

## Ohio Proposes Pet Store Warranty Provisions

**Bill requires any pet store that sells dogs to give buyers a money-back guarantee.**

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Ohio state legislators have introduced a measure that sets forth dog warranty provisions for pet stores as well as licensing and insurance requirements for dog breeding kennels. The measure, House Bill 124, is scheduled for a public hearing Wednesday, May 27, before a House committee.

As introduced, HB 124 (and companion bill SB 95) would require any pet store that sells dogs to provide buyers with a money-back guarantee valid for up to 21 days after the date of the sale. The guarantee will allow the buyer to receive the purchase price of the dog if he or she presents the store with a statement from a veterinarian saying the dog has a significant disease, illness or injury that was in existence at the time of the purchase. The veterinarian must examine the pet within 14 days of the purchase of the dog.

In addition to a money-back guarantee, pet stores would also be required to provide the following at the time of sale: A certificate of medial health completed by a veterinarian stating that the dog has been examined and there was no evidence of disease, illness or injury at the time of examination; The name, complete address and telephone number of the breeder that bred the dog, the regulated dog breeding kennel where the dog was kept; and the regulated dog intermediary from whom the pet store acquired the dog, as applicable.

Violators will be liable for an amount that is equal to the actual damages incurred by the buyer within one year after the date of purchase (veterinary expenses are limited to no more than \$500). The pet store will also be liable for any attorney's fees and costs incurred by the buyer. In addition, the buyer may be entitled to keep the dog.

With regard to kennels, the proposed bill would require each regulated dog breeding kennel to apply for a license. HB 124 defines a "regulated dog breeding kennel" as "an establishment that keeps, houses and maintains adult breeding dogs that produce either at least nine litters of puppies or at least 40 puppies in any given calendar year and, in return for a fee or other consideration, sells, exchanges or leases adult dogs or puppies."

No dog breeding kennel would be allowed to operate without a kennel license. As part of the license application, kennels would have to show evidence of insurance or of a surety bond payable to the authority. The bill also provides standards for enclosures and veterinary care, among other requirements.

Kennels are subject to at least one biennial inspection. Kennel operators will be given the opportunity to fix a violation. If the violation is not remediated, a license may be revoked and operators may face civil penalties of up to \$15,000.

HB 124 is scheduled for a public hearing before the House Committee on Agriculture & Natural Resources at 9:30 a.m., May 27. SB 95 has been referred to the Senate Committee on State and Local Government and Veterans Affairs where it is awaiting its first committee hearing.