



RICHARD CORDRAY
OHIO ATTORNEY GENERAL

August 7, 2009

VIA FIRST CLASS MAIL

The Coalition to Ban Ohio Dog Auctions
c/o Donald J. McTigue, Esq.
550 East Walnut St.
Columbus, OH 43215

Re: Proposed Initiated Statute to Ban Dog Auctions

Dear Mr. McTigue:

A written petition proposing to enact Section 955.54 of the Ohio Revised Code was submitted to our office on July 29, 2009, in accordance with Section 3519.01(A) of the Ohio Revised Code. This statute specifies that the Attorney General is to conduct an examination of the summary within ten days of receiving it. In this instance, the tenth day falls on Saturday, August 8, 2009.

Our particular duty under this statute is to opine whether the submitted summary is a fair and truthful statement of the proposed initiated statute. After reviewing the submission, I have concluded that I am unable to certify your summary as a fair and truthful statement of the measure to be referred.

I am rejecting your submission because the summary states that the statute would "prohibit bringing into the state a dog acquired through an auction or raffle in another jurisdiction." The actual text of the proposed statute, however, states that the prohibition is placed on bringing auctioned or raffled dogs into the state *for purposes of sale or trade*, stating "[n]o individual, corporation, partnership, association, estate or other person shall . . . bring into the state for purposes of sale or trade a dog acquired through an auction or raffle in another jurisdiction." Unlike the description in the proposed summary, therefore, the actual text of the measure does not purport to ban bringing into Ohio any and all dogs acquired outside Ohio by auction or raffle. Because the summary significantly differs from the proposed statute, I must conclude that the summary is not fair and truthful statement of the measure to be referred.

Accordingly, I am unable to certify the proposed Initiated Statute to Ban Dog Auctions. Please feel free to contact Damian Sikora at 466-2872 if you have any questions.

Sincerely,

RICHARD CORDRAY
Ohio Attorney General