



## Ohio Revised Code

### Section 941.12 Indemnification for value of destroyed animals.

Effective: September 29, 2017

Legislation: House Bill 49 - 132nd General Assembly

---

(A) If an animal is ordered destroyed by the director of agriculture under this chapter, the director shall take an inventory of each animal that is destroyed and record sufficient information in order for an appraisal to be conducted, if necessary.

(B)(1) Within thirty days after receiving a destruction order issued under this chapter, the owner of the animal subject to the order that seeks indemnification for the animal shall do both of the following:

(a) Request the information recorded under division (A) of this section and have an appraisal of the animal conducted at the owner's expense;

(b) Request that the department of agriculture conduct an appraisal of the animal. If an appraisal is requested, the director shall order the appraisal to be conducted.

(2) If the owner and the department do not agree on the value of the animal ordered destroyed, the two shall select a third disinterested person, at the owner's expense, to appraise the animal. The appraisal conducted by that person is the value of the animal for purposes of indemnification.

(3) If an appraisal is not conducted under division (B)(1)(a) of this section or requested under division (B)(1)(b) of this section within thirty days of receiving the destruction order issued under this chapter, the owner waives the right to indemnification of the animal.

(C) Once the value of the animal ordered destroyed is determined, the director may indemnify the owner of the animal if, upon the request of the director, the director of budget and management provides written notification to the director of agriculture that there is an unencumbered balance in the appropriation for the current biennium sufficient to pay the indemnity. The amount of indemnity is the appraised value of the animal, less any salvage value and indemnity received from another agency. In no case shall the state indemnity payment exceed fifty dollars per head for a grade animal



or one hundred dollars per head for a registered purebred animal.

(D) The director of agriculture may refuse to pay an indemnity for any animal ordered destroyed if the owner has been convicted of or pleads guilty to a violation of any of the provisions of this chapter or the rules promulgated thereunder.