



# *ENACTMENT SUMMARY*

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## **House Bill 247** **Dangerous/vicious dogs (“Avery’s Law”)** Effective March 18, 2026

On December 19, 2025, Governor DeWine signed into law House Bill 247 (Rep. K. Miller and Rep. Lawson-Rowe), which modifies the laws regarding dangerous and vicious dogs. The following outlines provisions in the bill relevant to courts.

### **Definitions**

The bill contains the following relevant definitions:

- "Vicious dog" means a dog that has been designated as such in accordance with R.C. 955.23, or a dog that has previously engaged in a vicious dog act when evidence of such engagement is presented to a court and the court determines that the dog has engaged in a previous vicious dog act.
  - "Vicious dog act" is defined as one of the following actions committed by a dog without provocation, other than by a police dog that is being used to assist one or more law enforcement officers in the performance of their official duties:
    - The killing of any person;
    - Causing serious injury to any person by physical contact;
    - Engaging in a dangerous dog act after the dog has been designated as a dangerous dog
- "Dangerous dog" means a dog that has been designated as such in accordance with R.C. 955.23, or a dog that has previously engaged in a dangerous dog act when evidence of such engagement is presented to a court and the court determines that the dog has engaged in a previous dangerous dog act.
  - "Dangerous dog act" is defined as one of the following actions committed by a dog without provocation, other than by a police dog that is being used to assist one or more law enforcement officers in the performance of their official duties:
    - Causing injury by physical contact, other than killing or serious injury, to any person in either a menacing fashion or an apparent attitude of attack;
    - Causing serious injury to any person without making physical contact in either a menacing fashion or an apparent attitude of attack;
    - The killing of another dog;
    - Causing serious injury to another dog that results in euthanasia of the dog by a person authorized to perform euthanasia under Ohio law
- "Nuisance dog" means a dog that has been designated as such in accordance with R.C. 955.23, or a dog that has previously engaged in a nuisance dog act when evidence of

such engagement is presented to a court and the court determines that the dog has engaged in a previous nuisance dog act.

- “Nuisance dog act” is defined as one of the following actions committed by a dog without provocation and while off the premises of its owner, keeper, or harborer, other than by a police dog that is being used to assist one or more law enforcement officers in the performance of their official
  - Chasing or approaching a person in either a menacing fashion or an apparent attitude of
  - Attempting to bite or otherwise endanger any person in either a menacing fashion or an apparent attitude of attack;
  - Causing injury to any person without making physical contact in either a menacing fashion or an apparent attitude of attack;
  - Chasing, threatening, harassing, or injuring another dog or livestock in either a menacing fashion or an apparent attitude of attack;
  - Having been the subject of a third or subsequent violation of R.C. 955.21

### **Vicious, Dangerous, Nuisance Dog Acts**

The bill prohibits an owner, keeper, or harborer of a dog from negligently (“recklessly” for an animal shelter) failing to prevent the dog from committing a vicious, dangerous, or nuisance dog act. The penalties are as follows:

- For a vicious dog act, an M3 on a first offense and an M2 on subsequent offenses. If the vicious dog act involves injuring or killing a person, the offense is an F3.
- For a dangerous dog act, an M4 on a first offense and an M3 on subsequent offenses. If the dangerous dog act involves injuring a person, the offense is an M1.
- For a nuisance dog act, a minor misdemeanor on the first offense and an M4 on subsequent offenses.

### *Destruction of dog*

In addition to the penalties described above, the court **may** order a dog that is the subject of an offense under this section to be humanely destroyed by a licensed veterinarian or the county dog warden at the owner's expense if the court finds that the dog did one of the following:

- Committed a vicious dog act;
- Committed a dangerous dog act;
- Injured another dog;
- Attempted to bite a person and such attempt resulted in the injury of the person.

The court **shall** order the dog be destroyed if, as a result of the offense, the dog kills a person or causes serious injury to a person that results in one of the following:

- Substantial risk of death;
- Permanent incapacity;
- Serious permanent disfigurement;
- Acute pain of a duration that results in substantial suffering.

