



# AKC Government Relations National Legislative Update

March 2018

Congress, 40 states, the District of Columbia, and Puerto Rico are in session, and four states are accepting pre-filed bills for upcoming sessions. AKC Government Relations is currently tracking more than 1,800 bills on the federal, state, and local levels; many of which are carried over from 2017. For more information on these bills, and information on how you can get involved, visit our Legislative Action Center at [www.akcgr.org](http://www.akcgr.org). *Here are some highlights of pending canine legislation issues impacting breeders across the country:*

## **Major Issues and Developments**

**U.S. Congress** – H.R. 4577 establishes a working group to develop a domestic canine breeding network to produce high quality explosives detection canines. AKC provided assistance with drafting this measure and is working with members of Congress to advance it. The measure passed the House, and has been assigned to the Senate Commerce, Science and Transportation Committee.

**U.S. Congress** – The Pet and Women Safety Act (PAWS - H.R. 909/S. 322) would add federal protections for the pets of victims of domestic violence, sexual assault, stalking, and dating violence. It would also create a program to award grants to eligible entities to aid victims of crimes related to stalking and domestic violence. The AKC supports this measure.

**U.S. Congress** – HR 2327, the Puppies Assisting Wounded Service members (PAWS) Act of 2017 establishes a pilot program to provide grants to eligible organizations to provide specially-trained service dogs for veterans suffering from post-traumatic stress disorder (PTSD) and traumatic brain injury (TBI). AKC supports these measures, which also incorporate advanced AKC CGC programs in preliminary training for service dogs.

**U.S. Congress** – HR 4693 would expand a variety of specific requirements, including new kennel engineering standards, for pet breeders subject to USDA licensing. New requirements include: new flooring standards, enclosure sizes, constant access to water and exercise yards and a variety of other requirements. While some proposed changes reflect good animal husbandry practices, others are arbitrary, unnecessary or potentially harmful to some animals. The bill has been assigned to the Agriculture Committee.

**California** – Assembly Bill 1762 would allow visitors to all California state parks to bring animals when they visit the parks. Animals would be permitted in the parks and recreational areas within the parks, including hiking trails, unless the animal's presence causes a "substantial" threat to health and safety, public nuisance or a threat to natural or cultural resources or improvements in the park. The bill was amended and referred to the Committee on Water, Parks and Wildlife. AKC GR is monitoring the legislation.

**California** – Assembly Bill 1780 would require the State Public Health Officer to investigate reports of outbreaks of communicable diseases caused by, or purported to be caused by, contact with dogs or cats that have been imported from out of state. It authorizes the officer to prohibit the importation of animals that pose a risk of any communicable disease. The bill would impose a civil penalty for violators. The bill was referred to the Committee on Health, and AKC GR is monitoring the legislation.

**Florida** – HB 153/SB 132 would recognize the reduction of shelter populations, extend regulations to additional rescue entities, prohibit the importation of shelter animals into the state, and provide penalties which requiring violators to be regulated as pet shops and pet dealers. Both bills are pending in committee.

**Florida** – HB 249/SB 1356 would prohibit an animal shelter from euthanizing an animal if a rescue organization has indicated it will take custody of the animal, with certain exceptions. HB 249 has been referred to the H. Local & Veterans Affairs Subcommittee.

**Florida** – HB 473 and related bill SB 1576 would require certain sheltering organizations to establish procedures to ensure that every reasonable effort is made to quickly and reliably return lost and strayed animals to their owners, authorize a court to prohibit certain offenders from owning or having contact with animals, and revise penalties. HB 473 has passed in House committees. SB 1576 has passed in the Senate.

**Florida** – SB 86 would establish a vague definition of "hoarding", prohibit animal hoarding, require the court to order seizure of animal upon probable cause that hoarding is occurring, and categorize animal hoarding as felony third degree animal cruelty. SB 86 has been referred to the Senate Criminal Justice Committee.

**Hawaii** – House Bill 1823 seeks to create a misdemeanor or those found to have knowingly and misrepresents themselves, through conduct or verbal or written notice, as being disabled in an attempt to receive the benefits and protections afforded under federal or State law for the use of service dog or emotional support animal.

**Updates current as of March 9, 2018**

For more information and the latest developments, visit [www.akcgr.org](http://www.akcgr.org) or contact the appropriate GR staff member.



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**Idaho** – Senate 1312 would increase penalties for any person who purposely injures or harasses a service dog or a service dog in training, or allows an animal to injure the service dog. The bill also defines what constitutes a service dog and what does not. The bill has been referred to committee.

**Illinois** – HB 5807 would prohibit pet stores from selling animals unless the animals are sourced from a shelter or rescue organization. AKC is opposing this bill, which removes consumer protection and limits consumer choice. In 2017, the Illinois General Assembly passed the Safe Pets Act, which regulates pet stores and ensures that dogs being sold in pet stores are being raised in a humane manner, making this bill unnecessary. The bill is pending in the Rules Committee.

**Illinois** – Senate Bill 2280 would prohibit pet stores in Will and DuPage Counties from selling dogs, cats or rabbits unless they are sourced from a rescue or shelter. The measure removes consumer protections and limits the opportunity for residents to purchase the dog of their choice. The bill is pending committee assignment.

