



OHIO LEGISLATIVE SERVICE COMMISSION

Synopsis of Senate Committee Amendments

Jeff Grim

Sub. H.B. 506*

132nd General Assembly
As Reported by S. Agriculture

This table summarizes how the latest version of the bill, the As Reported by Senate Agriculture version, differs from the version that was passed by the House of Representatives. It addresses only the topics on which the two versions differ substantively. It does not list topics on which the two bills are substantively the same. This synopsis does not address amendments that may have been adopted on the Senate Floor.

Topic	Previous Version Sub. H.B. 506 (As Passed by the House)	Current version Sub. H.B. 506 (As Reported by S. Agriculture)
Definition of "high-volume dog breeder"	Specifies that one of the factors for determining whether a dog breeder is subject to the law governing high-volume dog breeders is if the breeder keeps six or more breeding dogs and, at any given time in a calendar year, more than 60 puppies that: (1) Are younger than six months; (2) Have been bred on the premises of the establishment; and (3) Have been primarily kept from birth on the premises of the establishment (R.C. 956.01).	Same, but lowers the number of puppies required to be kept in any calendar year to more than 40 that are younger than <i>four</i> months (R.C. 956.01).
Definition of "breeding dog"	Revises which dogs qualify as breeding dogs by specifying that a breeding dog is a fertile, unspayed female adult dog that is primarily used for producing offspring (R.C. 956.01).	Same, but specifies that a breeding dog does not need to be fertile (R.C. 956.01).

* This synopsis does not address amendments that may have been adopted on the Senate Floor.

Topic	Previous Version Sub. H.B. 506 (As Passed by the House)	Current version Sub. H.B. 506 (As Reported by S. Agriculture)
Veterinary care records	Retains current law, which requires the Director of Agriculture to adopt rules establishing requirements and procedures governing high-volume dog breeders, including record keeping by the breeders (<i>R.C. 956.03(A)(1)</i>).	Same, but also requires the rules to: (1) Include a requirement that each high-volume dog breeder keep and maintain a record of veterinary care for each dog kept by the breeder; and (2) Provide that the records be kept and maintained for three years after the care is provided by a veterinarian (<i>R.C. 956.03(A)(1)</i>).
Standards of care: food	Requires a high-volume dog breeder to provide food to a dog each day and in a manner that complies with certain criteria (<i>R.C. 956.031(A)(1)</i>).	Same, but requires food to be provided twice each day (<i>R.C. 956.031(A)</i>).
Standards of care: water	Requires a high-volume dog breeder to provide a dog with access each day to potable water in a manner that complies with certain criteria (<i>R.C. 956.031(A)(2)</i>).	Same, but requires the dog to have access to a continuous supply of potable water (<i>R.C. 956.031(B)</i>).
Standards of care: cage size	Requires a high-volume dog breeder to keep or confine a dog in a primary enclosure that has an interior area with a minimum floor space in square inches equal to the following: (the sum of the length of each dog housed in the enclosure in inches, as measured from the tip of the nose to the base of the tail, + six inches) ² . (Thus, a 30 inch dog would need a cage that is 1,296 sq. in. or 9 sq. ft.) (<i>R.C. 956.031(B)(1)</i>).	Instead, requires a high-volume dog breeder, on and after December 31, 2021, to do both of the following: (1) Keep or confine a dog in a primary enclosure that has a minimum floor space in square inches equal to the following: (the length of the dog housed in the enclosure in inches, as measured from the tip of the nose to the base of the tail, + nine inches) ² multiplied by 2 . (Thus, a 30 inch dog would need a cage that is 3,042 sq. in. or 21.125 sq. ft.); and (2) For each additional dog that is kept or confined in a primary enclosure, ensure that the enclosure has additional floor space in square inches equal to the following: (length of each additional dog housed in the enclosure in inches, as measured from the tip of the nose to the base of the tail, + nine inches) ² (<i>R.C. 956.031(D)</i>).