### **Dogs running at large**

The bill streamlines existing statutes related to dogs running at large (R.C. 955.22, renumbered in the bill to R.C. 955.21), to prohibit any dog owner, keeper, or harborer from failing to do either of the following (with the exception of dogs that are not vicious or dangerous and are engaged in hunting or field trials):

- Keeping the dog physically confined or restrained upon the premises of the owner, keeper, or harbinger by a leash, tether, adequate fence, supervision, or secure enclosure to prevent escape
- Keeping the dog under the reasonable control of some person

The bill also modifies the penalties for this offense, as follows:

- If the dog is not a vicious, dangerous, or nuisance dog: On a first offense, a fine of \$25-100. On a second or subsequent offense: a fine of \$75-250 and the possibility of imprisonment up to 30 days. The court may also order the offender to personally supervise the dog, cause the dog to undergo obedience training, or both.
- If the dog is a nuisance dog, the offense is an M4 on a first offense and M4 on subsequent offenses. The court may also order the offender to personally supervise the dog, cause the dog to undergo obedience training, or both.
- If the dog is a dangerous dog, the offense is an M3 on a first offense and M2 on subsequent offenses. The court may also order the offender to personally supervise the dog, cause the dog to undergo obedience training, or both. In the alternative, the court may order the dangerous dog to be humanely destroyed by a licensed veterinarian or the county dog warden at the owner's expense. Until a final determination is made or during the pendency of any appeal, at the discretion of the dog warden, the dog must be restrained or confined in accordance with R.C. 955.24(A) or at the county dog pound at the owner's expense.
- If the dog is a vicious dog, the offense is an M2 on a first offense and an M1 on subsequent offenses. The court may also order the offender to personally supervise the dog, cause the dog to undergo obedience training, or both. In the alternative, the court may order the dangerous dog to be humanely destroyed by a licensed veterinarian or the county dog warden at the owner's expense. Until a final determination is made or during the pendency of any appeal, at the discretion of the dog warden, the dog must be restrained or confined in accordance with R.C. 955.24(A) or at the county dog pound at the owner's expense.

### **Dog designation hearings**

The bill makes several changes to the processes for having a dog declared a vicious, dangerous, or nuisance dog under former R.C. 955.222 (renumbered to R.C. 955.23 under the bill). If a dog warden (or other authorized person) has probable cause to believe that a dog in the warden's jurisdiction has committed a vicious, dangerous, or nuisance dog act that did not result in the killing or serious injury of another person, and the warden determines that it is safe for the dog to remain in the custody of its owner, then the warden may designate the dog as vicious, dangerous, or a nuisance, and notify the owner by certified mail of the designation. If the owner disagrees with the determination, they may request a hearing with the court with territorial jurisdiction over the location where the incident occurred (under prior law, this was the court in the county where the owner resides). If the warden intends to hold the dog in custody rather than allow it to remain with the owner, the warden shall petition the court with territorial jurisdiction over where the alleged act occurred to hold a hearing on determining the dog's designation. The court shall hold a hearing within ten calendar days of receiving the request from either the warden or the dog owner disagreeing with the warden's designation. The bill further provides that at the hearing, probable cause may be supported by one or more written statements of a witness describing the incident(s) in which the witness(es) saw the dog engage in a vicious, dangerous, or nuisance dog act.

During the pendency of the hearing and any relevant appeal, the dog shall remain with the owner if the warden determines it is safe and the dog did not seriously injure or kill a person. If the warden determines it is not safe, or if the dog did seriously injure or kill a person, the dog is to be held in the custody of the warden at the owner's expense. If, however, the court ultimately determines that the dog is not a vicious, dangerous, or nuisance dog, the owner shall not be responsible for such costs.

If the court determines the dog to be a *vicious* or *dangerous* dog, the court may order that the dog be humanely destroyed by a licensed veterinarian or the dog warden, at the owner's expense. However, the court **shall** order the dog destroyed if it determines that the dog killed a person or caused serious injury to a person that results in one of the following:

- Substantial risk of death;
- Permanent incapacity;
- Serious permanent disfigurement;
- Acute pain of a duration that results in substantial suffering.

Additionally, if the court designates a dog a *nuisance* dog, the court may order the dog be destroyed if the court finds that the dog injured another dog or attempted to bite a person and such attempt resulted in the injury of the person.

The bill passed the Ohio House of Representatives by a vote of 97-0 on June 18, 2025 and the Ohio Senate by a vote of 33-0 on November 19, 2025. The House voted 87-0 to concur in Senate amendments on the same day. It was signed into law on December 19, 2025 and becomes effective on March 18, 2026.