

LSC 129 0424-2

129th General Assembly  
Regular Session  
2011-2012

Sub. S. B. No. 130

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A BILL

To amend sections 955.02, 955.10, 955.12, 955.20, 1  
955.26, and 1901.183 and to enact sections 956.01 2  
to 956.21, 956.98, and 956.99 of the Revised Code 3  
to regulate certain dog breeding kennels, dog 4  
retailers, and animal rescues for dogs. 5

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

**Section 1.** That sections 955.02, 955.10, 955.12, 955.20, 6  
955.26, and 1901.183 be amended and sections 956.01, 956.02, 7  
956.03, 956.04, 956.05, 956.06, 956.07, 956.08, 956.09, 956.10, 8  
956.11, 956.12, 956.13, 956.14, 956.15, 956.16, 956.17, 956.18, 9  
956.19, 956.20, 956.21, 956.98, and 956.99 of the Revised Code be 10  
enacted to read as follows: 11

**Sec. 955.02.** ~~A As used in this chapter, "dog kennel" or 12  
"kennel owner is a person, partnership, firm, company, or 13  
corporation professionally engaged in the business" means an 14  
establishment that keeps, houses, and maintains adult dogs, as 15  
defined in section 956.01 of the Revised Code, for the purpose of 16  
breeding the dogs for hunting or for a fee or other consideration 17  
received through a sale, exchange, or lease and that is not a high 18  
volume breeder licensed under Chapter 956. of the Revised Code. 19~~

**Sec. 955.10.** No owner of a dog, except a dog constantly 20  
confined to a ~~registered dog kennel~~ registered under this chapter 21

or one licensed under Chapter 956. of the Revised Code, shall fail 22  
to require the dog to wear, at all times, a valid tag issued in 23  
connection with a certificate of registration. A ~~dog's failure~~ dog 24  
found not wearing at any time ~~to wear~~ a valid tag shall be 25  
prima-facie evidence of lack of registration and shall subject any 26  
dog found not wearing such a tag to impounding, sale, or 27  
destruction. 28

**Sec. 955.12.** The board of county commissioners shall appoint 29  
or employ a county dog warden and deputies in such number, for 30  
such periods of time, and at such compensation as the board 31  
considers necessary to enforce sections 955.01 to 955.27, 955.29 32  
to 955.38, and 955.50 to 955.53 of the Revised Code. 33

The warden and deputies shall give bond in a sum not less 34  
than five hundred dollars and not more than two thousand dollars, 35  
as set by the board, conditioned for the faithful performance of 36  
their duties. The bond or bonds may, in the discretion of the 37  
board, be individual or blanket bonds. The bonds shall be filed 38  
with the county auditor of their respective counties. 39

The warden and deputies shall make a record of all dogs 40  
owned, kept, and harbored in their respective counties. They shall 41  
patrol their respective counties and seize and impound on sight 42  
all dogs found running at large and all dogs more than three 43  
months of age found not wearing a valid registration tag, except 44  
any dog that wears a valid registration tag and is: on the 45  
premises of its owner, keeper, or harbinger, under the reasonable 46  
control of its owner or some other person, hunting with its owner 47  
or its handler at a field trial, kept constantly confined in a 48  
~~registered~~ dog kennel registered under this chapter or one 49  
licensed under Chapter 956. of the Revised Code, or acquired by, 50  
and confined on the premises of, an institution or organization of 51  
the type described in section 955.16 of the Revised Code. A dog 52

that wears a valid registration tag may be seized on the premises 53  
of its owner, keeper, or harborer and impounded only in the event 54  
of a natural disaster. 55

If a dog warden has reason to believe that a dog is being 56  
treated inhumanely on the premises of its owner, keeper, or 57  
harborer, the warden shall apply to the court of common pleas for 58  
the county in which the premises are located for an order to enter 59  
the premises, and if necessary, seize the dog. If the court finds 60  
probable cause to believe that the dog is being treated 61  
inhumanely, it shall issue such an order. 62

The warden and deputies shall also investigate all claims for 63  
damages to animals reported to them under section 955.29 of the 64  
Revised Code and assist claimants to fill out the claim form 65  
therefor. They shall make weekly reports, in writing, to the board 66  
in their respective counties of all dogs seized, impounded, 67  
redeemed, and destroyed and of all claims for damage to animals 68  
inflicted by dogs. 69

The wardens and deputies shall have the same police powers as 70  
are conferred upon sheriffs and police officers in the performance 71  
of their duties as prescribed by sections 955.01 to 955.27, 955.29 72  
to 955.38, and 955.50 to 955.53 of the Revised Code. They shall 73  
also have power to summon the assistance of bystanders in 74  
performing their duties and may serve writs and other legal 75  
processes issued by any court in their respective counties with 76  
reference to enforcing those sections. County auditors may 77  
deputize the wardens or deputies to issue dog licenses as provided 78  
in sections 955.01 and 955.14 of the Revised Code. 79

Whenever any person files an affidavit in a court of 80  
competent jurisdiction that there is a dog running at large that 81  
is not kept constantly confined either in a ~~registered~~ dog kennel 82  
registered under this chapter or one licensed under Chapter 956. 83  
of the Revised Code or on the premises of an institution or 84

organization of the type described in section 955.16 of the Revised Code or that a dog is kept or harbored in the warden's jurisdiction without being registered as required by law, the court shall immediately order the warden to seize and impound the dog. Thereupon the warden shall immediately seize and impound the dog complained of. The warden shall give immediate notice by certified mail to the owner, keeper, or harborer of the dog seized and impounded by the warden, if the owner, keeper, or harborer can be determined from the current year's registration list maintained by the warden and the county auditor of the county where the dog is registered, that the dog has been impounded and that, unless the dog is redeemed within fourteen days of the date of the notice, it may thereafter be sold or destroyed according to law. If the owner, keeper, or harborer cannot be determined from the current year's registration list maintained by the warden and the county auditor of the county where the dog is registered, the officer shall post a notice in the pound or animal shelter both describing the dog and place where seized and advising the unknown owner that, unless the dog is redeemed within three days, it may thereafter be sold or destroyed according to law.

As used in this section, "animal" has the same meaning as in section 955.51 of the Revised Code.

**Sec. 955.20.** The registration fees provided for in sections 955.01 to 955.14 of the Revised Code and money transferred to the county under section 956.07 of the Revised Code constitute a special fund known as "the dog and kennel fund." The fees shall be deposited by the county auditor in the county treasury daily as collected ~~and~~ Money in the fund shall be used for the purpose of defraying the cost of furnishing all blanks, records, tags, nets, and other equipment, for the purpose of paying the compensation of county dog wardens, deputies, poundkeepers, and other employees necessary to carry out and enforce sections 955.01 to 955.261 of

the Revised Code, and for the payment of animal claims as provided 117  
in sections 955.29 to 955.38 of the Revised Code, and in 118  
accordance with section 955.27 of the Revised Code. The board of 119  
county commissioners, by resolution, shall appropriate sufficient 120  
funds out of the dog and kennel fund, not more than fifteen per 121  
cent of which shall be expended by the auditor for registration 122  
tags, blanks, records, and clerk hire, for the purpose of 123  
defraying the necessary expenses of registering, seizing, 124  
impounding, and destroying dogs in accordance with sections 955.01 125  
to 955.27 of the Revised Code, and for the purpose of covering any 126  
additional expenses incurred by the county auditor as authorized 127  
by division (F)(3) of section 955.14 of the Revised Code. 128