Topic	Previous Version Sub. H.B. 506 (As Passed by the House)	Current version Sub. H.B. 506 (As Reported by S. Agriculture)
Standards of care: limitation on the types of flooring	No provision.	Requires a high-volume dog breeder to do both of the following on and after December 31, 2021: (1) Ensure that the minimum floor space required above is solid or consists of slats; (2) If the floor space consists of slats; ensure that the slats and flooring comply with specified requirements, including requirements governing the spacing, direction, and size of the slats (<i>R.C. 956.031(E)</i>).
Standards of care: general flooring standards	Requires a high-volume dog breeder to ensure that the flooring for a dog's primary enclosure complies with all of the following: (1) It consists of materials that can be cleaned and sanitized; are safe for the breed, size, and age of the dog; are free from protruding sharp edges; and are designed so that the paw of the dog is unable to extend through or become caught in the flooring; (2) If the flooring surface consists of a material that is not solid, it has a solid resting area that can accommodate the full length of the dog while lying down; and (3) It does not sag, bend, or bounce (<i>R.C. 956.031(C)</i>).	Same, but also specifies that: (1) The breeder must ensure that all flooring does not consist of wire made of metal, including metal wire that is coated with another material; and (2) A breeder must comply with the requirements by December 31, 2021 (<i>R.C. 956.031(F)</i>).
Standards of care: outdoor enclosures	Allows a high-volume dog breeder to use an outdoor primary enclosure to house a dog unless certain climatic circumstances exist (<i>R.C. 956.031(I)</i>).	Same, but requires a high-volume dog breeder to obtain the approval of a veterinarian in order to use an outdoor primary enclosure to house a dog (<i>R.C. 956.031(H) and (I)</i>).
Standards of care: group housing	No provision.	Requires a high-volume dog breeder to house a dog with other dogs, except for reasons of health, biosecurity, breeding, and behavioral issues (<i>R.C. 956.031(J)</i>).

Topic	Previous Version Sub. H.B. 506 (As Passed by the House)	Current version Sub. H.B. 506 (As Reported by S. Agriculture)
Standards of care: breeding	If a dog is female, requires a high-volume dog breeder to breed the dog only if the dog has maintained a normal body condition and has been declared healthy by a veterinarian following a physical examination prior to the onset of the next proestrus (<i>R.C. 956.031(G)</i>).	Same, but removes the condition that the physical examination must occur prior to the onset of the dog's next proestrus (<i>R.C. 956.031(L)</i>).
Standards of care: limitation on the number of litters	No provision.	If a dog is female, requires a high-volume dog breeder to ensure that the dog does not produce more than eight litters in its lifetime (<i>R.C. 956.031(M)</i>).
Standards of care: daily exercise	Generally requires a high-volume dog breeder to provide a dog with an opportunity for daily exercise (<i>R.C. 956.031(I)</i>).	Same, but requires a dog to have minimum of 30 minutes of daily exercise (<i>R.C. 956.031(O)</i>).
Standards of care: human interaction	Requires a high-volume dog breeder to provide human interaction with a dog other than interaction that occurs during feeding and cleaning time (<i>R.C. 956.031(L)</i>).	Same, but requires a dog to have a minimum of 15 minutes of daily interaction in addition to feeding and cleaning time (<i>R.C. 956.031(R)</i>).
Standards of care: medical care	Requires a high-volume dog breeder to provide a dog appropriate medical care by a veterinarian, including vaccinations, parasite control, and prompt treatment for any disease, illness, or injury (<i>R.C. 956.031(M)</i>). No provision.	Instead, requires a high-volume dog breeder to provide a dog appropriate medical care by a veterinarian, including prompt treatment for any significant disease, illness, or injury (<i>R.C. 956.031(S)</i>). Requires a high-volume dog breeder to do all of the following: (1) If a dog is an adult, provide the dog with an annual physical examination by a veterinarian; (2) Comply with a vaccination and parasite control program that is provided by a veterinarian and that is consistent with recommendations of the American Veterinarian Medical Association or the American Animal Hospital Association; and (3) If a surgical or euthanasia procedure is required, use a veterinarian to perform the procedure (<i>R.C. 956.031(T), (U), and (V)</i>).

Topic	Previous Version Sub. H.B. 506 (As Passed by the House)	Current version Sub. H.B. 506 (As Reported by S. Agriculture)
Change of title of dog retailer to dog broker	Retains current law that uses the title of dog retailer to describe a person who generally performs the duties of a dog wholesaler (<i>R.C. 956.05 and in numerous statutes in R.C. Chapter 956.</i>).	Changes the title of dog retailer to dog broker (<i>R.C. 956.05 and conforming changes in other R.C. sections; and Section 3</i>).
Verification of compliance	<p>Requires a dog retailer or pet store, prior to purchasing a dog from an in-state or out-of-state high-volume dog breeder, to verify that the breeder is in compliance with Ohio's standards of care (<i>R.C. 956.041(B)</i>).</p> <p>Prohibits a dog retailer or pet store from failing to comply with the above requirement (<i>R.C. 956.041(C)</i>).</p> <p>No provision.</p>	<p>Instead, does both of the following:</p> <p>(1) Requires a dog broker or pet store, prior to purchasing a dog from an in-state or out-of-state high-volume dog breeder, to request the breeder to sign a document, prescribed and provided by the Director, stating that the breeder is in compliance with Ohio's standards of care; and</p> <p>(2) Prohibits a dog broker or pet store from purchasing the dog if the breeder does not provide the signed document (<i>R.C. 956.041(B)</i>).</p> <p>Instead, prohibits a dog broker or pet store from knowingly selling a dog unless the broker or pet store has obtained the signed document with respect to the dog.</p> <p>Prohibits the Director from assessing a civil penalty against a dog broker or pet store for a violation of the prohibition if the broker or pet store has obtained such a document with regard to the dog. (<i>R.C. 956.041(C)</i>).</p>
Animal rescues for dogs: registration	Retains current law, which requires an animal rescue for dogs to register with the Director, and specifies that a registration is permanent (<i>R.C. 956.06</i>).	<p>Does both of the following regarding the registrations for an animal rescue for dogs:</p> <p>(1) Changes the registration for an animal rescue for dogs from a permanent registration to an annual registration; and</p> <p>(2) Requires the Director to establish appropriate procedures for renewing the registration of a person who was registered as an animal rescue prior to the bill's effective date (<i>R.C. 956.03(A)(5) and 956.06(A)(1) and (2) and Section 4</i>).</p>

