



**Sub. H.B. 709**

123rd General Assembly

(As Reported by H. Transportation & Public Safety)

**Reps. Schuler, Goodman, Olman, Krupinski, Perry, Allen, Tiberi, Schuck, Evans, Mettler, Clancy, Jolivette, Sutton, Grendell**

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**BILL SUMMARY**

- Authorizes the issuance of Pet Friendly license plates.
- Requires the Registrar of Motor Vehicles to collect a contribution not exceeding \$40 for each registration or renewal of Pet Friendly license plates.
- Creates the Pet Support Fund to be used for the support of programs for the sterilization of dogs and cats and educational programs concerning the proper veterinary care of those animals.
- Requires an existing nonprofit corporation, the Ohio Pet Fund, to establish eligibility criteria for organizations and pet owners who may receive financial assistance from the Pet Support Fund and to appoint a funding board to review applications and disburse funds.

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**CONTENT AND OPERATION**

**Pet Friendly license plates**

(R.C. 4503.74)

Under the bill, the owner or lessee of any passenger car, noncommercial motor vehicle, motor home, or other vehicle of a class approved by the Registrar of Motor Vehicles may apply to the Registrar for the issuance of "Pet Friendly" license plates. The application for the license plates may be combined with a request for a special reserved license plate (sometimes referred to as "vanity plates") provided in current law. Upon receipt of the completed application and payment of the applicable taxes and fees as explained below, the Registrar is required to issue to the applicant the appropriate vehicle registration and a set of Pet Friendly license plates

with a validation sticker, or a validation sticker alone once the person already has Pet Friendly license plates.

In addition to the letters and numbers ordinarily inscribed on license plates, Pet Friendly license plates must be inscribed with the words "Pet Friendly" and markings designed by the Ohio Pet Fund (an organization designated in the bill and described below) and approved by the Registrar. Pet Friendly license plates must bear county identification stickers that identify the county of registration by name or number.

Pet Friendly license plates and validation stickers are issued upon payment of a contribution of an amount not to exceed \$40 as determined by the Ohio Pet Fund that is deposited in the Pet Support Fund, payment of the regular state and local taxes and license fees prescribed in current law, a fee of \$10 for the purpose of compensating the Bureau of Motor Vehicles for additional services required in the issuing of Pet Friendly license plates, and compliance with all other applicable laws relating to the registration of motor vehicles. If the application for Pet Friendly license plates is combined with a request for a vanity plate, the applicant also must pay the additional fee specified for those plates.

The Registrar must transmit the contribution to the Treasurer of State for deposit in the Pet Support Fund, which the bill creates. The Registrar also is required to deposit in the existing State Bureau of Motor Vehicles Fund the additional \$10 fee that the applicant for registration pays for the purpose of compensating the Bureau.

### **Pet Support Fund**

(R.C. 4501.38)

The bill creates the Pet Support Fund in the state treasury. The Fund consists of Pet Friendly license plate contributions and money from any other sources, including donations, gifts, and grants. All investment earnings of the Fund must be credited to the Fund. The Treasurer of State must disburse moneys in the Fund to the Pet-Friendly Program Funding Board, which the bill creates, on a quarterly basis. Moneys in the fund must be used for the purpose of supporting programs for the sterilization of dogs and cats and educational programs concerning the proper veterinary care of those animals.

### **Duties of the Ohio Pet Fund**

(R.C. 955.201)

The bill requires the Ohio Pet Fund (see **COMMENT 1**) to do all of the following:

(1) Establish eligibility criteria for organizations that may receive financial assistance from the Pet Support Fund. Those organizations include animal shelters, nonprofit veterinary programs for the sterilization of dogs and cats, and tax-exempt charitable organizations the primary purpose of which is to support programs for the sterilization of dogs and cats and educational programs concerning the proper veterinary care of those animals.

(2) Establish procedures for disbursing funds from the Pet Support Fund; the procedures must require the submission of detailed proposals for the intended uses of the assistance;

(3) Establish eligibility criteria for sterilization and educational programs for which assistance may be granted and eligibility criteria for individuals who seek sterilization for their dogs and cats from organizations receiving funds;

(4) Advertise or otherwise provide notification of the availability of financial assistance for eligible organizations;

(5) Design markings to be inscribed on Pet Friendly license plates.

### **Eligibility of individuals for subsidized dog or cat sterilization services**

Under the bill, an owner of a dog or cat may receive dog or cat sterilization services subsidized from Pet Support Fund money only if one of the following applies:

(1) The income of the owner's family does not exceed 150% of the federal poverty guideline (see **COMMENT 2**).

(2) The owner of the dog or cat submits to the operator of the subsidized sterilization program a certificate of adoption showing that the animal was adopted from one of the following:

(A) A licensed animal shelter; a municipal, county, or regional pound; or a holding and impoundment facility that contracts with a municipal corporation.

(B) A nonprofit corporation operating an animal adoption referral service and whose holding facility is licensed in accordance with state law or a municipal ordinance.

(C) An animal adoption referral service that does not operate a holding facility.

The Ohio Pet Fund must determine the type of documentary evidence that must be presented by a pet owner to show that the family income does not exceed 150% of the federal poverty guidelines.

**Pet-Friendly Program Funding Board**

(R.C. 955.202)

The bill creates the Pet-Friendly Program Funding Board. Appointed by the Ohio Pet Fund, it consists of the following seven members:

(1) One member who represents an animal control facility or has been appointed an agent of a humane society under Ohio law;

(2) One Ohio resident who is a member of the Ohio Veterinary Medical Association;

(3) One member of the general public;

(4) One member who represents an Ohio animal shelter or other animal facility;

(5) One member who represents a foster pet organization or an organization that is involved with the sterilization of dogs and cats that does not operate an animal shelter;

(6) One member who is a breeder of dogs or cats and is a member in good standing with a national breeders club or association;

(7) One member from the Ohio Pet Fund.

The bill establishes two-year staggered terms for Board appointees. Two initial members' terms expire on January 31 of the first even-numbered year following appointment, and five initial members' terms expire on January 31 of the second odd-numbered year following appointment.

If an eligible organization that is applying for financial assistance from the Pet Support Fund is represented by a member on the Board, that member is

prohibited from participating in the decision regarding the approval or disapproval of that application. No moneys can be disbursed from the Fund until it has accrued a balance of \$25,000 or until two years after the bill's effective date, whichever occurs first.

The state's sunset law, which provides generally for a newly established "state agency" to expire no later than four years after its creation, does not apply to the Board (R.C. 101.84, not in the bill).

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## COMMENT

1. The bill defines the "Ohio Pet Fund" to mean a nonprofit corporation organized by that name under R.C. Chapter 1702. (which governs nonprofit corporations) and that consists of humane societies, veterinarians, animal shelters, companion animal breeders, dog wardens, and similar individuals and entities.

2. The bill defines the "federal poverty guideline" as the official poverty guideline as revised annually by the United States Department of Health and Human Services in accordance with section 673(2) of the "Omnibus Budget Reconciliation Act of 1981," 95 Stat. 511, 42 U.S.C.A. 9902, as amended, for a family size equal to the size of the family of the person whose income is being determined.

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## HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	05-17-00	p. 2004
Reported, H. Transportation & Public Safety	09-13-00	p. 2245

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