

**As Introduced**

**132nd General Assembly**

**Regular Session**

**2017-2018**

**H. B. No. 506**

**Representative Hill**

**Cosponsors: Representatives Thompson, Smith, R., Patterson, Schuring, Seitz,  
Koehler, Patton, Stein, West, Sweeney, Kick, Ryan, Hoops**

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**A BILL**

To amend sections 956.01 and 956.08 and to enact 1  
section 956.031 of the Revised Code to revise 2  
the law governing high volume dog breeders. 3

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

**Section 1.** That sections 956.01 and 956.08 be amended and 4  
section 956.031 of the Revised Code be enacted to read as 5  
follows: 6

**Sec. 956.01.** As used in this chapter: 7

"Accredited veterinarian" means a veterinarian accredited 8  
by the United States department of agriculture. 9

"Adult dog" means a dog that is twelve months of age or 10  
older. 11

"Animal rescue for dogs" means an individual or 12  
organization recognized by the director of agriculture that 13  
keeps, houses, and maintains dogs and that is dedicated to the 14  
welfare, health, safety, and protection of dogs, provided that 15  
the individual or organization does not operate for profit, does 16

not sell dogs for a profit, does not breed dogs, and does not 17  
purchase more than nine dogs in any given calendar year unless 18  
the dogs are purchased from a dog warden appointed under Chapter 19  
955. of the Revised Code, a humane society, or another animal 20  
rescue for dogs. "Animal rescue for dogs" includes an individual 21  
or organization that offers spayed or neutered dogs for adoption 22  
and charges reasonable adoption fees to cover the costs of the 23  
individual or organization, including, but not limited to, costs 24  
related to spaying or neutering dogs. 25

"Animal shelter for dogs" means a facility that keeps, 26  
houses, and maintains dogs such as a dog pound operated by a 27  
municipal corporation, or by a county under Chapter 955. of the 28  
Revised Code, or that is operated by a humane society, animal 29  
welfare society, society for the prevention of cruelty to 30  
animals, or other nonprofit organization that is devoted to the 31  
welfare, protection, and humane treatment of dogs and other 32  
animals. 33

"Boarding kennel" means an establishment operating for 34  
profit that keeps, houses, and maintains dogs solely for the 35  
purpose of providing shelter, care, and feeding of the dogs in 36  
return for a fee or other consideration. 37

"Breeding dog" means an ~~unneutered, unspayed~~ adult dog 38  
that is primarily ~~harbored or housed on property that is the~~ 39  
~~dog's primary residence~~ used for producing offspring. 40

"Enrichment" means any modification in the environment of 41  
a confined dog that seeks to enhance the dog's physical and 42  
psychological well-being by providing stimuli that meets the 43  
dog's species-specific needs. 44

"Exercise" means activity that allows a dog to extend to 45

full stride, play, and engage in other types of mentally 46  
stimulating and social behaviors. 47

"High volume breeder" means an establishment that keeps, 48  
houses, and maintains ~~adult~~ eight or more breeding dogs that 49  
produce at least ~~nine~~ five litters of puppies in any given 50  
calendar year and, in return for a fee or other consideration, 51  
sells ~~sixty~~ thirty or more ~~adult dogs or~~ puppies per calendar 52  
year. 53

"Humane society" means an organization that is organized 54  
under section 1717.05 of the Revised Code. 55

"Dog retailer" means a person who buys, sells, or offers 56  
to sell dogs at wholesale for resale to another or who sells or 57  
gives one or more dogs to a pet store annually. "Dog retailer" 58  
does not include an animal rescue for dogs, an animal shelter 59  
for dogs, a humane society, a medical kennel for dogs, a 60  
research kennel for dogs, a pet store, or a veterinarian. 61

"Environmental division of the Franklin county municipal 62  
court" means the environmental division of the Franklin county 63  
municipal court created in section 1901.011 of the Revised Code. 64

"Medical kennel for dogs" means a facility that is 65  
maintained by a veterinarian and operated primarily for the 66  
treatment of sick or injured dogs. 67

"Pet store" means an individual retail store to which both 68  
of the following apply: the store sells dogs to the public; and 69  
with regard to the sale of a dog from the store, the sales 70  
person, the buyer of a dog, and the dog for sale are physically 71  
present during the sales transaction so that the buyer may 72  
personally observe the dog and help ensure its health prior to 73  
taking custody. "Pet store" does not include an animal rescue 74

for dogs, an animal shelter for dogs, a humane society, a 75  
medical kennel for dogs, or a research kennel for dogs. 76

"Puppy" means a dog that is under twelve months of age. 77

"Research kennel for dogs" means a facility housing dogs 78  
that is maintained exclusively for research purposes. 79

"Thermoneutral zone" means the range of ambient 80  
temperature in which a dog is able to maintain normal body 81  
temperature without a change in metabolic rate. 82

"Veterinarian" means either a veterinarian licensed in 83  
this state under Chapter 4741. of the Revised Code or a 84  
veterinarian licensed out of this state by an applicable state 85  
entity. 86