**Illinois** – HB 4191 / SB 2277 would allow private citizens to remove dogs from cars if the person believes that the dog is imminent danger in a locked car. AKC GR and its Illinois Federation proposed amendments to address remaining concerns with these bills, which are pending in committee.

**Illinois** – HB 4380 states that no animal may be kept outside in temperatures below 20 degrees or above 100 degrees Fahrenheit for any reason. AKC is concerned that this could restrict those who may participate in humane winter activities with their dogs. Illinois law already states that a dog may not be left outside in life-threatening conditions of extreme heat or cold, making this bill unnecessary. AKC is working with the Illinois federation to express concerns and provide alternatives to the sponsor.

**Maryland** – House Bill 1662, titled the “No More Puppy Mill Pups Act of 2018”, would prohibit pet stores from selling dogs or cats, unless they are from an animal welfare organization or animal control unit. AKC is opposing this bill and is proposing a more effective and positive alternative. The bill is scheduled to be considered by the House Economic Matters Committee on March 12.

**Massachusetts** – House Bill 1080/ Senate Bill 1155 seek to expand restrictions on dog breeders, establish fines for anyone who fails to license their kennel or require them to relinquish ownership of their dogs, and empower the Department of Agricultural Resources to create regulations for those who own eight intact female dogs. The AKC has strong concerns about the bill and joined local dog owners and other organizations in testifying in opposition to these bills. HB1080 was retained by the committee. SB 1155 was reported has been further assigned to the Senate Ways and Means Committee.

**Massachusetts** – House Bill 2419/Senate Bill 1159 feature many provisions, including increases in fines for violations of dog control laws and licensing and sales requirements. They also contain provisions that restrict insurance companies canceling or covering based on the breed of dog kept on the insured premises. Both bills have passed a first committee and are pending in a second.

**Massachusetts** - House Bill 3212 seeks to create consumer protections for pet store purchasers, mandates extensive shelter record keeping requirements, and prohibits local pet store sales bans. AKC GR testified in support of this bill, which is currently under the cognizance of the House Ways and Means Committee.

**Massachusetts** – Senate Bill 460 sought to impose arbitrary numerical limits on the number of litters a dog could produce. The bill was sent to study on March 1.

**Massachusetts** – Senate Bill 470 sought to prohibit pet shops located in Massachusetts from selling dogs and cats, unless they are sourced from shelters or rescues. The bill was sent to study on March 1.

**Minnesota** – House File 2815, House File 3157, and Senate File 3157 all seek to prohibit the misrepresentation of an animal as a service animal. The AKC expressed support of these bills prior to their respective committee hearings on March 7 and March 8.

**Michigan** – Senate Bill 741 would prohibit local governments from enacting or enforcing policies that regulate dogs based upon its breed or perceived breed. AKC supports this bill, which was considered by the Senate Judiciary Committee on February 20.

**Mississippi** – SB 2091 authorizes emergency medical technicians to transport law enforcement dogs injured in the line of duty to a veterinarian if there are no humans requiring transport. SB 2091 becomes law on July 1, 2018.

**Mississippi** – SB 2172 would establish a first offense felony of aggravated abuse of a dog or cat, increase penalties, limit the number of counts that can be charged from a single incident, and establish reporting requirements. SB 2172 died in committee.

**Mississippi** – SB 2185 would require a state license to operate as a pet dealer, kennel, stable, or animal shelter; establish annual fees of between \$50 and \$400 dollars and require inspections for licensees. SB 2185 died in committee.

**Mississippi** – SB 2232 would revise definitions in the Protection from Domestic Abuse Act and authorize a court to include the protection of pets in protection orders. SB 2232 died in committee.

**Mississippi** – SB 2474 would require the Mississippi Bureau of Investigation to post a publicly accessible list on its website of any person convicted of an animal abuse offense on or after January 1, 2019. SB 2474 died in committee.

**Mississippi** – SB 2934 would have revised penalties for dog fighting. SB 2934 has passed in the Senate and House.

**Missouri** – House Bill 1398 would prohibit municipalities from enacting breed-specific laws, and nullify any current breed-specific laws in the state. AKC GR supports this bill, which was considered by the House Local Government Committee on March 7.

**Missouri** – HB 1945 amends the law regarding the care of animals seized when cruelty or neglect is suspected. AKC supports this bill, on which MoFed has been very active. It passed the House and is pending committee assignment in the Senate.

**Nebraska** – LB 893, as introduced, would have allowed pet stores to sell only animals obtained from an animal control facility, animal shelter, or animal rescue. AKC GR worked local breeders to express concerns. The bill has been amended to simply require that pet stores place a sign on each case providing the contact information of where the animal was sourced.

**New Hampshire** – House Bill 1309 requires animal shelter facilities to have a microchip scanner on premises, to maintain a file of recognized pet retrieval agencies, and to scan animals for microchips upon admission if their owners are not known. The American Kennel Club and the Dog Owners of the Granite State, AKC's New Hampshire federation, support HB 1309.

