

Senate Agriculture Committee
HB 506, Revise law governing high volume dog breeders
Opponent Testimony

May 15, 2018

Chairman Hackett, Vice Chair Hoagland, Ranking Member O'Brien and Honorable 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 129th General Assembly, the original law governing high volume dog breeding. For 7 years' stakeholders negotiated and compromised until we had language that all interested parties could endorse.

We submit this testimony to you today based on facts, figures and common sense. You will find our amendments on page 2 which are accountability and transparency based. It has been said we bring an emotional aspect to the table and I would agree with that statement. Today however, we lay down our emotional arms and want to talk strictly facts and figures. Our amendments will create consumer protection, government transparency, business accountability, taxation compliance and perhaps a watchdog element to an industry that in part, continues to sell millions of dollars of product, with no oversight. If I told you about an industry that has sales of over \$100,000,000 dollars, would your vote be to make sure they pay their share of taxes? I will explain exactly how this is happening in the dog breeding industry in Ohio.

Here are some facts: The USDA has 2,654 licensed dog breeders in the country, 286 of them are in Ohio. This gives Ohio an 11% share of the dog breeding market for just those breeders with a USDA license. Only Missouri out ranks Ohio for number of dog breeders. As paraphrased from Pet Product News, the trade magazine for the pet industry, April 2018, by reporter BC Henshen, The 2,654 USDA licensed breeders "do not include the unlicensed breeders, which are suspected to be in the thousands and on the rise". (Article attached) Ohio has 1,579 breeders in just the Holmes, Coshocton, Tuscarawas counties that are likely not licensed by the USDA, or Ohio and in many cases I'm certain, by the county.

Chairman Hackett, members of the committee, I ask you to include our amendments which will strengthen HB 506. These amendments will assist the Dept of Ag in identifying breeders who are high volume yet not identifiable by the threshold as written. These amendments will help identify breeders who, collectively, create well over \$100,000,000 million in sales. Being the 2nd largest dog breeding state in the nation and not regulating the majority of the businesses producing the sales is an egregious government oversight and hardly a fiscally sound business principle.

Please pardon our skepticism of our invitation to this conversation. There was never an attempt to negotiate our amendments. Yet our name is being used to describe this legislation as a product of both sides of the issue with no one getting everything they are asking for. I want to be clear that none of our amendments were negotiated on or included. Perhaps most telling was our amendment that would better regulate the fraudulent rescues in Ohio. This wouldn't affect the interested parties or their sales, in fact, it would eliminate their competition. Yet once again, no negotiation was offered. We were one of only two groups in the room who's main goal is more about the wellbeing of the dogs and not how it would impact our income or agency. Please forgive my inner rescue opinion for slipping out. Please see our amendments on page 2.

Amendments

1. using current threshold -9 version (not drafted)

(in-depth explanation of why the threshold needs to be lowered on following pages)

“High volume breeder” means an establishment that keeps, houses, maintains, **6 insert 3** or more breeding dogs and does at least one of the following:

(1) In return for a fee or other consideration, sells five or more adult dogs or puppies to a dog retailer or pet store;

Please note: *(to avoid a quagmire in trying to regulate this portion, this number should be zero, but the gun lobby wants the option to sell one or two dogs to the pet stores. I asked the gun lobby if they typically practice this and his answer was not really but they shouldn't get grouped into the high volume category if they want to sell a few dogs)*

(2) In return for a fee or other consideration, sells **forty insert thirty** or more puppies in any given year to the public;

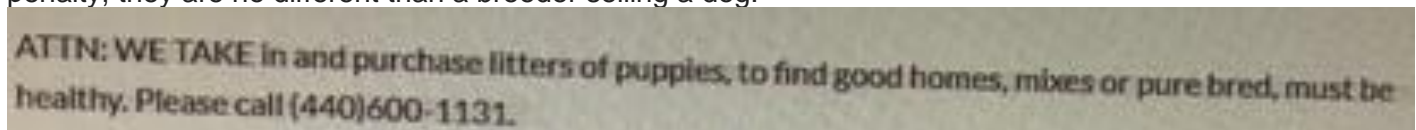
(3) Keeps, houses, and maintains, at any given time in a calendar year, more than **sixty insert thirty** puppies that are under six months of age, that have been bred on the premises of the establishment, and that have been primarily kept, housed, and maintained from birth on the premises of the establishment.