If the funds so appropriated in any calendar year are found 129  
by the board to be insufficient to defray the necessary cost and 130  
expense of the county dog warden in enforcing sections 955.01 to 131  
955.27 of the Revised Code, the board, by resolution so provided, 132  
after setting aside a sum equal to the total amount of animal 133  
claims ~~paid or~~ filed in that calendar year, or an amount equal to 134  
the total amount of animal claims paid or allowed the preceding 135  
year, whichever amount is larger, may appropriate further funds 136  
for the use and purpose of the county dog warden in administering 137  
those sections. 138

**Sec. 955.26.** Whenever, in the judgment of the director of 139  
health, any city or general health district board of health, or 140  
persons performing the duties of a board of health, rabies is 141  
prevalent, the director of health, the board, or those persons 142  
shall declare a quarantine of all dogs in the health district or 143  
in a part of it. During the quarantine, the owner, keeper, or 144  
harborer of any dog shall keep it confined on the premises of the 145  
owner, keeper, or harborer, or in a ~~suitable~~ pound ~~or~~, kennel, or 146  
other suitable place, at the expense of the owner, keeper, or 147  
harborer, except that a dog may be permitted to leave the premises 148

of its owner, keeper, or harborer if it is under leash or under 149  
the control of a responsible person. The quarantine order shall be 150  
considered an emergency and need not be published. 151

When the quarantine has been declared, the director of 152  
health, the board, or those persons may require vaccination for 153  
rabies of all dogs within the health district or part of it. Proof 154  
of rabies vaccination within a satisfactory period shall be 155  
demonstrated to the county auditor before any registration is 156  
issued under section 955.01 of the Revised Code for any dog that 157  
is required to be vaccinated. 158

The public health council shall determine appropriate methods 159  
of rabies vaccination and satisfactory periods for purposes of 160  
quarantines under this section. 161

When a quarantine of dogs has been declared in any health 162  
district or part of a health district, the county dog warden and 163  
all other persons having the authority of police officers shall 164  
assist the health authorities in enforcing the quarantine order. 165  
When rabies vaccination has been declared compulsory in any health 166  
district or part of a health district, the dog warden shall assist 167  
the health authorities in enforcing the vaccination order. 168

Notwithstanding ~~the provisions of~~ this section, a city or 169  
general health district board of health may make orders pursuant 170  
to sections 3709.20 and 3709.21 of the Revised Code requiring the 171  
vaccination of dogs. 172

**Sec. 956.01. As used in this chapter:** 173

(A) "Adult dog" means a dog that is twelve months of age or 174  
older. 175

(B) "Animal rescue for dogs" means an individual or 176  
organization recognized by the director of agriculture that keeps, 177  
houses, and maintains dogs and that is dedicated to the welfare, 178

health, safety, and protection of dogs, provided that the 179  
individual or organization does not operate for profit, does not 180  
sell dogs for a profit, does not breed dogs, and does not purchase 181  
more than nine dogs in any given calendar year unless the dogs are 182  
purchased from a dog warden appointed under Chapter 955. of the 183  
Revised Code, a humane society established under Chapter 1717. of 184  
the Revised Code, or another animal rescue for dogs. "Animal 185  
rescue for dogs" includes an individual or organization that 186  
offers spayed or neutered dogs for adoption and charges reasonable 187  
adoption fees approved by the director under this chapter to cover 188  
the costs of the individual or organization, including, but not 189  
limited to, costs related to spaying or neutering dogs. 190

(C) "Animal shelter for dogs" means a facility that keeps, 191  
houses, and maintains dogs such as a dog pound operated by a 192  
municipal corporation, or by a county under Chapter 955. of the 193  
Revised Code, or that is operated by a humane society established 194  
under Chapter 1717. of the Revised Code, animal welfare society, 195  
society for the prevention of cruelty to animals, or other 196  
nonprofit organization that is devoted to the welfare, protection, 197  
and humane treatment of dogs and other animals. 198

(D) "Boarding kennel" means an establishment operating for 199  
profit that keeps, houses, and maintains dogs solely for the 200  
purpose of providing shelter, care, and feeding of the dogs in 201  
return for a fee or other consideration. 202

(E) "Breeding dog" means an unneutered, unspayed dog that is 203  
primarily harbored or housed on property that is the dog's primary 204  
residence. 205

(F) "High volume breeder" means an establishment that keeps, 206  
houses, and maintains adult breeding dogs that produce at least 207  
nine litters of puppies in any given calendar year and, in return 208  
for a fee or other consideration, sells sixty or more adult dogs 209  
or puppies per calendar year. 210

(G) "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" does not include an animal rescue for dogs, an animal shelter for dogs, a humane society established under Chapter 1717. of the Revised Code, a medical kennel for dogs, a research kennel for dogs, a pet store, or a veterinarian. 211  
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(H) "Enclosure, crate, or cage" does not include an enclosure, crate, or cage that is used during the transportation of a dog or used for medical purposes. 218  
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(I) "Environmental division of the Franklin county municipal court" means the environmental division of the Franklin county municipal court created in section 1901.011 of the Revised Code. 221  
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(J) "Medical kennel for dogs" means a facility that is maintained by a veterinarian and operated primarily for the treatment of sick or injured dogs. 224  
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(K) "Pet store" means a retail store that sells dogs to the public. 227  
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(L) "Puppy" means a dog that is under twelve months of age. 229

(M) "Research kennel for dogs" means a facility housing dogs that is maintained exclusively for research purposes. 230  
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(N) "Veterinarian" means a veterinarian licensed under Chapter 4741. of the Revised Code. 232  
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**Sec. 956.02. Medical kennels for dogs, research kennels for dogs, animal shelters for dogs that are operated by a municipal corporation, or by a county under Chapter 955. of the Revised Code, and veterinarians are not required to obtain a license under this chapter or comply with any other requirements of this chapter and rules adopted under it.** 234  
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Sec. 956.03. The director of agriculture shall adopt rules in accordance with Chapter 119. of the Revised Code establishing all of the following: 240  
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(A) 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 require that a high volume breeder be assigned a license number and that a high volume breeder provide the license number and the applicable vendor number assigned by the department of taxation whenever it solicits business or it is solicited for business. 243  
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(B) 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 any of the violations specified in division (A)(2) of section 956.15 of the Revised Code. The rules shall provide that background investigations shall be conducted solely by the attorney general on behalf of the director. The rules shall establish procedures for annually updating background investigation information regarding an applicant after an initial background investigation has been conducted with respect to an initial application for a license submitted under that section. 251  
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(C) Requirements and procedures governing dog retailers, including the licensing of and record keeping by dog retailers, in addition to the requirements and procedures established in this chapter. The rules shall require that a dog retailer be assigned a license number and that a dog retailer provide the license number and the applicable vendor number assigned by the department of taxation whenever it solicits business or it is solicited for business. 263  
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(D) The form of applications for licenses issued under this chapter and the information that is required to be submitted in the applications. The rules shall require an animal rescue for dogs to provide in an application for a license the name and address of each foster home that it utilizes. 271  
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(E) 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: 276  
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(1) Five thousand dollars for high volume breeders keeping, housing, and maintaining not more than twenty-five adult dogs; 282  
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(2) Ten thousand dollars for high volume breeders keeping, housing, and maintaining at least twenty-six adult dogs, but not more than fifty adult dogs; 284  
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(3) Fifty thousand dollars for high volume breeders keeping, housing, and maintaining more than fifty adult dogs. 287  
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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. 289  
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(F) 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; 296  
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(G) Requirements and procedures that are necessary to implement and enforce the requirements pertaining to pet stores 300  
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that are established in section 956.20 of the Revised Code; 302

