



## Ohio Revised Code Section 956.03 Adoption of rules.

Effective: October 9, 2021

Legislation: House Bill 263

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(A) The director of agriculture shall adopt rules in accordance with Chapter 119. of the Revised Code establishing all of the following:

- (1) Requirements and procedures governing high volume breeders, including the licensing and inspection of and record keeping by high volume breeders, in addition to the requirements and procedures established in this chapter. The rules shall include a requirement that a high volume breeder keep and maintain a record of veterinary care for each dog kept, housed, and maintained by the high volume breeder. The rules shall require the records to be kept and maintained for three years after the care is provided by a veterinarian.
- (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 an offense the director determines is a disqualifying offense under section 9.79 of the Revised Code;
- (3) Requirements and procedures governing dog brokers, including the licensing of and record keeping by dog brokers, in addition to the requirements and procedures established in this chapter;
- (4) The form of applications for licenses issued under this chapter and the information that is required to be submitted in the applications;
- (5) The form of an application for registration and registration renewal as an animal rescue for dogs under this chapter and the information that is required to be provided with a registration or registration renewal, including the name and address of each foster home that an animal rescue for dogs utilizes;
- (6) 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:

- (a) Five thousand dollars for high volume breeders keeping, housing, and maintaining not more than twenty-five adult dogs;
- (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;
- (c) Fifty thousand dollars for high volume breeders keeping, housing, and maintaining more than fifty adult dogs.

The rules shall require that the insurance be payable to the state or that the surety bond be subject to redemption by the state, as applicable, upon a suspension or revocation of a high volume breeder license for the purpose of paying for the maintenance and care of dogs that are seized or otherwise impounded from the high volume breeder in accordance with this chapter.

(7)(a) For high volume breeders, standards of care governing all of the following:

- (i) Housing;
- (ii) Nutrition;
- (iii) Exercise;
- (iv) Grooming;
- (v) Biosecurity and disease control;
- (vi) Waste management;
- (vii) Whelping;



(viii) Any other general standards of care for dogs.

(b) In adopting rules under division (A)(7)(a) of this section, the director shall consider the following factors, without limitation:

(i) Best management practices for the care and well-being of dogs;

(ii) Biosecurity;

(iii) The prevention of disease;

(iv) Morbidity and mortality data;

(v) Generally accepted veterinary medical standards and ethical standards established by the American veterinary medical association;

(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.

(8) 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;

(9)(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 brokers, 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;

(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, brokers, 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 in this state or another state.

(10) A requirement that a high volume breeder or a dog broker 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 broker if the sale of the puppy or dog is subject to the tax levied under Chapter 5739. of the Revised Code;

(11) A requirement that a licensed high volume breeder and a licensed dog broker 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.

(12) Requirements and procedures governing pet stores, including requirements and procedures governing the initial licensing of pet stores and the renewal of pet store licenses;

(13) 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;

(14) Requirements governing permanent implanted identification microchips for dogs to be sold at a pet store and by a dog broker;

(15) 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 animal rescues for dogs other than those adopted under division (A)(5) of this section.

(B) The director of agriculture may adopt rules in accordance with Chapter 119. of the Revised Code establishing disease testing protocols and vaccination requirements for dogs to be sold at a pet store.