



OHIO SENATE COMMITTEE TO HOLD HEARING ON DOG LAWS

****HEARING SET FOR TOMORROW, NOVEMBER 15TH****

**** COULD AFFECT PET STORES, BREEDERS,
KENNELS AND MORE ****

The Issue:

[Ohio Senate Bill 130](#) is set to be heard tomorrow, November 15th, before the [Senate Agriculture, Environment & Natural Resources Committee](#). SB 130 revises current Ohio dog laws by creating the “Kennel Control Authority” (herein “Authority”) and establishes licensing requirements and standards of care for certain dog breeding kennels, dog retailers, and animal rescues for dogs. This bill also calls for pet stores to provide warranties for dog purchases. Please read this *Alert* carefully and **TAKE ACTION NOW!!**

The Impact:

High Volume Breeders

SB 130 provides that “no person may operate a high volume breeder without a high volume breeder license issued by the director of the kennel control authority”. The bill defines a “high volume dog breeder” as “an establishment that keeps, houses, and maintains adult breeding dogs that produce at least nine litters of puppies in any given calendar year and, in return for a fee or other consideration, sells sixty or more adult dogs or puppies per calendar year.”

The fee schedule for licenses is as follows (according to annual sales):

- \$150 = 9-15 litters per year;
- \$250 = 16-25 litters per year;
- \$350 = 26-35 litters per year;
- \$500 = 36-45 litters per year; and
- \$700 = 46 or more litters per year;

The bill also requires that each high volume breeder submit to the director of the Authority, with an application for a high volume breeder license, evidence of insurance or evidence of a surety bond payable to the authority to ensure compliance with these laws. The face value of the insurance coverage or bond must in the following amounts:

- \$5,000 for high volume breeders keeping, housing, and maintaining up to 25 adult dogs;
- \$10,000 for high volume breeders keeping, housing, and maintaining 26-50 adult dogs; and
- \$50,000 for high volume breeders keeping, housing, and maintaining more than 50 adult dogs.

High volume breeder license applications must be submitted to the Authority at least 90 days before the operation begins. An application must be submitted along with the following:

- An affidavit signed under oath or solemn affirmation of the number of adult dogs that are kept, housed, and maintained by the applicant at the location that is the subject of the application;
- An estimate of the number of puppies to be kept, housed, and maintained and of the number of litters of puppies or total number of puppies to be produced during the annual term of the license;
- Photographic evidence documenting the facilities where dogs will be kept, housed, and maintained by the applicant. (NOTE: Authority may conduct an inspection of the facilities that are the subject of an application in addition to reviewing photographic evidence submitted by an applicant for a license.);
- A signed release permitting a background investigation of the applicant;
- The names and addresses and any other identifying information of all persons who will have custody of or control over dogs kept by the applicant.

NOTE: If this legislation is enacted the owner or operator of a high volume breeder that is in operation on the effective date must submit an licensing application to the Authority no later than three months after the effective date.

Dog Retailer

The bill requires licensing for dog retailers. A “dog retailer” means " a person who buys, sells, or offers to sell dogs at wholesale for resale to another or who sells or gives one or more dogs to a pet store annually”. Dog retailer licenses must be obtained from the Authority and will cost \$500.

Boarding Kennels

SB 130 defines a “boarding kennel” as "an establishment operating for profit that keeps, houses, and maintains dogs solely for the purpose of providing shelter, care, and feeding of the dogs in return for a fee or other consideration”. Boarding kennels must register with the Authority by paying an annual fee of \$50.

Pet Stores

Under this bill, pet stores are required to provide a money-back guarantee valid for up to 21 days after the date of purchase of the dog. The guarantee allows the purchaser of the dog to receive the purchase price of the dog from the pet store within that 21-day period if the purchaser presents a statement to the pet store from a veterinarian who has examined the dog within 14 days of the purchase of the dog that the dog has a significant disease, illness, or injury that was in existence at the time of the purchase of the dog.

Pet store will also be required to post written notice of the pet store's "guarantee" in a conspicuous location near the pet store's cash register. The written notice must be posted in prominent and easily read type that is not less than 18-point type.

SB 130 also requires that at any time prior to the sale of a dog, a pet store must provide the following to potential purchasers:

- name, complete address, and telephone number of the breeder that bred the dog;
- the high volume breeder where the dog was kept, housed, and maintained;
- the dog retailer from whom the pet store acquired the dog, as applicable; and
- the telephone number and the address of the kennel control authority;
- a record of veterinary examination that states that the dog presents no evidence of disease or physical deformity at the time of the examination.

Standards of Care

The bill provides a long list of standards of care for breeders, retailers and rescues. The standards include food and water requirements, housing criteria, exercise expectations, temperature standards and more. A complete list of these requirements can be found in the text of the bill attached to this *Alert*.

PIJAC Position:

The pet industry supports sound, humane standards in the breeding and care of dogs, as well as appropriate disclosure of information to consumers about the pets they buy. This legislation, however, includes a number of provisions that exceed prevailing standards and which would place unnecessary and excessive burdens on breeders and pet stores.

Recommended Action:

This PetAlert summarizes key points of SB 130. Those interested should read the [complete text of the bill](#). PIJAC recommends all those who breed, sell or own pets to **IMMEDIATELY CONTACT [MEMBERS OF THE COMMITTEE](#)** to express your opposition. If possible, you should also attend the committee hearing on November 15, 2011 in the Senate Agriculture, Environment & Natural Resources Committee at 10:45 a.m. in the North Hearing Room of the Capitol.

You may wish to express concerns about various provisions of this legislation. PIJAC recommends that the committee **table this legislation pending further review, and send the bill to a study committee for evaluation of appropriate amendments with input by all stakeholders!**

If you have any questions, please contact PIJAC's Bambi Nicole Osborne at 202-452-1525, ext. 105 or via email at bambi@pijac.org.

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On behalf of pets, responsible pet owners, and the pet industry, we thank you!