

\_\_\_\_. B. \_\_\_\_

Topic: Pet store animal sales

\_\_\_\_\_ moved to amend as follows:

- In line \_\_\_\_\_ of the title, after "\_\_\_\_\_" insert "956.18," 1
- In line \_\_\_\_\_ of the title, after "\_\_\_\_\_" insert "956.19,  
956.20, 956.21, 956.99," 2  
3
- In line \_\_\_\_\_ of the title, after "\_\_\_\_\_" insert "to  
regulate the sale, delivery, barter, auction, or transfer of a dog  
to a person from a pet store, to require the director of  
agriculture to license pet stores," 4  
5  
6  
7
- In line \_\_\_\_\_, after "\_\_\_\_\_" insert "956.18," 8
- In line \_\_\_\_\_, after "\_\_\_\_\_" insert "956.19, 956.20,  
956.21, 956.99," 9  
10
- Between lines \_\_\_\_\_ and \_\_\_\_\_, insert: 11
- "Sec. 956.18. (A) All money collected by the director of  
agriculture from license fees under ~~section~~ sections 956.07 and  
956.21 and civil penalties assessed under section 956.13 of the  
Revised Code shall be deposited in the state treasury to the  
credit of the high volume breeder kennel control license fund,  
which is hereby created. The fund shall also consist of money  
appropriated to it. 12  
13  
14  
15  
16  
17  
18
- (B) No money may be released from the fund without 19  
controlling board approval. The director shall request the 20

controlling board to release money in an amount not to exceed two million five hundred thousand dollars per biennium. 21  
22

(C) The director shall use the money in the fund for the purpose of administering this chapter and rules adopted under it. 23  
24

Sec. 956.19. As used in section 956.20 of the Revised Code, a "qualified breeder" means either of the following: 25  
26

(A) A breeder that keeps, houses, and maintains adult breeding dogs that produce less than nine litters of puppies in any given calendar year and, in return for a fee or other consideration, sells less than sixty adult dogs or puppies per calendar year. 27  
28  
29  
30  
31

(B) A high volume breeder located in or out of this state that meets all of the following requirements: 32  
33

(1) The breeder is licensed by both the United States department of agriculture under 7 U.S.C. 2133 and an applicable state agency. 34  
35  
36

(2) The breeder has not been issued a report of a direct noncompliance violation by the United States department of agriculture under the federal animal welfare act as defined in section 959.131 of the Revised Code for a period of three years prior to offering for sale, delivering, bartering, auctioning, brokering, giving away, transferring, or selling a dog. 37  
38  
39  
40  
41  
42

(3) The breeder has not been issued a report of a noncompliance violation by the United States department of agriculture under 9 C.F.R. 2.40, entitled "Attending Veterinarian and Adequate Veterinary Care," on the high volume breeder's most recent inspection report prior to offering for sale, delivering, bartering, auctioning, brokering, giving away, transferring, or 43  
44  
45  
46  
47  
48

selling a dog.

49

Sec. 956.20. (A) No owner, manager, or employee of a pet store shall knowingly display, offer for sale, deliver, barter, auction, broker, give away, transfer, or sell any live dog from a pet store to a person unless the dog was obtained from one of the following sources:

50  
51  
52  
53  
54

(1) An animal rescue for dogs;

55

(2) An animal shelter for dogs;

56

(3) A humane society;

57

(4) A qualified breeder.

58

(B) No owner, manager, or employee of a pet store shall knowingly sell, deliver, barter, auction, broker, give away, or transfer, any of the following:

59  
60  
61

(1) A dog that is less than eight weeks old;

62

(2) A dog that has not been inoculated against distemper, hepatitis, para influenza, and, if applicable, treated for external or internal parasites;

63  
64  
65

(3) A dog without a health certificate signed by a veterinarian that includes a record of the dog's medications and immunizations;

66  
67  
68

(4) A dog that does not have a permanent implanted identification microchip;

69  
70

(5) A dog to a person who is younger than eighteen years of age as verified by valid photo identification;

71  
72

(6) A dog acquired from a qualified breeder unless the owner, manager, or employee provides to the person acquiring the dog, at the time of the acquisition, a written certification that includes

73  
74  
75

all of the following information: 76

(a) The name of the breeder that bred the dog: 77

(b) The address, if available, of the breeder that bred the dog: 78  
79

(c) The United States department of agriculture license number of the breeder that bred the dog, if applicable and a copy of the most current United States department of agriculture inspection report for the breeder: 80  
81  
82  
83

(d) A statement that the breeder has a relationship with an attending veterinarian who has established protocols regarding high volume breeding applicable to the breeder: 84  
85  
86

