner, keeper, or harborer, or was 352  
committing or attempting to commit a criminal offense against any 353  
person, or was teasing, tormenting, or abusing the dog on the 354

owner's, keeper's, or harborer's property. 355

**Sec. 955.99.** (A)(1) Whoever violates division (E) of section 356  
955.11 of the Revised Code because of a failure to comply with 357  
division (B) of that section is guilty of a minor misdemeanor. 358

(2) Whoever violates division (E) of section 955.11 of the 359  
Revised Code because of a failure to comply with division (C) or 360  
(D) of that section is guilty of a minor misdemeanor on a first 361  
offense and of a misdemeanor of the fourth degree on each 362  
subsequent offense. 363

(B) Whoever violates section 955.10, 955.23, ~~955.24~~, or 364  
955.25 of the Revised Code is guilty of a minor misdemeanor. 365

(C) Whoever violates section 955.261, 955.39, or 955.50 of 366  
the Revised Code is guilty of a minor misdemeanor on a first 367  
offense and of a misdemeanor of the fourth degree on each 368  
subsequent offense. 369

(D) Whoever violates division (F) of section 955.16, section 370  
955.24, or division (B) of section 955.43 of the Revised Code is 371  
guilty of a misdemeanor of the fourth degree. 372

(E)(1) Whoever violates section 955.21 or division (B) or (C) 373  
of section 955.22 of the Revised Code shall be fined not less than 374  
twenty-five dollars or more than one hundred dollars on a first 375  
offense, and on each subsequent offense shall be fined not less 376  
than seventy-five dollars or more than two hundred fifty dollars 377  
and may be imprisoned for not more than thirty days. 378

(2) In addition to the penalties prescribed in division 379  
(E)(1) of this section, if the offender is guilty of a violation 380  
of division (B) or (C) of section 955.22 of the Revised Code, the 381  
court may order the offender to personally supervise the dog that 382  
the offender owns, keeps, or harbors, to cause that dog to 383  
complete dog obedience training, or to do both. 384

(F) If a violation of division (D) of section 955.22 of the Revised Code involves a dangerous dog, whoever violates that division is guilty of a misdemeanor of the fourth degree on a first offense and of a misdemeanor of the third degree on each subsequent offense. Additionally, the court may order the offender to personally supervise the dangerous dog that the offender owns, keeps, or harbors, to cause that dog to complete dog obedience training, or to do both, and the court may order the offender to obtain liability insurance pursuant to division (E) of section 955.22 of the Revised Code. The court, in the alternative, may order the dangerous dog to be humanely destroyed by a licensed veterinarian, the county dog warden, or the county humane society.

(G) If a violation of division (D) of section 955.22 of the Revised Code involves a vicious dog, whoever violates that division is guilty of one of the following:

(1) A felony of the fourth degree on a first or subsequent offense if the dog kills or ~~seriously injures~~ causes serious physical harm to a person, as "serious physical harm" is defined in section 955.11 of the Revised Code. Additionally, the court shall order that the vicious dog be humanely destroyed by a licensed veterinarian, the county dog warden, or the county humane society.

(2) A misdemeanor of the first degree on a first offense and a felony of the fourth degree on each subsequent offense. Additionally, the court may order the vicious dog to be humanely destroyed by a licensed veterinarian, the county dog warden, or the county humane society or to be surgically spayed or neutered by a licensed veterinarian at the expense of the owner, keeper, or harborer.

(3) A misdemeanor of the first degree if the dog causes injury, other than killing or ~~serious injury~~ physical harm, to any

person, as "serious physical harm" is defined in section 955.11 of  
the Revised Code. 416  
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(H) Whoever violates division (A)(2) of section 955.01 or 418  
division (E) of section 955.22 of the Revised Code is guilty of a 419  
misdemeanor of the first degree. 420

(I) Whoever violates division (C) of section 955.221 of the 421  
Revised Code is guilty of a minor misdemeanor. Each day of 422  
continued violation constitutes a separate offense. Fines levied 423  
and collected for violations of that division shall be distributed 424  
by the mayor or clerk of the municipal or county court in 425  
accordance with section 733.40, division (F) of section 1901.31, 426  
or division (C) of section 1907.20 of the Revised Code to the 427  
treasury of the county, township, or municipal corporation whose 428  
resolution or ordinance was violated. 429