(H)(1) A requirement that an in-state retailer or direct 303  
seller of a puppy or adult dog provide to the purchaser the 304  
complete name, address, and telephone number of all high volume 305  
breeders, dog retailers, and private owners that kept, housed, or 306  
maintained the puppy or adult dog prior to its coming into the 307  
possession of the retailer or direct seller or proof that the 308  
puppy or adult dog was acquired through an animal rescue for dogs, 309  
animal shelter for dogs, or humane society established under 310  
Chapter 1717. of the Revised Code, or a valid health certificate 311  
from the state of origin pertaining to the puppy or adult dog; 312

(2) A requirement that an out-of-state retailer or direct 313  
seller of a puppy or adult dog that is conducting business in this 314  
state provide to the purchaser a valid health certificate from the 315  
state of origin pertaining to the puppy or adult dog and the 316  
complete name, address, and telephone number of all breeders, 317  
sellers, and private owners that kept, housed, or maintained the 318  
puppy or adult dog prior to its coming into the possession of the 319  
retailer or direct seller or proof that the puppy or adult dog was 320  
acquired through an animal rescue for dogs, animal shelter for 321  
dogs, or humane society in this state or another state. 322

(I) A requirement that a high volume breeder or a dog 323  
retailer who advertises the sale of a puppy or adult dog include 324  
with the advertisement the vendor number assigned by the tax 325  
commissioner to the high volume breeder or to the dog retailer if 326  
the sale of the puppy or dog is subject to the tax levied under 327  
Chapter 5739. of the Revised Code; 328

(J) Requirements and procedures governing the registration of 329  
litters under section 956.21 of the Revised Code; 330

(K) A requirement that a licensed high volume breeder and a 331  
licensed dog retailer comply with Chapter 5739. of the Revised 332

Code. The rules shall authorize the director to suspend or revoke 333  
a license for failure to comply with that chapter. The director 334  
shall work in conjunction with the tax commissioner for the 335  
purposes of this division. 336

(L) Any other requirements and procedures that are determined 337  
by the director to be necessary for the administration and 338  
enforcement of this chapter and rules adopted under it. 339

**Sec. 956.04.** (A)(1) No person shall operate a high volume 340  
breeder in this state without a high volume breeder license issued 341  
by the director of agriculture in accordance with this section and 342  
rules adopted under section 956.03 of the Revised Code. 343

(2) The director shall not issue a license under this section 344  
unless the director determines that the applicant will operate or 345  
will continue to operate the high volume breeder in accordance 346  
with this chapter and rules adopted under it. 347

(B) In determining whether an establishment is a high volume 348  
breeder requiring a license under this chapter, the director shall 349  
determine if, in any given year, the establishment is a high 350  
volume breeder as defined in section 956.01 of the Revised Code. 351  
All facilities that are located at an individual postal address 352  
shall be licensed as one high volume breeder. Not more than one 353  
license shall be issued under this section for any given postal 354  
address. 355

(C) A person who is proposing to operate a new high volume 356  
breeder shall submit an application for a license to the director 357  
at least ninety days before commencing operation of the high 358  
volume breeder. The application shall be submitted in the form and 359  
with the information required by rules adopted under section 360  
956.03 of the Revised Code and shall include with it at least all 361  
of the following: 362

(1) An affidavit signed under oath or solemn affirmation of 363  
the number of adult dogs that are kept, housed, and maintained by 364  
the applicant at the location that is the subject of the 365  
application; 366

(2) An estimate of the number of puppies to be kept, housed, 367  
and maintained and of the number of litters of puppies or total 368  
number of puppies to be produced during the annual term of the 369  
license; 370

(3) Photographic evidence documenting the facilities where 371  
dogs will be kept, housed, and maintained by the applicant. The 372  
director may conduct an inspection of the facilities that are the 373  
subject of an application in addition to reviewing photographic 374  
evidence submitted by an applicant for a license. 375

(4) A signed release permitting the performance of a 376  
background investigation regarding the applicant in accordance 377  
with rules adopted under section 956.03 of the Revised Code; 378

(5) The names and addresses and any other identifying 379  
information required by rules adopted under section 956.03 of the 380  
Revised Code of all persons who will have custody of or control 381  
over dogs kept by the applicant. 382

(D) During the month of December, but before the first day of 383  
January of the next year, a person who is proposing to continue 384  
the operation of a high volume breeder shall obtain a license for 385  
the high volume breeder from the director for the following year. 386  
The person shall submit the application to the director on or 387  
before the last day of November of the year preceding the year for 388  
which the license is sought. 389

(E) The owner or operator of a high volume breeder that is in 390  
operation on the effective date of this section shall submit to 391  
the director an application for a high volume breeder license not 392  
later than three months after the effective date of this section. 393

The director shall issue or deny the application for a license 394  
within ninety days after the receipt of the completed application. 395

(F) A person who has received a license under this section, 396  
upon sale or other disposition of the high volume breeder, may 397  
have the license transferred to another person with the consent of 398  
the director, provided that the transferee otherwise qualifies to 399  
be licensed as a high volume breeder under this chapter and rules 400  
adopted under it and does not have a certified unpaid debt to the 401  
state. 402

(G) An applicant for a license issued under this section 403  
shall demonstrate that the high volume breeder that is the subject 404  
of the application complies with the standards of care and other 405  
standards established under this chapter. 406

**Sec. 956.05.** (A)(1) No person shall act as or perform the 407  
functions of a dog retailer in this state without a dog retailer 408  
license issued by the director of agriculture in accordance with 409  
this section and rules adopted under section 956.03 of the Revised 410  
Code. 411

(2) The director shall not issue a license under this section 412  
unless the director determines that the applicant will act as or 413  
perform the functions of a dog retailer in accordance with this 414  
chapter and rules adopted under it. 415

(B) A person who is proposing to act as or perform the 416  
functions of a dog retailer shall submit an application for a 417  
license to the director. During the month of December, but before 418  
the first day of January of the next year, a person who is 419  
proposing to continue to act as or perform the functions of a dog 420  
retailer shall obtain a license from the director for the 421  
following year. The person shall submit the application to the 422  
director on or before the last day of November of the year 423  
preceding the year for which the license is sought. 424

(C) A person who is acting as or performing the functions of 425  
a dog retailer on the effective date of this section shall submit 426  
to the director an application for a dog retailer license not 427  
later than three months after the effective date of this section. 428  
The director shall issue or deny the application for a license 429  
within ninety days after the receipt of the completed application. 430

Sec. 956.06. No person shall operate an animal rescue for 431  
dogs without a license to do so issued by the director of 432  
agriculture in accordance with rules adopted under section 956.03 433  
of the Revised Code. No license application fee shall be charged 434  
to an animal rescue for dogs. The director shall maintain a 435  
database of all persons that are licensed to operate an animal 436  
rescue for dogs in this state. 437

Sec. 956.07. (A) A person who is applying for a license to 438  
operate a high volume breeder or to act as or perform the 439  
functions of a dog retailer under section 956.04 or 956.05 of the 440  
Revised Code, as applicable, shall include with the application 441  
for a license a nonrefundable license application fee. For the 442  
purpose of calculating the application fee for a high volume 443  
breeder, the sale of one dog from a litter constitutes the sale of 444  
a litter. The application fees are as follows: 445