2. All advertisements of dogs/pups for sale must list vendor license number or state kennel license number
\$200 fine per infraction for advertisements lacking a number
Am_132_2008

3. For consumer protection, list licensed breeders, brokers/intermediaries and rescues on Dept of Ag website with inspection reports (a list of USDA breeders can be found on the federal government web site)
Am_132_2018

4. Rescues cannot compensate (monetary or otherwise) licensed or unlicensed breeders for dogs, \$200 fine per dog, repeat offenders permanent suspension and required to buy retailer license
Am_132_2015 Example below:

This ad is likely an example of a rescue broker. If we don't clearly define rescues and assess an appropriate penalty, they are no different than a breeder selling a dog.



ATTN: WE TAKE in and purchase litters of puppies, to find good homes, mixes or pure bred, must be healthy. Please call (440)600-1131.

HB 506, Threshold Issues

As with the original puppy mill bill passed in 2012, determining the threshold at which a breeder should be licensed has proven to be challenging for all interested parties. Remember, Ohio ranks 2nd in dog breeding license sold by the USDA (United States Dept of Agriculture, these are typically the very high volume dog breeders)

If you are not in business as a high producing kennel, you will be exempt. If the threshold is too high or vague, the intent of this language is lost as the greatest number of breeders will stay just below the threshold, which is the issue we have now. Over a thousand breeders are selling over 100,000 puppies in just the 3 county area of Coshocton, Tuscarawas and Holmes Counties by having a county or no kennel license instead of a state license.

County	Kennel License Sold						
	2018	2017	2016	2015	2014	2013	2012
Coshocton	710	764	686	523	531	730	864
Holmes	361	329	307	282	279	398	422
Tuscarawas	508	553	545	510	553	487	1229
Franklin	7	9	3	8	10	15	15

Note: There are just 278 high volume dog breeders licensed and inspected by the state of Ohio.

In 2018, if breeders, not licensed by the state but with county kennel license from Coshocton, Holmes and Tuscarawas Counties (1,579 kennels) had 4 dogs each = 6,316 dogs x 2 litters per year = 12,632 litters x 8 pups per litter = 101,056 pups sold at \$800 each = \$80,844,800 in sales, think of the lost tax revenue that could generate.

Litters size can range as does price per dog. Here are a few example. To see over 200 of these ads placed every week, download the Holmes County Shopper Hub (example on the next page). You will not see a single state kennel license listed, as is required by law. You will see an a thriving, multi-million dollar industry that has **no oversight.**

How they do it One breeder has 4 golden retrievers, bred 2x/yr = 8 litters, 8/pups per litter, having 64 pups in one year. Each pup sold for \$800-\$2,200 generating minimally \$51,200 in sales/yr (conservatively) for one breeder.

These breeders typically sell popular big dogs: labs, germ sheps, goldens, doodles, all most popular breed

Actual conversation with a breeder of the above scenario:

We randomly called this breeder May 9, 2018 listed in the Bargain Hunter to inquire about labradoodle puppies for sale.

RED MINIATURE LABRADOODLE puppies, out of a yellow lab female/mini red poodle male, 7 very cute puppies, born 3/20/18, ready 5/15/18. (330)260-6226.

This is what the Holmes County breeder said:

- \$1,200 per pup for Mini Labs, 7 in the litter (\$8,400 in sales with just this litter)
- \$1,000 for Newfie-poops, litter coming soon, dogs weight 120lbs
- sells labradoodles, didn't ask how much
- \$800-1,000, Bernese Mountain Dog Litter soon, last litter had 9 pups, can have as many as 14 pups
- **Prefers cash** but will accept PayPal, **no tax charged**
- will have 6 litters of pups in 2018
- **is not licensed by the state and does not have a county kennel license as he "is not big enough to be licensed"**
- averaging the above numbers, this breeder will have 6 litters, 7 pups per litter x \$1,000 per dog for sales of \$42,000
No tax being collected or reported.

