

As Introduced

132nd General Assembly

Regular Session

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H. B. No. 506

Representative Hill

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

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

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

"Boarding kennel" means 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.

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

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

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

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 101
receptacles that is of sufficient quality and quantity to ensure 102
maintenance of normal body condition and growth unless otherwise 103
directed by a veterinarian. 104

(B) Keep or confine the dog in a primary enclosure that 105
complies with all of the following: 106

(1) It is at least twelve square feet for a dog weighing 107
less than thirty-three pounds; at least eighteen square feet for 108
a dog weighing thirty-three, but not more than sixty-six pounds; 109
or at least twenty square feet for a dog weighing more than 110
sixty-six pounds. 111

(2) It allows the dog to turn in a complete circle, lie 112
down, and fully extend its limbs. 113

(3) It is not stacked on top of another primary enclosure. 114

(4) It is cleaned at least once per day to remove excreta, 115
dirt, grime, and other waste. 116

(C) Ensure that the flooring for the dog's primary 117
enclosure complies with all of the following: 118

(1) It consists of materials that can be cleaned and 119
sanitized; are safe for the breed, size, and age of the dog; are 120
free from protruding sharp edges; and are designed so that the 121
paw of the dog is unable to extend through or become caught in 122
the flooring. 123

(2) If the flooring surface consists of a material that is 124
not solid, it has a solid resting area. 125

(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