(1) For a high volume breeder: 446

(a) One hundred fifty dollars if the high volume breeder 447  
annually sells at least nine, but not more than fifteen litters; 448

(b) Two hundred fifty dollars if the high volume breeder 449  
annually sells at least sixteen, but not more than twenty-five 450  
litters; 451

(c) Three hundred fifty dollars if the high volume breeder 452  
annually sells at least twenty-six, but not more than thirty-five 453  
litters; 454

(d) Five hundred dollars if the high volume breeder annually sells at least thirty-six, but not more than forty-five litters; 455  
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(e) Seven hundred fifty dollars if the high volume breeder annually sells forty-six or more litters. 457  
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(2) For a dog retailer, five hundred dollars. 459

(B) The owner of a boarding kennel shall register the boarding kennel with the director by paying an annual fee of fifty dollars. 460  
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(C) Money collected by the director from application and registration fees submitted under this section shall be transmitted by the director to the treasurer of state to be credited to the high volume breeder kennel control license fund created in section 956.18 of the Revised Code. However, the treasurer of state shall transfer to the county in which a high volume breeder is or will be located fifty dollars of the application fee received from the person who is applying for a license to operate the high volume breeder or an amount equal to the fee charged by the county for the registration of a kennel under section 955.04 of the Revised Code, whichever is greater. The county auditor shall deposit the money in the county's dog and kennel fund created in accordance with section 955.20 of the Revised Code. 463  
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**Sec. 956.08.** No person operating a high volume breeder or acting as or performing the functions of a dog retailer shall do any of the following: 477  
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(A) Fail to keep or confine a dog in accordance with one of the following: 480  
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(1) In an indoor enclosure with an attached outdoor enclosure that is accessible to the dog, provided that not more than three dogs are kept or confined in the indoor or outdoor enclosure at 482  
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any one time. For dogs that weigh less than twenty pounds, the 485  
indoor enclosure shall be at least four feet by four feet with an 486  
attached outdoor enclosure of at least four feet by eight feet. 487  
For dogs that weigh at least twenty pounds, but less than 488  
fifty-one pounds, the indoor enclosure shall be at least four feet 489  
by six feet with an attached outdoor enclosure of at least four 490  
feet by twelve feet. For dogs that weigh fifty-one pounds or more, 491  
the indoor enclosure shall be at least four feet by eight feet 492  
with an attached outdoor enclosure of at least four feet by 493  
sixteen feet. 494

(2) In an indoor enclosure with no attached outdoor 495  
enclosure, but with an exercise period in an outdoor enclosure 496  
that is provided at least one hour each day, provided that not 497  
more than three dogs are kept or confined in the indoor or outdoor 498  
enclosure at any one time. For dogs that weigh less than twenty 499  
pounds, the indoor enclosure shall be at least four feet by four 500  
feet, and outdoor exercise shall take place in an enclosed area 501  
that is at least ten feet by ten feet. For dogs that weigh at 502  
least twenty pounds, but less than fifty-one pounds, the indoor 503  
enclosure shall be at least four feet by six feet, and outdoor 504  
exercise shall take place in an enclosed area that is at least 505  
twenty feet by twenty feet. For dogs that weigh fifty-one pounds 506  
or more, the indoor enclosure shall be at least four feet by eight 507  
feet, and outdoor exercise shall take place in an enclosed area 508  
that is at least forty feet by forty feet. 509

For purposes of division (A)(2) of this section, an indoor 510  
enclosure shall be utilized for exercise when weather does not 511  
permit access to an outdoor enclosure. The indoor exercise 512  
enclosure shall comply with the size requirements that are 513  
established in this division for outdoor enclosures that are used 514  
for exercise. In addition, exercise is not required for a dog that 515  
has an illness and for which exercise would be detrimental to 516

recovering from the illness. In addition, for purposes of division 517  
(A)(2) of this section, no more than two cages may be stacked on 518  
top of one another. 519

For purposes of division (A) of this section, the top of 520  
indoor enclosures and outdoor enclosures and enclosed areas shall 521  
be at least six inches higher than the head of the tallest dog 522  
standing on all four feet inside the enclosure or area. 523

(B) Keep or confine dogs in an enclosure, crate, or cage with 524  
any dog exhibiting vicious or aggressive behavior. Any dog 525  
exhibiting vicious or aggressive behavior shall be housed 526  
separately to avoid injury to other dogs. 527

(C) Keep or confine more than three adult dogs in one 528  
enclosure, crate, or cage; 529

(D) Keep or confine a female dog that is nursing in an 530  
enclosure, crate, or cage with another adult dog; 531

(E) Keep or confine a dog in an enclosure, crate, or cage 532  
without access to either natural or artificial light during 533  
daytime hours; 534

(F) Keep or confine a dog in an enclosure, crate, or cage 535  
outdoors unless the dog has access at all times to a dry insulated 536  
indoor shelter or dog house with clean straw or other nontoxic 537  
insulating material in an amount that is sufficient to permit the 538  
dog to burrow under the straw or material while at the same time 539  
using the straw or material as bedding; 540

(G) Keep or confine a dog in an enclosure, crate, or cage if 541  
urine or feces have accumulated beyond an amount that is expected 542  
to accumulate in a normal twenty-four-hour period or, if the dog 543  
is a female dog with a litter, in a normal twelve-hour period; 544

(H) Keep or confine a dog in an enclosure, crate, or cage 545  
without access to clean unfrozen water at all times unless the dog 546

is being used for hunting or sledding, in which case access to 547  
clean unfrozen water shall be provided not less than one time per 548  
eight-hour period. Water shall be provided to a dog in an open 549  
bowl or container that is not a drip bottle or limited intake 550  
mechanism. 551

(I) Keep or confine a dog in an enclosure, crate, or cage 552  
without access to adequate and wholesome food on a daily basis so 553  
as to ensure a proper and healthy weight unless medically 554  
contraindicated; 555

(J) Keep or confine a dog in an enclosure, crate, or cage 556  
with flooring material that is incapable of being cleaned or 557  
sanitized or that is likely to cause injury to the pads of a dog's 558  
feet; 559

(K) Keep or confine a dog in an enclosure, crate, or cage 560  
without providing a solid, nonporous surface, free from moisture 561  
or feces, that comprises at least fifty per cent of the floor of 562  
the enclosure, crate, or cage. The solid surface may include soft 563  
bedding. Female dogs with litters and puppies twelve weeks of age 564  
or less shall be housed in an enclosure, crate, or cage with a 565  
solid, nonporous surface, free from moisture or feces, that 566  
comprises one hundred per cent of the floor of the enclosure, 567  
crate, or cage. A solid, nonporous surface that is used as 568  
flooring in the enclosure, crate, or cage shall not be made of 569  
metal. 570

(L) Keep or confine a dog in an enclosure, crate, or cage in 571  
unsanitary conditions. Hard surfaces used by dogs shall be 572  
spot-cleaned daily and sanitized at least once every two weeks to 573  
prevent the accumulation of dirt, debris, food waste, excreta, and 574  
other disease hazards. While an enclosure, crate, or cage is being 575  
sanitized, a dog that is kept or confined in that enclosure, 576  
crate, or cage shall be removed from it. 577

(M) Keep or confine a dog in an enclosure, crate, or cage 578  
that is in contact with or in the immediate vicinity of any animal 579  
with a diagnosed or suspected disease that is contagious to dogs; 580