Sec. 956.031. In addition to complying with rules adopted 87  
under section 956.03 of the Revised Code, a high volume breeder 88  
shall do all of the following with regard to a dog that is kept, 89  
housed, and maintained by the breeder: 90

(A) Each day, provide to the dog both of the following: 91

(1) Food that is all of the following: 92

(a) Sufficient to maintain normal body condition and 93  
weight; 94

(b) Unspoiled and uncontaminated; 95

(c) Provided in accordance with a nutritional plan 96  
prescribed by a veterinarian; 97

(d) Served in receptacles that are clean and sanitary. 98

A high volume breeder may temporarily withhold food when 99  
directed by a veterinarian to do so. 100

(2) Access to potable water in clean and sanitary receptacles that is of sufficient quality and quantity to ensure maintenance of normal body condition and growth unless otherwise directed by a veterinarian. 101  
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(B) Keep or confine the dog in a primary enclosure that complies with all of the following: 105  
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(1) It is at least twelve square feet for a dog weighing less than thirty-three pounds; at least eighteen square feet for a dog weighing thirty-three, but not more than sixty-six pounds; or at least twenty square feet for a dog weighing more than sixty-six pounds. 107  
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(2) It allows the dog to turn in a complete circle, lie down, and fully extend its limbs. 112  
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(3) It is not stacked on top of another primary enclosure. 114

(4) It is cleaned at least once per day to remove excreta, dirt, grime, and other waste. 115  
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(C) Ensure that the flooring for the dog's primary enclosure complies with all of the following: 117  
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(1) It consists of materials that can be cleaned and sanitized; are safe for the breed, size, and age of the dog; are free from protruding sharp edges; and are designed so that the paw of the dog is unable to extend through or become caught in the flooring. 119  
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(2) If the flooring surface consists of a material that is not solid, it has a solid resting area. 124  
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(3) It does not sag, bend, or bounce. 126

(D) If the high volume breeder is using an indoor primary 127

enclosure to house the dog, ensure that the enclosure is located 128  
in a facility that permits regulation of temperature, 129  
ventilation, and lighting, including diurnal lighting. The high 130  
volume breeder shall ensure that the lighting is sufficient, 131  
either through natural or artificial means, to observe the 132  
physical condition of the dog and to permit inspection and 133  
cleaning of the dog and the primary enclosure. 134

(E) If the high volume breeder is using an outdoor primary 135  
enclosure to house the dog and if climatic or ambient 136  
temperatures pose a threat to the health and welfare of the dog, 137  
take measures to eliminate the threat. If the high volume 138  
breeder has to take such measures, the high volume breeder shall 139  
consider the dog's age, breed, overall health, and acclimation 140  
to the environment. The high volume breeder shall not use an 141  
outdoor primary enclosure to house the dog if the dog is unable 142  
to tolerate the prevalent temperatures within the dog's 143  
thermoneutral zone. 144

(F) House the dog in a compatible group of dogs, provided 145  
that the high volume breeder may house the dog in an 146  
incompatible group for reasons of biosecurity, whelping, 147  
breeding, and behavioral issues; 148

(G) If the dog is a puppy that is four months or younger, 149  
house the dog with an adult dog only if the adult dog is the 150  
puppy's dam or foster dam; 151

(H) If the dog is a female, breed the dog only if the dog 152  
has maintained a normal body condition and has been declared 153  
healthy by a veterinarian following a physical examination prior 154  
to the onset of the next proestrus; 155

(I) Provide a clean, dry whelping area for each dam and 156

her nursing puppies. The high volume breeder shall ensure that 157  
the area fully accommodates all puppies, allows the dam to lie 158  
fully recumbent and stand, and permits the dam to temporarily 159  
move away from her puppies as she chooses. The high volume 160  
breeder shall ensure that no other animals inhabit the whelping 161  
area other than the dam and her puppies. 162

(J) Provide an opportunity for daily exercise. However, 163  
this requirement does not apply to an expectant female dog, 164  
postpartum female dog, or any other dog as recommended by a 165  
veterinarian. 166

(K) Allow the dog an opportunity to safely access the 167  
outdoors during daylight hours; 168

(L) Provide the dog with daily environmental enrichment in 169  
the dog's primary enclosure; 170

(M) Provide human interaction with the dog other than 171  
interaction that occurs during feeding and cleaning time. The 172  
interaction, at a minimum, shall include talking to, petting, or 173  
touching the dog in a positive and beneficial manner. 174

(N) Provide appropriate veterinary care, including 175  
vaccinations, parasite control, and prompt treatment for any 176  
disease, illness, or injury. 177

**Sec. 956.08.** No person operating a high volume breeder or 178  
acting as or performing the functions of a dog retailer shall 179  
fail to comply with applicable standards established by the 180  
director of agriculture in rules adopted under section 956.03 of 181  
the Revised Code or with section 956.031 of the Revised Code. 182

**Section 2.** That existing sections 956.01 and 956.08 of the 183  
Revised Code are hereby repealed. 184