

NEWS

Controversial 'puppy mill' bill passes Indiana House



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The Indiana House on Monday passed a bill to prevent cities from banning the sale of dogs at pet stores, nullifying ordinances in 21 municipalities that sought to put a dent in unethical puppy mills and increase shelter adoptions.

House Bill 1412 was approved by a 59-36 vote and now moves to the Senate for consideration.

While nixing dog sale bans, the bill would also require pet stores to keep detailed records of the dogs they buy and sell and meet new maintenance standards. The stores, along with animal care and rescue operations, would register with the Indiana State Board of Animal Health, which could make random inspections and fine retailers if they violate the law's provisions.

The bill's sponsor, Rep. Beau Baird, R-Greencastle, called it an “anti-puppy mill” law that increases “transparency and responsible breeding practices.”

“It centralizes and improves pet standards in the community,” said Jonathan Lawler, a spokesman for the Indiana Council for Animal Welfare, an organization representing animal owners and breeders.

It is the second attempt in as many years at restricting the cities from regulating pet stores. A bill last year failed to get a vote in the House. But that legislation didn't include any industry regulations and it didn't touch the cities that already had banned dog sales in stores. There is no such grandfather clause in this year's edition. Indianapolis and Carmel are among the cities that stand to have their pet store bans revoked.

Critics said the legislation was another usurpation of local control by the Indiana legislature and the enforcement provisions are too much for the Board of Animal Health to handle

because the bill provides no funding for additional inspectors.

“The board doesn't have the manpower to handle all this,” said Adam Aasen, a Carmel City councilor. “The pet stores know this and are telling us what rules they want to follow.”

Rep. Kyle Miller, D-Fort Wayne called the legislation an "unfunded mandate on an already understaffed" agency.

The registration fees will go into the Board of Animal Health coffers, as will fines assessed for violations of the bill's safety provisions. But Rep. Matt Pierce D-Bloomington said on the House floor the agency can't collect the fines if it doesn't have the workers — and there is no requirement — just the option — to conduct inspections.

“If you aren't doing inspections you can't collect fines,” Pierce said. “We will be chasing our tail, so to speak.”

Rep. Chris Campbell D-West Lafayette said the bill is not only “unfeasible,” it takes away the localities' ability to address puppy mill profits with their own laws.

“We need to let them decide since it doesn't look like inspectors will be funded,” he said at the House session.

Pierce and Campbell conceded the legislation was well-intentioned in cracking down on puppy mills but urged the house to delay consideration until next year's budget session when the Board of Animal Health could be properly funded.

The bill's supporters, which include pet stores, said the measure provides a much-needed crackdown on under-supervised puppy mills and helps to ensure breeders treat dogs well and that retailers purchase pets from reputable breeders.

Baird said it also “empowers consumers by providing them with essential information” because pet stores will be required to keep records of a dog's health and purchase history.

Lawler said the bill requires stores to take back dogs that have been sold if the owners decide they can't handle them.

“There needs to be some type of impulse protection in case the consumer doesn't fully grasp the commitment required but also to protect them if the dog is unfit due to illness or disease,” Lawler said.

The Council for Animal Welfare said there are 26 pet stores in the state and 14 of them sell dogs. A representative from Uncle Bill's Pet Centers testified at a House committee meeting in favor of the bill as did a representative for the Ohio-based chain, Petland.

Uncle Bill's has two stores in Indianapolis and one in Fishers, which sells dogs. Petland has a store in Westfield. Carmel passed its ordinance outlawing puppy mill sales even though no pet stores are located in the suburb.

The cities with sales bans argued they would increase pet adoptions at overcrowded animal shelters if people did not have the option to buy dogs at stores.

The Legislative Services Agency said there are 192 commercial dog breeders, 113 animal rescues, 107 private animal shelters, 32 public animal shelters and six commercial dog brokers in Indiana.

The American Society for the Prevention of Cruelty to Animals, the Humane Society and the Association of Indiana Municipalities were among those testifying against the bill.

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