(N) Keep or confine a dog in an enclosure, crate, or cage 581  
without adequate ventilation to minimize odors, drafts, and 582  
ammonia levels and to prevent the condensation of moisture; 583

(O) Keep or confine a dog in an enclosure, crate, or cage 584  
without providing shelter from the elements; 585

(P) Keep or confine a dog in an outdoor run or kennel where 586  
shade is not provided during the months of May through September; 587

(Q) Keep or confine a dog in an indoor enclosure, crate, or 588  
cage where the temperature is below fifty degrees fahrenheit or 589  
over ninety degrees fahrenheit; 590

(R) Fail to keep the area around a kennel in good repair, 591  
clean, and free from accumulations of junk, waste products, and 592  
discarded materials to protect dogs from injury and to prevent 593  
infestation by birds, rodents, or other pests. Weeds, grasses, 594  
bushes, and trees shall be controlled at the property on which a 595  
kennel is located to allow for effective pest control and to 596  
protect the health and safety of the dogs that are housed at the 597  
kennel. 598

(S) Fail to sanitize food and water receptacles at least 599  
every two weeks or more often if necessary to prevent an 600  
accumulation of dirt, debris, food waste, excreta, and other 601  
disease hazards; 602

(T) Fail to trim an adult dog's nails so that there is 603  
curling or an impairment of the dog's gait; 604

(U) Fail to provide regular care to a dog to prevent matting 605  
of fur from fecal matter or bodily fluids; 606

(V) Fail to ensure that a dog in the person's possession or 607

control requiring euthanization is euthanized by a veterinarian or a person under the direct supervision of a veterinarian; 608  
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(W) Beat or brutalize a dog within the person's custody or control; 610  
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(X) Dock a dog's tail, crop a dog's ear, remove a dog's claws, or debark a dog. Tail docking, ear cropping, the removal of a dog's claws, or debarking shall be conducted only by a veterinarian. 612  
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(Y) Fail to comply with the standards established by the commercial dog breeding oversight board under section 956.19 of the Revised Code; 616  
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(Z) Keep a dog in an enclosure, crate, or cage that includes exposed metal caging without a protective plastic or rubber coating. 619  
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Divisions (A), (E), (F), (H), (I), (K), and (O) of this section do not apply during the temporary transportation of a dog from one location to another location. 622  
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**Sec. 956.09.** The director of agriculture shall appoint inspectors for the purpose of enforcing the requirements and standards established by this chapter and rules adopted under it and to act as authorized representatives of the director. Inspectors shall serve at the pleasure of the director and shall be employees of the department of agriculture. Inspectors may issue citations and orders that are necessary to enforce this chapter and rules adopted under it. The director shall provide each inspector with an identifying badge and an official uniform. An inspector shall have training in animal husbandry, kennel management, record keeping, and first aid. 625  
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**Sec. 956.10.** (A) At least once biennially, the director of agriculture or the director's authorized representative shall 636  
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inspect a high volume breeder that is subject to licensure under 638  
this chapter and rules adopted under section 956.03 of the Revised 639  
Code to ensure compliance with this chapter and rules adopted 640  
under it, including the standards of care established in section 641  
956.08 of the Revised Code and under section 956.19 of the Revised 642  
Code. In addition, upon a complaint, the director may inspect an 643  
animal rescue for dogs to ensure compliance with this chapter and 644  
rules adopted under section 956.03 of the Revised Code. 645  
Inspections shall be conducted without prior notification to the 646  
licensee or persons associated with the licensee. In addition, 647  
upon the request of a member of the public, a public official, an 648  
animal rescue for dogs, or an animal shelter for dogs, the 649  
director or the director's authorized representative shall inspect 650  
any facility at which a person is acting as or performing the 651  
functions of a dog retailer to ensure such compliance. 652

The director or the director's authorized representative 653  
shall inspect a boarding kennel when the director or the 654  
director's authorized representative has received information that 655  
the boarding kennel is breeding dogs and may be subject to 656  
licensure under this chapter and rules adopted under section 657  
956.03 of the Revised Code. 658

Inspections shall be conducted in accordance with rules 659  
adopted under section 956.03 of the Revised Code. A record of each 660  
inspection shall be made by the director or the director's 661  
authorized representative who is responsible for the inspection in 662  
accordance with those rules. 663

(B) The director or the director's authorized representative, 664  
upon proper identification and upon stating the purpose and 665  
necessity of an inspection, may enter at reasonable times on any 666  
public or private property, real or personal, to inspect or 667  
investigate and to examine or copy records in order to determine 668  
compliance with this chapter and rules adopted under it. The 669

director, the director's authorized representative, or the 670  
attorney general upon the request of the director may apply to the 671  
appropriate court in the county in which inspection will occur for 672  
an appropriate court order or search warrant as necessary to 673  
achieve the purposes of this chapter and rules adopted under it. 674

(C) No owner or operator of a high volume breeder, person 675  
acting as or performing the functions of a dog retailer, owner or 676  
operator of an animal rescue for dogs, or owner or operator of a 677  
boarding kennel shall interfere with an inspection or refuse to 678  
allow the director or the director's authorized representative 679  
full access to all areas where dogs are kept or cared for. If 680  
entry is refused or inspection or investigation is refused, 681  
hindered, or thwarted by a high volume breeder, dog retailer, or 682  
animal rescue for dogs, the director may suspend or revoke the 683  
breeder's, retailer's, or rescue's license in accordance with this 684  
chapter. 685

(D) If entry that is authorized by division (B) of this 686  
section is refused or if an inspection or investigation is 687  
refused, hindered, or thwarted by intimidation or otherwise and if 688  
the director, an authorized representative of the director, or the 689  
attorney general applies for and obtains a court order or a search 690  
warrant under division (B) of this section to conduct the 691  
inspection or investigation, the owner or operator of the premises 692  
where entry was refused or inspection or investigation was 693  
refused, hindered, or thwarted is liable to the director for the 694  
reasonable costs incurred by the director for the regular salaries 695  
and fringe benefit costs of personnel assigned to conduct the 696  
inspection or investigation from the time the court order or 697  
search warrant was issued until the court order or search warrant 698  
is executed; for the salary, fringe benefits, and travel expenses 699  
of the director, an authorized representative of the director, or 700  
the attorney general incurred in obtaining the court order or 701

search warrant; and for expenses necessarily incurred for the 702  
assistance of local law enforcement officers in executing the 703  
court order or search warrant. In the application for a court 704  
order or a search warrant, the director, the director's authorized 705  
representative, or the attorney general may request and the court, 706  
in its order granting the court order or search warrant, may order 707  
the owner or operator of the premises to reimburse the director 708  
for any of those costs that the court finds reasonable. From money 709  
recovered under this division, the director shall reimburse the 710  
attorney general for the costs incurred by the attorney general in 711  
connection with proceedings for obtaining the court order or 712  
search warrant, shall reimburse the political subdivision in which 713  
the premises is located for the assistance of its law enforcement 714  
officers in executing the court order or search warrant, and shall 715  
deposit the remainder in the state treasury to the credit of the 716  
high volume breeder kennel control license fund created in section 717  
956.18 of the Revised Code. 718

(E) A dog warden appointed under Chapter 955. of the Revised 719  
Code or an agent of a humane society established under Chapter 720  
1717. of the Revised Code entering on public or private property 721  
to make investigations and inspections in accordance with Chapter 722  
955. or 1717. of the Revised Code, as applicable, shall report any 723  
violations of this chapter and rules adopted under it to the 724  
director or the director's authorized representative and may 725  
examine and copy any records that are required to be maintained 726  
under rules adopted under this chapter. 727

