

County \_\_\_\_\_

Petition No. \_\_\_\_\_

## **INITIATIVE PETITION**

Law Proposed by Initiative Petition First to be Submitted to the General Assembly

### **TITLE**

Ohio Dog Auctions Act

### **SUMMARY**

The Ohio Dog Auctions Act would enact Section 955.54 of the Ohio Revised Code to make it unlawful for any person to auction, as defined in R. C. 4707.01, or raffle a dog within Ohio for any purpose. It would also prohibit bringing into the state for purposes of sale or trade a dog acquired through an auction or raffle in another jurisdiction. The Ohio Attorney General would have authority to investigate, conciliate and prosecute alleged violations of the Act. The Attorney General or any resident of the state could bring a civil action to enjoin a violation of the Act. A first conviction under the Act would be punishable as a minor misdemeanor and each subsequent conviction as a fourth degree misdemeanor.

### **CERTIFICATION OF ATTORNEY GENERAL**

Without passing upon the advisability of the approval or rejection of the measure to be referred, but pursuant to the duties imposed upon the Attorney General's Office under Section 3519.01 (A) of the Ohio Revised Code, I hereby certify that the summary is a fair and truthful statement of the proposed initiated Statute to enact Section 955.54 of the Ohio Revised Code.

RICHARD CORDRAY  
Ohio Attorney General  
October 2, 2009

### **COMMITTEE TO REPRESENT THE PETITIONERS**

The following persons are designated as a committee to represent the petitioners in all matters relating to the petition or its circulation:

Mary O'Connor-Shaver	347 Meadow Ash Drive, Lewis Center, Ohio 43035
James Tew	6315 Duffy Road, Delaware, Ohio 43015
Veronica Dickey	4496 Noble Loon Street NW, Massillon, Ohio 44646
Matthew Ditchey	2315 Bears Den Road, Youngstown, Ohio 44511

**NOTICE**

**Whoever knowingly signs this petition more than once; except as provided in section 3501.382 of the Revised Code, signs a name other than one's own on this petition; or signs this petition when not a qualified voter, is liable to prosecution.**

**MUST USE MOST RECENT ADDRESS ON FILE WITH BOARD OF ELECTIONS**

*(Sign with ink. Your name, residence, and date of signing must be given)*

Signature	County	Township	Rural Route or Other Post Office Address	Mo/Day/Yr
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(Voters who do not live in a municipal corporation should fill in the information called for by headings printed above.)

(Voters who reside in municipal corporations should fill in the information called for by headings printed below.)

Signature	County	City or Village	Street and Number	Ward/Precinct	Mo/Day/Yr
1.  Sign & print name					
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28.  Sign & print name					
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39.  Sign & print name					
40.  Sign & print name					
41.  Sign & print name					

**FULL TEXT OF LAW**

Be it enacted by the People of the State of Ohio that Section 955.54 of the Ohio Revised Code shall be adopted to provide as follows:

**Section 955.54 Dog Auctions**

No individual, corporation, partnership, association, estate or other person shall auction, as defined in section 4707.01 of the Revised Code, or raffle a dog for any purpose in this state or bring into the state for purposes of sale or trade a dog acquired through an auction or raffle in another jurisdiction. Conviction of a first offense of this section shall be punishable as a minor misdemeanor and each subsequent conviction as a misdemeanor of the fourth degree.

The state attorney general shall enforce the provisions of this section, including the prosecution of violations. The attorney general shall investigate alleged violations of this section and may enter into conciliation agreements to resolve alleged violations. The attorney general or any resident of the state may bring a civil action to enjoin a violation and future violations of this section.

If any part of this section is held by a court to be unenforceable, it shall not affect the remaining provisions of the section.

**STATEMENT OF CIRCULATOR**

I, \_\_\_\_\_, declare under penalty of election falsification that I am the circulator of the foregoing petition paper containing the signatures of \_\_\_\_\_electors, that the signatures appended hereto were made and appended in my presence on the date set opposite each respective name, and are the signatures of the persons whose names they purport to be or of attorneys in fact acting pursuant to section 3501.382 of the Revised Code, and that the electors signing this petition did so with knowledge of the contents of same. I am employed to circulate this petition by \_\_\_\_\_ (Name and address of employer). (The preceding sentence shall be completed as required by section 3501.38 of the Revised Code if the circulator is being employed to circulate the petition.)

I further declare under penalty of election falsification that I witnessed the affixing of every signature to the foregoing petition paper, that all signers were to the best of my knowledge and belief qualified to sign, and that every signature is to the best of my knowledge and belief the signature of the person whose signature it purports to be or of an attorney in fact acting pursuant to section 3501.382 of the Revised Code.

\_\_\_\_\_  
Signature of Circulator

\_\_\_\_\_  
Address of circulator's permanent residence in this state. Number and Street, Road or Rural Rt.

\_\_\_\_\_  
City, Village or Township      State      Zip Code

**WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY  
OF A FELONY OF THE FIFTH DEGREE**