



Kellie DiFrischia  
[kdifrischia@gmail.com](mailto:kdifrischia@gmail.com)  
614-471-9000

Government Accountability and Oversight  
HB 506, Revise law governing high volume dog breeders  
Interested Party Testimony  
March 7, 2018

Chairman Blessing, Vice Chair Reineke, Ranking Member Clyde and Committee Members,

Thank you for the opportunity to testify. My name is Kellie DiFrischia and I am the director of Columbus Dog Connection. We were the lead humane agency behind Senate Bill 130, of the 129<sup>th</sup> General Assembly, the original high volume breeder bill. It took seven years for stakeholders to come together and support the final legislation. For 7 years, we discussed and compromised until we had a final product that all stakeholders could endorse. For 7 years, every stakeholder had an opportunity to meet with legislators and participate in a thoughtful process to pass this language. At that time, then Senator and Sponsor Jim Hughes said this was the most difficult legislation he had ever worked on.

HB 506 has the potential to improve language that so many stakeholders labored over for 7 years. There are good points to this language as written. But there are also improvements that should be made.

Since the passing of the original bill, The Ohio Dept of Agriculture has been tasked with regulation. As the first program of its kind in Ohio, understandably and with keen hindsight, the language could have been more clearly written. I think I can say with 99.9 % confidence, every stakeholder agrees the language can be improved upon. None of us want another 7 year stretch, but not taking time to include obvious language will be a disservice to the process and not efficient use of tax payer money.

With one exception, we have attended every commercial dog breeder board meeting. With careful observation, consideration of Dept of Ag statistics, historical perspective and conversations with breeders that are currently licensed, we have compiled amendments for your consideration. These amendments are drafted and a summary page has been shared with other stakeholders. Most of the changes on the attached summary page are procedural and common sense in nature.

The attached summary page of amendments will enhance HB 506. I want to emphasize these changes are with thoughtful consideration of what has and has not been working since we passed the original language. The Dept of Ag currently regulates 768 licensed breeders and retailers. There are almost 900 breeders on a watch list. Obviously, something is wrong with the threshold definition.

The threshold we are proposing should satisfy everyone. If you are not in business as a high volume breeder, you will automatically be exempt if you fall beneath the threshold. There will be no need to exempt anyone. The exemption submitted last week for one stakeholder will make the entire regulatory process an unenforceable quagmire.

One problem with the original language is the inability to determine if a breeder should be regulated. The 900 breeders on the "watch list" is proof of this. With this same mind set, how will an enforcement agent determine which dogs are hunting dogs, which dogs are field dogs and not only who should be exempt but is everyone claiming they should be exempt, have true exempt status? My organization is not exempt nor should it be. This threshold simplifies and clearly defines who should be a high volume license breeder in Ohio. Rescues are more clearly defined and fines levied when necessary to create compliance.

Chairman Blessing, members of the committee, I ask you for the opportunity for a meaningful process to give thoughtful consideration to all stakeholders. We have a golden opportunity to get this right.

Thank you for this opportunity to testify.

### **HB 506 Amendments**

1. (Pg 3, Line 48) Threshold: Must obtain a Commercial Breeder license if **any** of the following are met:
  - sell to pet store
  - or sell to intermediaries/broker
  - or sell 4 or more litters annually
  - or hold a USDA license
  - or keep/house/maintain more than 8 intact adult dogs
2. (pg 5, Line 101) Access to water in receptacle that allows for natural cleansing of mouth after eating
3. (pg 3, Line 46) Have one/more turn out yard on ground that allows dog to reach 3 running strides
4. (pg 5, Line 125) Resting area must be larger than dog lying down with outstretched legs
5. (pg 7, Line 162) Daily exercise must include 60 minutes of time in exercise yard

### **Additional Changes**

1. USDA, Pet stores (both in/out of state), Intermediaries (both in/out of state) buying/selling dogs from Ohio must provide list of all breeders they buy/sell from to:
  - A. OH Dept of Ag
  - B. OH Dept of Taxation
  - C. Pet stores must submit breeder and intermediary list to USDA
2. County kennel license governance transferred from County Auditors to State Dept of Ag
  - As with original pup mill language, kennel license fee of \$50 or an amount equal to the fee charged in that county, will be transferred to county auditor for county's dog and kennel fund. (pg 11, Sub Bill SB 130, 129<sup>th</sup> GA)
3. All individuals selling dogs must list vendor license number or state kennel license number with all advertisements both online and in print, in state and out of state. \$200 fine per infraction for advertisements lacking vendor or license number.
4. Dogs must be sold from address on kennel license. No sales permitted at flea markets, trader days, community events
5. County (hobby) kennel license holders must submit annual report with number of pups sold and disposition
6. List licensed breeders and rescues on Ag website with inspection reports
7. Change advisory board to oversight board

### **Rescues:**

8. Late fee of \$250, for failure to register by March 31
9. \$500 fine and issued intermediary license for failure to register after April 1
10. Home based humane societies must register (no fee)
11. Can not compensate (monetary or otherwise) licensed or unlicensed breeders for dogs
12. \$1,000 fine per dog and license suspended for 1 yr for compensating licensed breeders and required to purchase broker license for 1 yr

### **Breeders/Intermediaries:**

13. Penalty for non licensed high volume breeders triple annual license fee and monthly inspections for 1<sup>st</sup> year
14. Must provide plan for manure disposal and list significant bodies of water or rivers within 1 mile
15. Complete disposition of dog form for every dog leaving kennel possession (include recipient contact info)
16. Must be registered w/ Ohio Dept of Tax to conduct sales