HOLMES COUNTY HUB Shopper

THE LOCAL NEWS SOURCE FOR HOLMES COUNTY

Postal Customer

CLASSIFIEDS Saturday, April 28, 2018

Pets Supplies	Pets Supplies	Pets Supplies	Pets Supplies	Pets Supplies	Pets Supplies
LENNEX DAWG ... 2 yr old AKC Golden Retriever... \$1,200.00	AKC Golden Retriever ... 1 yr old AKC Golden Retriever... \$1,200.00	AKC English Mastiff ... 1 yr old AKC English Mastiff... \$1,200.00	AKC Golden Retriever ... 1 yr old AKC Golden Retriever... \$1,200.00	AKC Golden Retriever ... 1 yr old AKC Golden Retriever... \$1,200.00	AKC Golden Retriever ... 1 yr old AKC Golden Retriever... \$1,200.00
AKC Golden Retriever ... 1 yr old AKC Golden Retriever... \$1,200.00	AKC Golden Retriever ... 1 yr old AKC Golden Retriever... \$1,200.00	AKC Golden Retriever ... 1 yr old AKC Golden Retriever... \$1,200.00	AKC Golden Retriever ... 1 yr old AKC Golden Retriever... \$1,200.00	AKC Golden Retriever ... 1 yr old AKC Golden Retriever... \$1,200.00	AKC Golden Retriever ... 1 yr old AKC Golden Retriever... \$1,200.00

--3 pages totalling 208 advertisements in one paper, dated April 28, 2018

-No state kennel license listed on any of the 208 ads as required by law

Averaging numbers based on 200 litters for sale in this one edition of the paper:

5 pups/litter = 1,000 pups for sale x \$700 average per pup = \$700,000 x 7% tax = \$49,000 in lost tax revenue on just this one weeks worth of advertisements

CLASSIFIEDS Saturday, April 28, 2018

Miscellaneous Merch.	Miscellaneous Merch.	Miscellaneous Merch.	Pets Supplies
LE: Giant racer bike ... \$1,400.00	STEEL OPEN top tank ... 18" high x 5' wide x 5' deep... \$1,400.00	FOR SALE: Bionics battery ... Duo, works like new... \$1,400.00	AKC Golden Retriever ... 1 yr old AKC Golden Retriever... \$1,200.00
URNEY like new... \$1,400.00	Bone Bike batteries rebuilt... \$1,400.00	FOR SALE: 1 General Interiors ... 1 yr old AKC Golden Retriever... \$1,200.00	AKC Golden Retriever ... 1 yr old AKC Golden Retriever... \$1,200.00
octagon chicken ... \$1,400.00	FOR SALE: Featherite Aluminum ... \$1,400.00	FOR SALE: 3 ACA Golden Retrievers ... \$1,400.00	AKC Golden Retriever ... 1 yr old AKC Golden Retriever... \$1,200.00
DI: 10' octagon ... \$1,400.00	FOR SALE: King Series ... \$1,400.00	AKC Golden Retriever ... 1 yr old AKC Golden Retriever... \$1,200.00	AKC Golden Retriever ... 1 yr old AKC Golden Retriever... \$1,200.00
DI: 10' octagon ... \$1,400.00	FOR SALE: Heavy Duty ... \$1,400.00	AKC Golden Retriever ... 1 yr old AKC Golden Retriever... \$1,200.00	AKC Golden Retriever ... 1 yr old AKC Golden Retriever... \$1,200.00