**Sec. 956.11.** (A) The director of agriculture or the 728  
director's authorized representative may impound a dog if the 729  
director or the director's authorized representative has probable 730  
cause to believe that the dog is being kept by a high volume 731  
breeder or dog retailer in a manner that materially violates this 732  
chapter or rules adopted under it and if the dog's health or 733

safety appears to be in imminent danger. In addition, the director 734  
or the director's authorized representative may impound a dog that 735  
is being kept by an animal rescue for dogs if the dog's health or 736  
safety appears to be in imminent danger. 737

(B) The director or the director's authorized representative 738  
shall give written notice of the impoundment by posting a notice 739  
on the door of the premises from which the dog was taken or by 740  
otherwise posting the notice in a conspicuous place at the 741  
premises from which the dog was taken. The notice shall provide a 742  
date for an adjudication hearing, which shall take place not later 743  
than five business days after the dog is taken and at which the 744  
director shall determine if the dog should be permanently 745  
relinquished to the custody of the director. 746

(C) The owner or operator of the applicable high volume 747  
breeder, the person acting as or performing the functions of a dog 748  
retailer, or the owner or operator of the applicable animal rescue 749  
for dogs may appeal the determination made at the adjudication 750  
hearing in accordance with section 119.12 of the Revised Code, 751  
except that the appeal may only be made to the environmental 752  
division of the Franklin county municipal court. 753

(D) The director may enter into contracts or agreements with 754  
an animal rescue for dogs, an animal shelter for dogs, a boarding 755  
kennel, a veterinarian, a board of county commissioners, or a 756  
humane society established under Chapter 1717. of the Revised Code 757  
for the purpose of keeping, housing, and maintaining dogs that are 758  
impounded under this section. If, after the final disposition of 759  
an adjudication hearing and any appeals from that adjudication 760  
hearing, it is determined that a dog shall be permanently 761  
relinquished to the custody of the director, the dog may be 762  
adopted directly from the animal rescue for dogs, animal shelter 763  
for dogs, boarding kennel, veterinarian, county dog pound, or 764  
humane society where it is being kept, housed, and maintained, 765

provided that the dog has been spayed or neutered unless there are 766  
medical reasons against spaying or neutering as determined by a 767  
veterinarian. The animal rescue for dogs, animal shelter for dogs, 768  
boarding kennel, veterinarian, county dog pound, or humane society 769  
may charge a reasonable adoption fee. The fee shall be at least 770  
sufficient to cover the costs of spaying or neutering the dog 771  
unless it is medically contraindicated. Impounded dogs shall be 772  
returned to persons acquitted of any alleged violations. 773

**Sec. 956.12.** If the director of agriculture or the director's 774  
authorized representative determines that a person has violated or 775  
is violating this chapter or rules adopted under it, the director 776  
may issue and cause to be served by certified mail or personal 777  
service a citation of violation and an order requiring the person 778  
to cease the acts or practices that constitute a violation of this 779  
chapter or rules adopted under it or requiring the person to take 780  
corrective actions to eliminate the conditions that constitute a 781  
violation of this chapter and rules adopted under it. The order 782  
shall state specifically the provision or provisions of this 783  
chapter or the rule or rules adopted under this chapter that have 784  
been violated and the facts constituting the violation, the 785  
actions that the person must take to correct the deficiencies, and 786  
the time period within which the person must correct the 787  
violations. 788

**Sec. 956.13.** (A) The director of agriculture may assess a 789  
civil penalty against a person violating this chapter or rules 790  
adopted under it if all of the following occur: 791

(1) The person has received an order and been notified of the 792  
violation by certified mail as required in section 956.12 of the 793  
Revised Code. 794

(2) After the time period for correcting the violation 795

specified in the order has elapsed, the director or the director's 796  
authorized representative has inspected the premises where the 797  
violation has occurred and determined that the violation has not 798  
been corrected, and the director has issued a notice of an 799  
adjudication hearing pursuant to division (A)(3) of this section. 800

(3) The director affords the person an opportunity for an 801  
adjudication hearing under Chapter 119. of the Revised Code to 802  
challenge the director's determination that the person is not in 803  
compliance with this chapter or rules adopted under it, the 804  
imposition of the civil penalty, or both. A person may waive the 805  
opportunity for an adjudication hearing. 806

(B) If the opportunity for an adjudication hearing is waived 807  
or if, after an adjudication hearing, the director determines that 808  
a violation of this chapter or a rule adopted under it has 809  
occurred or is occurring, the director may assess a civil penalty. 810  
The civil penalty may be appealed in accordance with section 811  
119.12 of the Revised Code, except that the civil penalty may only 812  
be appealed to the environmental division of the Franklin county 813  
municipal court. 814

(C) Civil penalties shall be assessed in the following 815  
amounts: 816

(1) A person who has violated division (A)(1) of section 817  
956.04 or division (A)(1) of section 956.05 of the Revised Code 818  
shall pay a civil penalty in an amount that is equal to two times 819  
the amount of the license fee that should have been paid by the 820  
person under section 956.07 of the Revised Code. 821

(2) A person who has violated any other provision of this 822  
chapter or rules adopted under it, including the standards of care 823  
established in section 956.08 of the Revised Code or under section 824  
956.19 of the Revised Code, shall pay a civil penalty of 825  
twenty-five dollars. 826

Each day that a violation continues constitutes a separate violation. 827  
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Sec. 956.14. The attorney general, upon the request of the director of agriculture, may bring an action for injunction against a person who has violated or is violating this chapter, rules adopted under it, or an order issued under section 956.12 of the Revised Code. An action for injunction shall be filed in the appropriate court in the county in which the violation is alleged to have occurred. The court shall grant such injunctive relief upon a showing that the person against whom the action is brought has violated or is violating this chapter, rules adopted under it, or an order issued under it. The court shall give precedence to such an action over all other cases. 829  
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Sec. 956.15. (A) The director of agriculture may deny an application for a license that is submitted under section 956.04, 956.05, or 956.06 of the Revised Code for either of the following reasons: 840  
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(1) The applicant for the license has violated any provision of this chapter or a rule adopted under it if the violation materially threatens the health or welfare of a dog. 844  
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(2) The applicant, in the past twenty years, has been convicted of or pleaded guilty to violating section 959.01, 959.02, 959.03, 959.13, 959.131, 959.15, or 959.16 of the Revised Code or an equivalent municipal ordinance, law of another state, or law of the federal government or, in the past twenty years, has been convicted of or pleaded guilty to violating more than once section 2919.25 of the Revised Code or an equivalent municipal ordinance, law of another state, or law of the federal government. 847  
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(B) The director may suspend or revoke a license issued under this chapter for violation of any provision of this chapter or a 855  
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rule adopted or order issued under it if the violation materially 857  
threatens the health and welfare of a dog. 858

(C) An application or a license shall not be denied, 859  
suspended, or revoked under this section without a written order 860  
of the director stating the findings on which the denial, 861  
suspension, or revocation is based. A copy of the order shall be 862  
sent to the applicant or license holder by certified mail or may 863  
be provided to the applicant or license holder by personal 864  
service. In addition, the person to whom a denial, suspension, or 865  
revocation applies may request an adjudication hearing under 866  
Chapter 119. of the Revised Code. The director shall comply with 867  
such a request. The determination of the director at an 868  
adjudication hearing may be appealed in accordance with section 869  
119.12 of the Revised Code, except that the determination may be 870  
appealed only to the environmental division of the Franklin county 871  
municipal court. 872