Topic	Previous Version Sub. H.B. 506 (As Passed by the House)	Current version Sub. H.B. 506 (As Reported by S. Agriculture)
Animal rescues for dogs: fees	Retains current law, which prohibits the Director from charging a registration fee to an animal rescue for dogs (<i>R.C. 956.06</i>).	Same, but authorizes the Director to charge a \$200 late registration renewal fee if a person fails to renew a registration prior to its expiration date (<i>R.C. 956.06(A)(3) and 956.18</i>).
High-volume dog breeder license application fee	Requires the annual high-volume dog breeder license application fee to be based on the number of puppies annually sold as follows: (1) \$150, if 9 to 15 puppies are sold; (2) \$250, if 16 to 25 puppies are sold; (3) \$350, if 26 to 35 puppies are sold; (4) \$500, if 36 to 45 puppies are sold; and (5) \$750, if 46 or more puppies are sold (<i>R.C. 956.07(A)(1)</i>).	Instead, requires the annual fee to be either: (1) Based on the number of puppies annually sold as follows: --\$150, if 40 to 60 puppies are sold; --\$250, if 61 to 150 puppies are sold; --\$350, if 151 to 250 puppies are sold; --\$500, if 251 to 350 puppies are sold; and --\$750, if 351 or more puppies are sold. (2) If (1) above does not apply, \$150 if either of the following applies: --The breeder sells five or more adult dogs or puppies to a dog broker or pet store; or --The breeder keeps, houses, and maintains, at any given time in a calendar year, more than 40 puppies that are under four 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 (<i>R.C. 956.07(A)(1)</i>).
Civil penalties – procedures	Retains current law, which generally establishes procedures that the Director must follow in order to assess a civil penalty against a person who has violated or is violating the law governing high-volume dog breeders and pet stores, including: (1) Requiring the Director to send a citation by certified mail or personal service and a notice requiring the person to do one of the following: --Cease the acts or practices that constitute a violation of the law; or	Alters the procedures that the Director must follow in order to impose civil penalties under the law governing high-volume dog breeders and pet stores by: (1) Retaining the Director's authority to assess a civil penalty, provided that the Director allows a violator an opportunity for an adjudication hearing in accordance with the Administrative Procedure Act; (2) Eliminating the requirement that the Director send a citation by certified mail or personal service and a notice requiring the person to take the specified

Topic	Previous Version Sub. H.B. 506 (As Passed by the House)	Current version Sub. H.B. 506 (As Reported by S. Agriculture)
	<p>--Take corrective actions to eliminate the conditions that constitute a violation of the law. (The notice must state specifically the provision or provisions of the law that have been violated and the facts constituting the violation, the actions that the person must take to correct the deficiencies, and the time period within which the person must correct the violations.);</p> <p>(2) Allowing a violator an opportunity for an adjudication hearing in accordance with the Administrative Procedure Act; and</p> <p>(3) Requiring all appeals from the adjudication hearing to be made to the Environmental Division of the Franklin County Municipal Court (R.C. 956.12, 956.13, 956.14, and 956.22).</p>	<p>actions; and</p> <p>(3) Eliminating the requirement that all appeals from the adjudication hearing be made to the Environmental Division of the Franklin County Municipal Court (thus allowing an appeal to be made to the court of commons pleas with jurisdiction) (R.C. 956.12 (repealed), 956.13, 956.14, and 956.22).</p>
Civil penalties – amounts	<p>Retains current law, which assesses a civil penalty of \$500 for a first violation of the law governing high-volume dog breeders and pet stores and \$2,500 for a second violation of that law (R.C. 956.13(C) and 956.22(C)).</p>	<p>Increases the existing civil penalties for a first violation of the law governing high-volume dog breeders and pet stores to \$2,500 and a second violation of that law to \$5,000 (R.C. 956.13(B) and 956.22(B)).</p>