CLASSIFIEDS Saturday, April 28, 2018

Pets Supplies	Pets Supplies	Pets Supplies	Pets Supplies
BREEDING STOCK ... AKC Golden Retriever... \$1,200.00	AKC Golden Retriever ... 1 yr old AKC Golden Retriever... \$1,200.00	AKC Golden Retriever ... 1 yr old AKC Golden Retriever... \$1,200.00	AKC Golden Retriever ... 1 yr old AKC Golden Retriever... \$1,200.00
AKC Golden Retriever ... 1 yr old AKC Golden Retriever... \$1,200.00	AKC Golden Retriever ... 1 yr old AKC Golden Retriever... \$1,200.00	AKC Golden Retriever ... 1 yr old AKC Golden Retriever... \$1,200.00	AKC Golden Retriever ... 1 yr old AKC Golden Retriever... \$1,200.00
AKC Golden Retriever ... 1 yr old AKC Golden Retriever... \$1,200.00	AKC Golden Retriever ... 1 yr old AKC Golden Retriever... \$1,200.00	AKC Golden Retriever ... 1 yr old AKC Golden Retriever... \$1,200.00	AKC Golden Retriever ... 1 yr old AKC Golden Retriever... \$1,200.00
AKC Golden Retriever ... 1 yr old AKC Golden Retriever... \$1,200.00	AKC Golden Retriever ... 1 yr old AKC Golden Retriever... \$1,200.00	AKC Golden Retriever ... 1 yr old AKC Golden Retriever... \$1,200.00	AKC Golden Retriever ... 1 yr old AKC Golden Retriever... \$1,200.00

Dated May 9, 2018

\$ 4,000 worth of puppies in 3 litters

AKC HAVANESE MALE puppies, 3 1/2 mo/old, one white, \$695, one party-colored, \$895, 2 6 mo/old Teddy-Bear male puppies, \$400/each, 2 3-1/2 mo/old Teddy-Bear male puppies, \$795/each, (330)275-9361.

\$3,600 worth of puppies in one litter

AKC GERMAN SHEPHERD Puppies, 3/23/18. Dam all black. 3 males, 3 females, \$600, (330)857-5875.

\$4,000 worth of puppies in one litter

SHORKIE PUPPIES; READY May 1st. Vet checked, raised in my home. 3 females, 1 male. \$1000. (740)294-9028

I also spoke to the breeder in the ad below. He's selling various breeds from \$600-\$1,400. He told me is licensed by the state. That is a good thing. He does not display his state kennel license number, as required by current law. For consumer protection and transparency, amendments #2 (AM_132_2008) and #3 (AM_132_2018) and #4 (AM_132_2015) are critical.

Ad Date: May 9, 2018

THE Daily Record

Local listings from The Daily Record, Holmes County Hub and Amish Heartland

Search Classifieds

FOR SALE: AKC Boston Terriers. blue females \$1400, red female \$900, black females \$800. Champagne male \$1400, blue male \$1000, black male \$750. Also, AKC Cavalier males, 3 yr. old male tri color, proven, \$900, 5 mos. old tri color, \$600. Rock Hill Puppies. (888) 392-1160.

To Buy or Not to Buy?

Nothing stirs up controversy in our industry quite like the question of whether or not stores should sell pets.

BY B.C. HENSCHEN

Nothing seems to ignite more controversy in the pet industry than discussing the breeding and buying of pets. Some pet stores that sell pets have come under fire because their stock might be coming from “puppy mills” or unethical breeders. Many in animal welfare urge the slogan “adopt; don’t shop.”

I have a friend who is a wonderful poodle breeder. She loves the breed, she breeds for the right reasons, and she happens to own a pet store. If you visit her shop, you might see some poodles for sale. Should we condemn her store because she sells dogs? How about the store where the owner specifically picks local breeders he personally knows and has inspected their operations? Should we picket his store and see if we can put him out of business? I don’t think so; but I doubt many in the animal rescue world would agree.

I don’t think anyone in the pet industry is truly against someone buying a dog. What most people are against are puppy mills and unethical breeders. In some areas of the country, local government agencies have decided to go after puppy mills by prohibiting pet stores from selling pets. Sounds great on paper; but in reality, what happens is that the buyer just leaves their local store and heads to the internet. The puppy mills do not go away because of a pet store ban; they just change their marketing techniques. There have been several cases where rescue organizations were found to be completely bogus and just fronts for puppy mills. There have also been several cases where puppy mills have employed people and their homes, and then put out a Craigslist listing. People visit the house and think they’re dealing with a nice couple when really they’re just a front for the mill.