Sec. 956.16. The director of agriculture, the director's 873  
authorized representative, or the attorney general may require the 874  
attendance of witnesses and the production of books, records, 875  
papers, and dogs that are needed either by the director or the 876  
attorney general or by any party to a hearing before the director 877  
and for that purpose may issue a subpoena for any witness or a 878  
subpoena duces tecum to compel the production of any books, 879  
records, papers, or dogs. The subpoena shall be served by personal 880  
service or by certified mail. If the subpoena is returned because 881  
of inability to deliver, or if no return is received within thirty 882  
days after the date of mailing, the subpoena may be served by 883  
ordinary mail. If no return of ordinary mail is received within 884  
thirty days after the date of mailing, service shall be deemed to 885  
have been made. If the subpoena is returned because of inability 886  
to deliver, the director or the attorney general may designate a 887  
person or persons to effect either personal or residence service 888

on the witness. The person designated to effect personal or 889  
residence service under this section may be the sheriff of the 890  
county in which the witness resides or may be found or any other 891  
duly designated person. The fees and mileage of the person serving 892  
the subpoena shall be the same as those allowed by the courts of 893  
common pleas in criminal cases and shall be paid from the funds of 894  
the authority. Fees and mileage for the witness shall be the same 895  
as those allowed for witnesses by the courts of common pleas in 896  
criminal cases and, upon request of the witness following the 897  
hearing, shall be paid from the money in the high volume breeder 898  
kennel control license fund created in section 956.18 of the 899  
Revised Code. 900

Sec. 956.17. The director of agriculture may contract with 901  
any political subdivision of the state to assist the director and 902  
the director's authorized representatives in administering and 903  
enforcing this chapter and rules adopted under it. 904

Sec. 956.18. All money collected by the director of 905  
agriculture from license and registration fees under sections 906  
956.07 and 956.21 of the Revised Code and all money collected from 907  
civil penalties assessed under section 956.13 of the Revised Code 908  
shall be deposited in the state treasury to the credit of the high 909  
volume breeder kennel control license fund, which is hereby 910  
created. The director shall use money in the fund for the purpose 911  
of administering this chapter and rules adopted under it. 912

Sec. 956.19. (A) There is hereby created the commercial dog 913  
breeding oversight board consisting of all of the following 914  
members: 915

(1) One member of the senate appointed by the president of 916  
the senate who shall be a member of the majority party; 917

(2) One member of the senate appointed by the minority leader 918

<u>of the senate;</u>	919
<u>(3) One member of the house of representatives appointed by</u>	920
<u>the speaker of the house of representatives who shall be a member</u>	921
<u>of the majority party;</u>	922
<u>(4) The following six members appointed by the governor:</u>	923
<u>(a) One member representing a county humane society</u>	924
<u>established under Chapter 1717. of the Revised Code;</u>	925
<u>(b) One member who is a county dog warden;</u>	926
<u>(c) One member who is a veterinarian;</u>	927
<u>(d) One member representing animal rescues for dogs in this</u>	928
<u>state;</u>	929
<u>(e) One member who is a member in good standing of a national</u>	930
<u>breed parent club of the American kennel club;</u>	931
<u>(f) One member representing the public.</u>	932
<u>Initial appointments to the board shall be made not later</u>	933
<u>than sixty days after the effective date of this section. Terms of</u>	934
<u>office of the members appointed by the president of the senate,</u>	935
<u>the minority leader of the senate, and the speaker of the house of</u>	936
<u>representatives shall coincide with their terms of office as</u>	937
<u>members of the senate and the house of representatives, as</u>	938
<u>applicable. Of the initial appointments made by the governor, two</u>	939
<u>shall be for one-year terms, two shall be for two-year terms, and</u>	940
<u>two shall be for three-year terms. Thereafter, terms of office of</u>	941
<u>members appointed by the governor shall be three years, with each</u>	942
<u>term ending on the same day of the same month as did the term that</u>	943
<u>it succeeds. Each member shall hold office from the date of</u>	944
<u>appointment until the end of the term for which the member was</u>	945
<u>appointed. Members may be reappointed. Vacancies shall be filled</u>	946
<u>in the manner provided for the original appointments. Any member</u>	947
<u>appointed to fill a vacancy occurring before the expiration date</u>	948

of the term for which the member's predecessor was appointed shall 949  
hold office for the remainder of the term. A member shall continue 950  
in office subsequent to the expiration date of the member's term 951  
until the member's successor takes office or until a period of 952  
sixty days has elapsed, whichever occurs first. 953

(B) The governor shall select a chairperson from among the 954  
board's members. A majority of the members of the board 955  
constitutes a quorum. The board shall meet at least four times a 956  
year in Columbus or at other locations selected by the 957  
chairperson. The chairperson shall determine the agenda for each 958  
meeting of the board. However, if the member appointed by the 959  
president of the senate and the member appointed by the speaker of 960  
the house of representatives jointly request in writing that an 961  
item be placed on the agenda for a meeting of the board, the 962  
chairperson shall place the item on the agenda at the board's next 963  
regularly scheduled meeting occurring more than ten days after the 964  
request has been made. 965

Members of the board shall serve without compensation for 966  
attending board meetings. Members of the board shall be reimbursed 967  
for their actual and necessary expenses incurred in the 968  
performance of official duties as members of the board. 969

(C) The board shall provide oversight and evaluation of the 970  
administration of this chapter and rules adopted under it. The 971  
oversight and evaluation may include, but not be limited to, a 972  
determination of whether this chapter and rules adopted under it 973  
and the administration and enforcement of this chapter and rules 974  
adopted under it by the director of agriculture have resulted in 975  
the prevention of cruelty to and abuse of dogs and an evaluation 976  
of the sanctions imposed on violators of this chapter and rules 977  
adopted under it. In addition, the board may make recommendations 978  
to the director for changes to the administration of this chapter 979  
and rules adopted under it and to the general assembly for changes 980

to this chapter that the board considers necessary for the 981  
effective enforcement of this chapter and rules adopted under it. 982  
The board may inspect records kept by the director for the 983  
purposes of this chapter and may interview inspectors employed by 984  
the director to enforce this chapter and rules adopted under it. 985  
The board, by the thirty-first day of December each year, shall 986  
issue a report of its findings and submit it to the director, the 987  
president of the senate, and the speaker of the house of 988  
representatives. 989

(D) For purposes of division (Y) of section 956.08 of the 990  
Revised Code, the board shall establish standards governing all of 991  
the following: 992

(1) Biosecurity and disease control; 993

(2) Waste management; 994

(3) Breeding limits; 995

(4) Whelping. 996

**Sec. 956.20.** (A) In accordance with rules adopted under 997  
section 956.03 of the Revised Code, at the time of the sale of a 998  
dog, a pet store shall provide the buyer of the dog with either of 999  
the following: 1000

(1) A record of veterinary examination that states that the 1001  
dog presents no evidence of disease or physical deformity at the 1002  
time of the examination; 1003

(2) A money-back guarantee that is valid for not less than 1004  
twenty-one days after the date of purchase of the dog. The 1005  
guarantee shall authorize the purchaser of the dog to receive the 1006  
purchase price of the dog from the pet store within that 1007  
twenty-one-day period if the purchaser presents a statement to the 1008  
pet store from a veterinarian who has examined the dog within 1009  
fourteen days of the purchase of the dog that the dog has a 1010

significant disease, illness, or injury that was in existence at 1011  
the time of the purchase of the dog. 1012