(J) Whoever violates division (F)(1), (2), or (3) of section 430  
955.22 of the Revised Code is guilty of a felony of the fourth 431  
degree. Additionally, the court shall order that the vicious dog 432  
be humanely destroyed by a licensed veterinarian, the county dog 433  
warden, or the county humane society. 434

(K) Whoever violates division (I) or (J) of section 955.22 of 435  
the Revised Code is guilty of a misdemeanor of the first degree on 436  
a first offense and a felony of the fourth degree on each 437  
subsequent offense. Additionally, the court may order either of 438  
the following with respect to a vicious dog that was involved in 439  
the violation: 440

(1) Humane destruction of the dog by a licensed veterinarian, 441  
the county dog warden, or the county humane society; 442

(2) Surgical spaying or neutering of the dog by a licensed 443  
veterinarian at the expense of the dog's owner, keeper, or 444  
harborer. 445

**Sec. 1901.18.** (A) Except as otherwise provided in this 446  
division or section 1901.181 of the Revised Code, subject to the 447  
monetary jurisdiction of municipal courts as set forth in section 448  
1901.17 of the Revised Code, a municipal court has original 449  
jurisdiction within its territory in all of the following actions 450  
or proceedings and to perform all of the following functions: 451

(1) In any civil action, of whatever nature or remedy, of 452  
which judges of county courts have jurisdiction; 453

(2) In any action or proceeding at law for the recovery of 454  
money or personal property of which the court of common pleas has 455  
jurisdiction; 456

(3) In any action at law based on contract, to determine, 457  
preserve, and enforce all legal and equitable rights involved in 458  
the contract, to decree an accounting, reformation, or 459  
cancellation of the contract, and to hear and determine all legal 460  
and equitable remedies necessary or proper for a complete 461  
determination of the rights of the parties to the contract; 462

(4) In any action or proceeding for the sale of personal 463  
property under chattel mortgage, lien, encumbrance, or other 464  
charge, for the foreclosure and marshalling of liens on personal 465  
property of that nature, and for the rendering of personal 466  
judgment in the action or proceeding; 467

(5) In any action or proceeding to enforce the collection of 468  
its own judgments or the judgments rendered by any court within 469  
the territory to which the municipal court has succeeded, and to 470  
subject the interest of a judgment debtor in personal property to 471  
satisfy judgments enforceable by the municipal court; 472

(6) In any action or proceeding in the nature of 473  
interpleader; 474

(7) In any action of replevin; 475

(8) In any action of forcible entry and detainer;	476
(9) In any action concerning the issuance and enforcement of temporary protection orders pursuant to section 2919.26 of the Revised Code or protection orders pursuant to section 2903.213 of the Revised Code or the enforcement of protection orders issued by courts of another state, as defined in section 2919.27 of the Revised Code;	477 478 479 480 481 482
(10) If the municipal court has a housing or environmental division, in any action over which the division is given jurisdiction by section 1901.181 of the Revised Code, provided that, except as specified in division (B) of that section, no judge of the court other than the judge of the division shall hear or determine any action over which the division has jurisdiction;	483 484 485 486 487 488
(11) In any action brought pursuant to division (I) of section 3733.11 of the Revised Code, if the residential premises that are the subject of the action are located within the territorial jurisdiction of the court;	489 490 491 492
(12) In any civil action as described in division (B)(1) of section 3767.41 of the Revised Code that relates to a public nuisance, and, to the extent any provision of this chapter conflicts or is inconsistent with a provision of that section, the provision of that section shall control in the civil action;	493 494 495 496 497
<u>(13) In a proceeding brought pursuant to section 955.222 of the Revised Code by the owner of a dog that has been designated as a dangerous or vicious dog if the owner resides in a county in which no hearing officer has been appointed under that section to conduct hearings concerning such designations.</u>	498 499 500 501 502
<u>A municipal court has appellate jurisdiction within its territory in any appeal brought pursuant to section 955.222 of the Revised Code with respect to the final determination of a hearing officer concerning the designation of a dog as a dangerous or</u>	503 504 505 506

vicious dog.