In a perfect world, if a person has made the decision to

add a pet to their family and a rescue or a shelter doesn’t offer what they are looking for, they should look for a reputable breeder. The person should research the breed, visit the breeder, understand what is and isn’t being done with the puppies prior to their leaving the mom, and ensure both parents are friendly and have undergone extensive health screenings. A good breeder won’t just sell you a puppy—a good breeder ensures you are the right home for the puppy and should always be willing to take that animal back if things don’t work out.

Unfortunately, this rarely happens. People fall in love with a cute face; they don’t know that they should ask about health or socialization practices. They get dogs from accidental breedings or made-up breeds with false papers making them sound as if they are a recognized dog breed. Also, people are impatient. They want a puppy now, not two years from now when the perfect puppy for them might be born.

Stores that choose to sell pets must have some success; otherwise I don’t think anyone would take on the negative connotation that comes with selling pets in a store. For various reasons, our industry does need dogs available for purchase. The question is: Can that be accomplished responsibly and ethically in a pet store?

Canine Care Certified is a voluntary program that sets rigorous standards for professional breeders. The program was developed based on research that was conducted by Purdue University’s Center for Animal Welfare Science and led by the center’s director, Dr. Candace Croun. Administered by nonprofit organization Center for Canine Welfare, the program is a very interesting program because it not only sets standards on care, but it also addresses environment and behavior, and even sets breeding limits. Canine Care Certified also has independent auditing that eliminates the possibilities of someone

“faking” their way to certification.

Ultimately, however, even with the Canine Care Certified endorsement, those pets are still coming from commercial breeding operations and everything in my gut screams “No!” But in saying “no,” am I just forcing those individuals who are bound and determined to buy a dog into looking for a dog where there is no oversight, like on Craigslist? If stores that sell pets start to demand that all their breeders are Canine Care Certified, that’s a good start, right? I suppose that would mean only the cream of the crop commercial breeders would be supplying stores. Will that mean the downfall of true puppy mills?

If we look at the amount of stores that sold pets 20 years ago compared to today, it’s just a fraction of what it used to be, but commercial breeding operations are at an all-time high. In 2012, there were 2,356 licensed breeders compared to 2,654 today, according to the United States Department of Agriculture (USDA). Those numbers do not include the unlicensed breeders, which are suspected to be in the thousands and on the rise. So, I’m not sure the majority of business for commercial breeders is coming from pet stores.

If you sell pets or not, education is still the key. Let your customers know how to pick a good breeder and help them with that. Host “meet the breed” type events where consumers can meet a good breeder and the breed. Make sure you spread the word about the deceptive practices that puppy mills use.



B.C. HENSCHEN, a certified pet care technician and an accredited pet trainer, is a partner in PLATINUM PAWS, a full-service pet salon and premium pet food store in Carmel, Ind. His knowledge of the pet food industry makes Platinum Paws the go-to store for pet owners who want more for their pet than a bag off a shelf.



SHUTTERSTOCK

“faking” their way to certification.

Ultimately, however, even with the Canine Care Certified endorsement, those pets are still coming from commercial breeding operations and everything in my gut screams “No!” But in saying “no,” am I just forcing those individuals who are bound and determined to buy a dog into looking for a dog where there is no oversight, like on Craigslist? If stores that sell pets start to demand that all their breeders are Canine Care Certified, that’s a good start, right? I suppose that would mean only the cream of the crop commercial breeders would be supplying stores. Will that mean the downfall of true puppy mills?

If we look at the amount of stores that sold pets 20 years ago compared to today, it’s just a fraction of what it used to be, but commercial breeding operations are at an all-time high. In 2012, there were 2,356 licensed breeders compared to 2,654 today, according to the United States Department of Agriculture (USDA). Those numbers do not include the unlicensed breeders, which are suspected to be in the thousands and on the rise. So, I’m not sure the majority of business for commercial breeders is coming from pet stores.