(e) A statement that the breeder has a safe facility that includes indoor and outdoor or sheltered enclosures: 87  
88

(f) A statement that the breeder has developed an exercise and socialization plan with compatible dog breeds: 89  
90

(g) A statement that the breeder provides nutritious and adequate food and water under sanitary conditions to dogs under the breeders care: 91  
92  
93

(h) The dog's birth date, if known: 94

(i) The date that the pet store took possession of the dog: 95

(j) The breed, gender, color, and any identifying marks of the dog: 96  
97

(k) A record of each inoculation and worming treatment administered to the dog, if any, including the date of administration and the type of vaccine or worming treatment: 98  
99  
100

(l) A record of any treatment or medication provided by a veterinarian to the dog while in possession of the pet store: 101  
102

(m) Either a document signed by a licensed veterinarian stating that the dog does not have any disease or illness or congenital or hereditary condition that adversely affects the health of the dog or a document signed by a licensed veterinarian that describes any known disease, illness, or congenital or hereditary condition that adversely affects the health of the dog; 103  
104  
105  
106  
107  
108

(n) A document signed by the owner, manager, or employee of the pet store certifying that all information required to be provided to the person acquiring the dog under division (B)(6) of this section is accurate. A pet store shall keep a copy of the certification for a period of at least two years from the date of the acquisition. The owner, manager, or an employee of the pet store shall make the copy of the certification available for inspection or duplication by the department of agriculture. 109  
110  
111  
112  
113  
114  
115  
116

(C) No owner, manager, or employee of a pet store shall knowingly alter or provide false information on a certification provided in accordance with division (B)(6) of this section. 117  
118  
119

(D) This section does not apply to any dog that is being sold, delivered, bartered, auctioned, given away, brokered, or transferred from the premises where the dog was bred and reared. 120  
121  
122

(E) The regulation of pet stores is a matter of general statewide interest that requires statewide regulation. This section constitutes a comprehensive plan with respect to all aspects of the regulation of pet stores. Accordingly, it is the intent of the general assembly to preempt any local ordinance, resolution, or other law adopted to regulate the sale, delivery, barter, auction, broker, or transfer of a dog to a person from a pet store. 123  
124  
125  
126  
127  
128  
129  
130

Sec. 956.21. (A) The director of agriculture shall adopt 131

<u>rules in accordance with Chapter 119. of the Revised Code</u>	132
<u>establishing all of the following:</u>	133
<u>(1) Requirements and procedures governing pet stores,</u>	134
<u>including the licensing of pet stores;</u>	135
<u>(2) The application form for a license issued under division</u>	136
<u>(B) of this section and the information that is required to be</u>	137
<u>submitted in the application;</u>	138
<u>(3) Any other requirements and procedures that are determined</u>	139
<u>by the director to be necessary for the administration and</u>	140
<u>enforcement of sections 956.19 to 956.21 of the Revised Code.</u>	141
<u>(B) The director of agriculture shall issue a pet store</u>	142
<u>license to an owner or operator of a pet store when the owner or</u>	143
<u>operator does all of the following:</u>	144
<u>(1) Applies for a license in accordance with this section and</u>	145
<u>rules adopted under it;</u>	146
<u>(2) Affirms in writing that the owner or operator will</u>	147
<u>maintain compliance with the applicable requirements established</u>	148
<u>under section 959.20 of the Revised Code;</u>	149
<u>(3) Submits with the application for a pet store license a</u>	150
<u>fee of five hundred dollars.</u>	151
<u>(C) Any license issued under this section is valid for a</u>	152
<u>period of one year from the date of issuance. A pet store license</u>	153
<u>is not renewable and an owner or operator of a pet store shall</u>	154
<u>obtain a new pet store license every year in the manner provided</u>	155
<u>under this section and rules adopted under it.</u>	156
<u>(D) Money collected by the director of agriculture from each</u>	157
<u>application fee submitted under this section shall be deposited in</u>	158
<u>the state treasury to the credit of the high volume breeder kennel</u>	159

The motion was \_\_\_\_\_ agreed to.

169 In line \_\_\_\_\_, after " " insert "959.18,"

168 fourth degree."

167 956.21 of the Revised Code is guilty of a misdemeanor of the

166 section 956.20 of the Revised Code or division (E) of section

165 Sec. 956.99. Whoever violates division (A), (B), or (C) of

164 accordance with this section and rules adopted under it.

163 a pet store license issued by the director of agriculture in

162 (E) No person shall operate a pet store in this state without

161 Code.

160 control license fund created in section 956.18 of the Revised