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(B) The Cleveland municipal court also shall have  
jurisdiction within its territory in all of the following actions  
or proceedings and to perform all of the following functions:

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(1) In all actions and proceedings for the sale of real  
property under lien of a judgment of the municipal court or a lien  
for machinery, material, or fuel furnished or labor performed,  
irrespective of amount, and, in those actions and proceedings, the  
court may proceed to foreclose and marshal all liens and all  
vested or contingent rights, to appoint a receiver, and to render  
personal judgment irrespective of amount in favor of any party.

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(2) In all actions for the foreclosure of a mortgage on real  
property given to secure the payment of money or the enforcement  
of a specific lien for money or other encumbrance or charge on  
real property, when the amount claimed by the plaintiff does not  
exceed fifteen thousand dollars and the real property is situated  
within the territory, and, in those actions, the court may proceed  
to foreclose all liens and all vested and contingent rights and  
may proceed to render judgments and make findings and orders  
between the parties in the same manner and to the same extent as  
in similar actions in the court of common pleas.

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(3) In all actions for the recovery of real property situated  
within the territory to the same extent as courts of common pleas  
have jurisdiction;

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(4) In all actions for injunction to prevent or terminate  
violations of the ordinances and regulations of the city of  
Cleveland enacted or promulgated under the police power of the  
city of Cleveland, pursuant to Section 3 of Article XVIII, Ohio  
Constitution, over which the court of common pleas has or may have  
jurisdiction, and, in those actions, the court may proceed to  
render judgments and make findings and orders in the same manner

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and to the same extent as in similar actions in the court of 538  
common pleas. 539

**Sec. 1907.031.** (A) Except as otherwise provided in section 540  
1907.03 of the Revised Code and in addition to the jurisdiction 541  
authorized in other sections of this chapter and in section 542  
1909.11 of the Revised Code, a county court has original 543  
jurisdiction within its district in all of the following actions 544  
or proceedings and to perform all of the following functions: 545

(1) In an action or proceeding at law for the recovery of 546  
money or personal property of which the court of common pleas has 547  
jurisdiction; 548

(2) In an action at law based on contract, to determine, 549  
preserve, and enforce all legal and equitable rights involved in 550  
the contract, to decree an accounting, reformation, or 551  
cancellation of the contract, and to hear and determine all legal 552  
and equitable remedies necessary or proper for a complete 553  
determination of the rights of the parties to the contract; 554

(3) In an action or proceeding for the sale of personal 555  
property under chattel mortgage, lien, encumbrance, or other 556  
charge, for the foreclosure and marshalling of liens on the 557  
personal property, and for the rendering of personal judgment in 558  
the action or proceeding; 559

(4) In an action or proceeding to enforce the collection of 560  
its own judgments and to subject the interest of a judgment debtor 561  
in personal property to satisfy judgments enforceable by the 562  
county court; 563

(5) In an action or proceeding in the nature of interpleader; 564

(6) In an action of forcible entry and detainer; 565

(7) In a proceeding brought pursuant to section 955.222 of 566  
the Revised Code by the owner of a dog that has been designated as 567

a dangerous or vicious dog if the owner resides in a county in 568  
which no hearing officer has been appointed under that section to 569  
conduct hearings concerning such designations. 570

A county court has appellate jurisdiction within its 571  
territory in any appeal brought pursuant to section 955.222 of the 572  
Revised Code with respect to the final determination of a hearing 573  
officer concerning the designation of a dog as a dangerous or 574  
vicious dog. 575

(B) A county court has original jurisdiction in civil actions 576  
as described in division (B)(1) of section 3767.41 of the Revised 577  
Code that relate to a public nuisance. To the extent any provision 578  
of this chapter conflicts or is inconsistent with a provision of 579  
that section, the provision of that section shall control in such 580  
a civil action. 581

**Sec. 4741.03.** (A) The state veterinary medical licensing 582  
board shall meet at least once in each calendar year and may hold 583  
additional meetings as often as it considers necessary to conduct 584  
the business of the board. The president of the board may call 585  
special meetings and the executive secretary shall call special 586  
meetings upon the written request of three members of the board. 587  
The board shall organize by electing a president and 588  
vice-president from its veterinarian members and such other 589  
officers as the board prescribes by rule. Each officer shall serve 590  
for a term specified by board rule or until a successor is elected 591  
and qualified. A quorum of the board consists of four members of 592  
which at least three are members who are veterinarians. The 593  
concurrence of four members is necessary for the board to take any 594  
action. 595