If you sell pets or not, education is still the key. Let your customers know how to pick a good breeder and help them with that. Host “meet the breed” type events where consumers can meet a good breeder and the breed. Make sure you spread the word about the deceptive practices that puppy mills use.

This is a blown up portion of the article for your convenience.

**Note the pink underline and “no oversight” in his reference to commercial breeders. This is the industry trying to protect itself from their own bad apples. Ohio needs to do the same and protect our consumers buying from breeders with no oversight.

Ervin Raber of the Professional Dog Breeders Assn described these breeders to me as being the “shithole breeders”. He said the dogs live in mud and the breeders do not license or report to anyone. There are 1,579 breeders in the Holmes, Coshocton and Tuscarawas Counties with no oversight.

The State Dept of Ag is only inspecting 278 breeders in 2018
Pet Product News is the leading (and possibly only) trade magazine for the pet industry.

*The date of this article is April 2018. I have it with me today if you would like to see it. My scanner cut off the date.

Amendment No. AM_132_2008

our #2 vendor lic # all ads

Sub. H. B. No. 506

As Passed by the House

Topic: Advertisement of puppies and adult dogs 1

_____ moved to amend as follows:

- In line 1 of the title, after "956.02," insert "956.03," 2
- In line 3 of the title, delete "and" and insert ","; after "956.041" 3
insert ", and 956.081" 4
- In line 6, after "956.02," insert "956.03," 5
- In line 8, delete "and" and insert ","; after "956.041" insert ", 6
and 956.081" 7
- After line 114, insert: 8
- "Sec. 956.03.** (A) The director of agriculture shall adopt 9
rules in accordance with Chapter 119. of the Revised Code 10
establishing all of the following: 11
- (1) Requirements and procedures governing high volume 12
breeders, including the licensing and inspection of and record 13
keeping by high volume breeders, in addition to the requirements 14
and procedures established in this chapter; 15

Legislative Service Commission

- 1 -



wj6iyxsqbubchlcyitxdnp

(2) Requirements and procedures for conducting background investigations of each applicant for a license issued under section 956.04 of the Revised Code in order to determine if the applicant has been convicted of or pleaded guilty to any of the violations specified in division (A)(2) of section 956.15 of the Revised Code;	16 17 18 19 20 21
(3) Requirements and procedures governing dog retailers, including the licensing of and record keeping by dog retailers, in addition to the requirements and procedures established in this chapter;	22 23 24 25
(4) The form of applications for licenses issued under this chapter and the information that is required to be submitted in the applications and the form for registering as an animal rescue for dogs under this chapter and the information that is required to be provided with a registration, including the name and address of each foster home that an animal rescue for dogs utilizes;	26 27 28 29 30 31 32
(5) A requirement that each high volume breeder submit to the director, with an application for a high volume breeder license, evidence of insurance or, in the alternative, evidence of a surety bond payable to the state to ensure compliance with this chapter and rules adopted under it. The face value of the insurance coverage or bond shall be in the following amounts:	33 34 35 36 37 38
(a) Five thousand dollars for high volume breeders keeping, housing, and maintaining not more than twenty-five adult dogs;	39 40 41
(b) Ten thousand dollars for high volume breeders keeping, housing, and maintaining at least twenty-six adult dogs, but not more than fifty adult dogs;	42 43 44

(c) Fifty thousand dollars for high volume breeders	45
keeping, housing, and maintaining more than fifty adult dogs.	46
The rules shall require that the insurance be payable to	47
the state or that the surety bond be subject to redemption by	48
the state, as applicable, upon a suspension or revocation of a	49
high volume breeder license for the purpose of paying for the	50
maintenance and care of dogs that are seized or otherwise	51
impounded from the high volume breeder in accordance with this	52
chapter.	53
(6) (a) For high volume breeders, standards of care	54
governing all of the following:	55
(i) Housing;	56
(ii) Nutrition;	57
(iii) Exercise;	58
(iv) Grooming;	59
(v) Biosecurity and disease control;	60
(vi) Waste management;	61
(vii) Whelping;	62
(viii) Any other general standards of care for dogs.	63
(b) In adopting rules under division (A) (6) (a) of this	64
section, the director shall consider the following factors,	65
without limitation:	66
(i) Best management practices for the care and well-being	67
of dogs;	68
(ii) Biosecurity;	69