(B) A pet store shall post written notice of the pet store's 1013  
responsibility under this section in a conspicuous location near 1014  
the pet store's cash register. The written notice shall be posted 1015  
in accordance with rules and shall be in prominent and easily read 1016  
type that is not less than eighteen-point type. 1017

(C) At a time prior to the sale of a dog, a pet store shall 1018  
provide the name, complete address, and telephone number of the 1019  
breeder that bred the dog, the high volume breeder where the dog 1020  
was kept, housed, and maintained, and the dog retailer from whom 1021  
the pet store acquired the dog, as applicable. The pet store also 1022  
shall provide the telephone number and the address of the 1023  
department of agriculture. 1024

(D) No pet store shall fail to comply with this section. 1025

(E) A pet store that fails to comply with division (A)(1) of 1026  
this section with respect to the sale of a dog or a pet store that 1027  
fails to refund the purchase price of a dog in accordance with 1028  
division (A)(2) of this section is liable to the purchaser of the 1029  
dog for an amount that is equal to the actual damages incurred by 1030  
the purchaser within one year after the date of the purchase of 1031  
the dog, except that veterinary expenses are to be limited to not 1032  
more than five hundred dollars. The pet store also is liable for 1033  
reasonable attorney's fees and costs incurred by the purchaser. In 1034  
addition, the buyer of the dog may keep the dog. 1035

(F) The director of agriculture or the director's authorized 1036  
representative shall enforce divisions (A) to (D) of this section. 1037  
Inspectors employed by the director for the purposes of this 1038  
chapter may make inspections of pet stores for the purpose of 1039  
enforcing those divisions. 1040

(G) A purchaser shall commence any action necessary to 1041

recover damages specified in division (E) of this section within 1042  
two years from the date of purchase of a dog. 1043

Sec. 956.21. No high volume breeder shall sell or otherwise 1044  
transfer a puppy that is less than ninety days old without 1045  
registering the litter in which the puppy was born with the 1046  
director of agriculture in accordance with rules adopted under 1047  
section 956.03 of the Revised Code and paying a registration fee 1048  
of twenty-five dollars per litter. This section does not apply to 1049  
an animal rescue for dogs or an animal shelter for dogs. 1050

Sec. 956.98. No person shall violate this chapter or a rule 1051  
adopted or order issued under it. 1052

Sec. 956.99. Whoever violates section 956.98 of the Revised 1053  
Code is guilty of a misdemeanor of the first degree. 1054

Sec. 1901.183. In addition to jurisdiction otherwise granted 1055  
in this chapter, the environmental division of a municipal court 1056  
shall have jurisdiction within its territory in all of the 1057  
following actions or proceedings and to perform all of the 1058  
following functions: 1059

(A) Notwithstanding any monetary limitations in section 1060  
1901.17 of the Revised Code, in all actions and proceedings for 1061  
the sale of real or personal property under lien of a judgment of 1062  
the environmental division of the municipal court, or a lien for 1063  
machinery, material, fuel furnished, or labor performed, 1064  
irrespective of amount, and, in those cases, the environmental 1065  
division may proceed to foreclose and marshal all liens and all 1066  
vested or contingent rights, to appoint a receiver, and to render 1067  
personal judgment irrespective of amount in favor of any party; 1068

(B) When in aid of execution of a judgment of the 1069  
environmental division of the municipal court, in all actions for 1070

the foreclosure of a mortgage on real property given to secure the 1071  
payment of money, or the enforcement of a specific lien for money 1072  
or other encumbrance or charge on real property, when the real 1073  
property is situated within the territory, and, in those cases, 1074  
the environmental division may proceed to foreclose all liens and 1075  
all vested and contingent rights and proceed to render judgments, 1076  
and make findings and orders, between the parties, in the same 1077  
manner and to the same extent as in similar cases in the court of 1078  
common pleas; 1079

(C) When in aid of execution of a judgment of the 1080  
environmental division of the municipal court, in all actions for 1081  
the recovery of real property situated within the territory to the 1082  
same extent as courts of common pleas have jurisdiction; 1083

(D) In all actions for injunction to prevent or terminate 1084  
violations of the ordinances and regulations of any municipal 1085  
corporation within its territory enacted or promulgated under the 1086  
police power of that municipal corporation pursuant to Section 3 1087  
of Article XVIII, Ohio Constitution, over which the court of 1088  
common pleas has or may have jurisdiction, and, in those cases, 1089  
the environmental division of the municipal court may proceed to 1090  
render judgments, and make findings and orders, in the same manner 1091  
and to the same extent as in similar cases in the court of common 1092  
pleas; 1093

(E) In all actions for injunction to prevent or terminate 1094  
violations of the resolutions and regulations of any political 1095  
subdivision within its territory enacted or promulgated under the 1096  
power of that political subdivision pursuant to Article X of the 1097  
Ohio Constitution, over which the court of common pleas has or may 1098  
have jurisdiction, and, in those cases, the environmental division 1099  
of the municipal court may proceed to render judgments, and make 1100  
findings and orders, in the same manner and to the same extent as 1101  
in similar cases in the court of common pleas; 1102

(F) In any civil action to enforce any provision of Chapter 1103  
3704., 3714., 3734., 3737., 3767., or 6111. of the Revised Code 1104  
over which the court of common pleas has or may have jurisdiction, 1105  
and, in those actions, the environmental division of the municipal 1106  
court may proceed to render judgments, and make findings and 1107  
orders, in the same manner and to the same extent as in similar 1108  
actions in the court of common pleas; 1109

(G) In all actions and proceedings in the nature of 1110  
creditors' bills, and in aid of execution to subject the interests 1111  
of a judgment debtor in real or personal property to the payment 1112  
of a judgment of the division, and, in those actions and 1113  
proceedings, the environmental division may proceed to marshal and 1114  
foreclose all liens on the property irrespective of the amount of 1115  
the lien, and all vested or contingent rights in the property; 1116

(H) Concurrent jurisdiction with the court of common pleas of 1117  
all criminal actions or proceedings related to the pollution of 1118  
the air, ground, or water within the territory of the 1119  
environmental division of the municipal court, for which a 1120  
sentence of death cannot be imposed under Chapter 2903. of the 1121  
Revised Code; 1122

(I) In any review or appeal of any final order of any 1123  
administrative officer, agency, board, department, tribunal, 1124  
commission, or other instrumentality that relates to a local 1125  
building, housing, air pollution, sanitation, health, fire, 1126  
zoning, or safety code, ordinance, or regulation, in the same 1127  
manner and to the same extent as in similar appeals in the court 1128  
of common pleas; 1129

(J) With respect to the environmental division of the 1130  
Franklin county municipal court, to hear appeals from adjudication 1131  
hearings conducted under Chapter 956. of the Revised Code. 1132

**Section 2.** That existing sections 955.02, 955.10, 955.12, 1133

955.20, 955.26, and 1901.183 of the Revised Code are hereby 1134  
repealed. 1135

**Section 3.** It is the intent of the General Assembly to 1136  
appropriate money to the High Volume Breeder Kennel Control 1137  
License Fund created in section 956.18 of the Revised Code to 1138  
enable the Director of Agriculture to begin administering Chapter 1139  
956. of the Revised Code and rules adopted under it. 1140