(B) The board may appoint a person, not one of its members, 596  
to serve as its executive secretary. The executive secretary is in 597  
the unclassified service and serves at the pleasure of the board. 598

The executive secretary shall serve as the board's 599  
secretary-treasurer ex officio. The board may employ additional 600  
employees for professional, technical, clerical, and special work 601  
as it considers necessary. The executive secretary shall give a 602  
surety bond to the state in the sum the board requires, 603  
conditioned upon the faithful performance of the executive 604  
secretary's duties. The board shall pay the cost of the bond. The 605  
executive secretary shall keep a complete accounting of all funds 606  
received and of all vouchers presented by the board to the 607  
director of budget and management for the disbursement of funds. 608  
The president or executive secretary shall approve all vouchers of 609  
the board. All money received by the board shall be credited to 610  
the occupational licensing and regulatory fund. 611

(C) In addition to any other duty required under this 612  
chapter, the board shall do all of the following: 613

(1) Prescribe a seal; 614

(2) Hold at least one examination during each calendar year 615  
for applicants for a license. The board shall provide public 616  
notice of the time and place for the examination. The examination 617  
for applicants for a license to practice veterinary medicine shall 618  
be either written or oral, or both, as determined by the board, 619  
and may include a practical demonstration. The examination may 620  
include all subjects relevant to veterinary medicine the board 621  
determines appropriate, including public health and jurisprudence. 622

(3) Keep a record of all of its meetings and proceedings; 623

(4) Maintain a register that records all applicants for a 624  
certificate of license or a temporary permit, all persons who have 625  
been denied a license or permit, all persons who have been granted 626  
or reissued a license or permit, and all persons whose license or 627  
permit has been revoked or suspended. The register shall also 628  
include a record of persons licensed prior to October 17, 1975. 629

(5) Maintain a register, in such form as the board determines 630  
by rule, of all colleges and universities that teach veterinary 631  
medicine and that are approved by the board; 632

(6) Enforce this chapter, and for that purpose, make 633  
investigations relative as provided in section 4741.26 of the 634  
Revised Code; 635

(7) Issue licenses and permits to persons who meet the 636  
qualifications set forth in this chapter; 637

(8) Approve colleges and universities ~~which~~ that meet the 638  
board's requirements for veterinary medicine and associated fields 639  
of study and withdraw or deny, after an adjudication conducted in 640  
accordance with Chapter 119. of the Revised Code, approval from 641  
colleges and universities ~~which~~ that fail to meet those 642  
requirements; 643

(9) Adopt rules, in accordance with Chapter 119. of the 644  
Revised Code, ~~which~~ that are necessary for its government and for 645  
the administration and enforcement of this chapter; 646

(10) Develop standards for courses in canine behavior that 647  
must be completed by hearing officers under section 955.222 of the 648  
Revised Code and approve courses that meet the standards. 649

(D) The board may do all of the following: 650

(1) Subpoena witnesses and require their attendance and 651  
testimony, require the production by witnesses of books, papers, 652  
public records, animal patient records, and other documentary 653  
evidence, and examine them in relation to any matter ~~which~~ that 654  
the board has authority to investigate, inquire into, or hear. 655  
Except for any officer or employee of the state or any political 656  
subdivision of the state, the treasurer of state shall pay all 657  
witnesses in any proceeding before the board, upon certification 658  
from the board, witness fees in the same amount as provided in 659

section 2335.06 of the Revised Code. 660

(2) Examine and inspect books, papers, public records, animal 661  
patient records, and other documentary evidence at the location 662  
where the books, papers, records, and other evidence are normally 663  
stored or maintained; 664

(3) Create an advisory committee consisting of members of the 665  
animal health and allied medical services in this state to confer 666  
with and assist the board in the adoption of rules pertaining to 667  
divisions (B) to (E) of section 4741.19 and divisions (A), (D), 668  
(E), and (F) of section 4741.20 of the Revised Code. 669

(E) All registers, books, and records kept by the board are 670  
the property of the board and are open for public examination and 671  
inspection at all reasonable times. The registers, books, and 672  
records are prima-facie evidence of the matters contained therein. 673

**Section 2.** That existing sections 955.11, 955.22, 955.28, 674  
955.99, 1901.18, 1907.031, and 4741.03 of the Revised Code are 675  
hereby repealed. 676