(iii) The prevention of disease;	70
(iv) Morbidity and mortality data;	71
(v) Generally accepted veterinary medical standards and ethical standards established by the American veterinary medical association;	72 73 74
(vi) Standards established by the United States department of agriculture under the federal animal welfare act as defined in section 959.131 of the Revised Code.	75 76 77
(7) Procedures for inspections conducted under section 956.10 of the Revised Code in addition to the procedures established in that section, and procedures for making records of the inspections;	78 79 80 81
(8) (a) A requirement that an in-state retailer of a puppy or adult dog provide to the purchaser the complete name, address, and telephone number of all high volume breeders, dog retailers, and private owners that kept, housed, or maintained the puppy or adult dog prior to its coming into the possession of the retailer or proof that the puppy or adult dog was acquired through an animal rescue for dogs, animal shelter for dogs, or humane society, or a valid health certificate from the state of origin pertaining to the puppy or adult dog;	82 83 84 85 86 87 88 89 90
(b) A requirement that an out-of-state retailer of a puppy or adult dog that is conducting business in this state provide to the purchaser a valid health certificate from the state of origin pertaining to the puppy or adult dog and the complete name, address, and telephone number of all breeders, retailers, and private owners that kept, housed, or maintained the puppy or adult dog prior to its coming into the possession of the retailer or proof that the puppy or adult dog was acquired	91 92 93 94 95 96 97 98

through an animal rescue for dogs, animal shelter for dogs, or humane society in this state or another state.	99 100
(9) A requirement that a high volume breeder or a dog retailer who advertises the sale of a puppy or adult dog include with the advertisement the vendor number assigned by the tax commissioner to the high volume breeder or to the dog retailer if the sale of the puppy or dog is subject to the tax levied under Chapter 5739. of the Revised Code;	101 102 103 104 105 106
(10) A requirement that a licensed high volume breeder and a licensed dog retailer comply with Chapter 5739. of the Revised Code. The rules shall authorize the director to suspend or revoke a license for failure to comply with that chapter. The director shall work in conjunction with the tax commissioner for the purposes of rules adopted under this division.	107 108 109 110 111 112
(11) (10) Requirements and procedures governing pet stores, including requirements and procedures governing the initial licensing of pet stores and the renewal of pet store licenses;	113 114 115 116
(12) (11) The application form for a license issued under division (A) of section 956.21 of the Revised Code and the information that is required to be submitted in the application;	117 118 119
(13) (12) Requirements governing permanent implanted identification microchips for dogs to be sold at a pet store and by a dog retailer;	120 121 122
(14) (13) Any other requirements and procedures that are determined by the director to be necessary for the administration and enforcement of this chapter and rules adopted under it. However, rules adopted under this division shall not establish additional requirements and procedures governing	123 124 125 126 127

animal rescues for dogs other than those adopted under division	128
(A) (4) of this section.	129
(B) The director of agriculture may adopt rules in	130
accordance with Chapter 119. of the Revised Code establishing	131
disease testing protocols and vaccination requirements for dogs	132
to be sold at a pet store."	133
After line 278, insert:	134
<u>"Sec. 956.081. (A) No person who advertises the sale of a</u>	135
<u>puppy or adult dog shall fail to include with the advertisement</u>	136
<u>one of the following:</u>	137
(1) <u>The vendor number assigned by the tax commissioner to</u>	138
<u>the person if the sale of the puppy or dog is subject to the tax</u>	139
<u>levied under Chapter 5739. of the Revised Code;</u>	140
(2) <u>If the person is a high volume breeder or dog</u>	141
<u>retailer, the license number assigned to the high volume breeder</u>	142
<u>or dog retailer by the director of agriculture under section</u>	143
<u>956.04 or 956.05 of the Revised Code.</u>	144
(B) <u>If the director determines that a person has violated</u>	145
<u>division (A) of this section and the person has not previously</u>	146
<u>violated that division, the director shall issue a written</u>	147
<u>warning to the person. On each subsequent violation, the</u>	148
<u>director shall assess a civil penalty of two hundred dollars for</u>	149
<u>the violation in accordance with the procedures and requirements</u>	150
<u>established under section 956.13 of the Revised Code,</u>	151
<u>notwithstanding division (C) of that section."</u>	152
In line 322, strike through "section" and insert " <u>sections 956.081</u>	153
<u>and"</u>	154
In line 380, after "956.02," insert "956.03,"	155

enr #3 Ag site

Topic: List of breeders and dog retailers

1

_____ moved to amend as follows:

In line 3 of the title, delete "and" and insert ","; after "956.041" insert ", and 956.171"

2
3

In line 8, delete "and" and insert ","; after "956.041" insert ", and 956.171"

4
5

After line 319, insert:

6

"Sec. 956.171. The director of agriculture shall post on the department of agriculture's web site both of the following:

7
8

(A) The name of each animal rescue for dogs that is registered under section 956.06 of the Revised Code;

9
10

(B) The name of each high volume breeder that is licensed under section 956.04 of the Revised Code and the results of any inspections performed under section 956.10 of the Revised Code with regard to each high volume breeder."

11
12
13
14



Amendment No. AM_132_2015

am #4 rescues can't pay for pups

Sub. H. B. No. 506

As Passed by the House

Topic: Prohibition against compensation of breeders by animal rescues 1

_____ moved to amend as follows:

In line 1 of the title, after "956.02," insert "956.06," 2

In line 6, after "956.02," insert "956.06," 3

In line 18, strike through ", provided that" 4

Strike through line 19 5

In line 20, strike through "not sell dogs for a profit, does not
breed dogs,"; delete "does not sell" 6
7

In line 21, delete "dogs to a dog retailer or pet store,"; strike
through "and does not purchase more" 8
9

Strike through lines 22 through 24 10

In line 25, strike through the first "dogs" and insert "and is in
compliance with section 956.06 of the Revised Code" 11
12

After line 44, insert: 13

"Dog kennel" has the same meaning as in section 955.02 of 14

Legislative Service Commission

- 1 -



cnw63ad3mdci6ov8ckv8k6

the Revised Code."

After line 228, insert:

- "Sec. 956.06. (A) No person shall operate as an animal rescue for dogs without first registering with the director of agriculture in accordance with rules adopted under section 956.03 of the Revised Code. No registration fee shall be charged to an animal rescue for dogs. ~~The~~ 15
- (B) The director shall maintain a database of all persons that are registered to operate an animal rescue for dogs in this state. 16
- (C) No person, as the operator of an animal rescue for dogs, shall do any of the following: 17
- (1) Operate for profit; 18
- (2) Sell a dog for a profit; 19
- (3) Sell a dog to a pet store or dog retailer; 20
- (4) Breed a dog; 21
- (5) Purchase with money or anything else of value a dog from any person, including a high volume breeder or a dog kennel, unless the dog is purchased from a dog warden appointed under Chapter 955. of the Revised Code, a humane society, or another animal rescue for dogs. 22
- (D) If the director determines that a person, as the operator of an animal rescue for dogs, purchases a dog in violation of division (C) of this section, the director shall do one of the following: 23
- (1) On a first offense, assess a civil penalty of two hundred dollars for each animal purchased from a high volume 24

breeder or a dog kennel in accordance with the procedures and 42
requirements established under section 956.13 of the Revised 43
Code, notwithstanding division (C) of that section; 44

(2) On a second offense, permanently suspend the 45
registration of the animal rescue and require the person to 46
apply for a dog retailer license issued under section 956.05 of 47
the Revised Code." 48

In line 322, strike through "section" and insert "sections 956.06 49
and" 50

In line 380, after "956.02," insert "956.06," 51

52

The motion was _____ agreed to.