**New Hampshire** – Senate Bill 569 seeks to significantly expand the state's definition of 'commercial kennel' and impose bond for care requirements for those charged with cruelty. AKC and DOGS oppose the measure as introduced and are working on extensive amendments. An amended version of the bill passed the House.

**New Jersey** – Senate Bill 3041 would prohibit the sale of purpose bred pets at pet stores and remove consumer protection laws. It is a reintroduction of SB 63/AB 2338, which AKC, the New Jersey Federation, and allied organizations have actively opposed since it was first introduced in January 2016. An amended version passed, but was conditionally vetoed by Governor Christie in 2017.

**New York** – Assembly Bill 284 would require licensing, inspections and other regulations for pet grooming facilities. This includes complying with standards of care, record keeping, completing a training course, and consenting to inspections. For violations that would not impact a dog's health and safety, a "cure period" may be permitted to allow the groomer to fix the issue before a fine is issued. It is pending a vote by the full Assembly.

**New York** – Assembly Bill 4225 prohibits insurance providers from refusing or canceling coverage or increasing insurance premiums based solely on the breed of dog owned by the policy holder. AKC supports this bill, which is pending a vote by the full Assembly.

**New York** – Senate Bill 1256 would make it a crime to steal a pet from an owner's or lawful custodian's private property. AKC GR supports this bill, which ensures that criminals who steal pets would be charged with grand larceny in the fourth degree, which is consistent with other property theft. The bill is pending in the Codes Committee and may be considered soon by the full Senate.

**New York** – SB 1902 would make significant changes to the state's consumer protection laws for all who are considered "pet dealers" (anyone who sells at least 9 dogs, or 25 if they are bred and raised on the person's property in a year). Changes include allowing a dog to be declared "unfit for purchase" for any illness or injury within the first 30 days following the sale, and could also require the seller to pay for veterinary costs for the life of the dog. AKC GR has provided recommended amendments to ensure these provisions apply to significant issues that are present at the time of sale. The bill awaits action by the full Senate.

**New York** – Two Onondaga County proposals would restrict tethering in the county. One proposal would prohibit tethering unless the temperature is between 32 and 85 degrees. A second would prohibit leaving a dog outside without shelter if its health and safety are at risk. AKC, local clubs, and the NY Federation have been in communication with the legislature supporting the second proposal with several clarifying amendments. The proposals are expected to be considered soon by the Public Safety Committee.

**Ohio** – HSUS is seeking signatures to place a constitutional amendment on the ballot in November 2018 that would place constitutional regulations on anyone who has 8 or more intact female dogs of any age. The measure also seeks to make vague and problematic humane standards part of the Ohio constitution. AKC is closely monitoring this.

**Ohio** – HB 506 seeks to make significant changes to the state's regulations for high volume breeders, which include, in part, placing current regulations by the Ohio Department of Agriculture into Ohio code. AKC is working with the sponsor and a coalition of interested parties to ensure a reasonable and effective law. The bill is pending in the House Government Accountability Committee.

**Rhode Island** – House Bill 7045 seeks to repeal an exemption that allows hunting and sled dogs to be tethered outdoors in cold weather. The House Health Committee heard the bill on February 28, and has held it for further study.

**Rhode Island** – House Bill 7167 seeks to allow domestic protection orders issued in the state to also order for the safety and welfare of all household animals and pets. The bill was held for further study on February 7.

**Rhode Island** – House Bill 7477 seeks to require pet shops to sell only cats or dogs obtained from an animal shelter, dog pound, or animal rescue. The American Kennel Club (AKC) opposes H7477. The House Health Committee held the bill for study on Feb. 7.

**Rhode Island** – House Bill 7609 would establish registration requirements for pet groomers and pet grooming facilities. AKC GR proposed amendments including changes to definitions that would otherwise unintentionally regulate show dog handlers as professional groomers. This bill is awaiting a hearing in House Health Committee.

**Rhode Island** – House Bill 7612 would prohibit the misrepresentation of a pet dog as a service dog to acquire any right or privilege afforded to disabled persons. AKC supports this bill, which is awaiting a hearing in House Health Committee.

**Rhode Island** – House Bill 7615 would protect homeless persons in possession of a service animal, as defined under the Americans with Disabilities Act (ADA), from being denied access to any homeless shelter in violation of the ADA or the state or federal Fair Housing Practices Act. AKC supports this bill, which is awaiting a hearing in House Health Committee.

**South Carolina** – H 3009 seeks to license and regulate as a “commercial dog breeder” any person who owns 20 or more female dogs over the age of six months that are capable of reproduction and kept primarily for the purpose of breeding and selling the offspring, with certain exemptions. The House Subcommittee on Agriculture has deferred action on this legislation.

**South Carolina** – H 3069 seeks to regulate and certify “commercial kennel operators” and “certified animal caretakers”, which could include owners and certain employees of boarding kennels and other pet care businesses. HB 3069 has been referred to the House Subcommittee on Agriculture.

**South Carolina** – H 3272, among other provisions, seeks to make it unlawful to hunt deer with a dog unless on a fenced property of more than 1,000 acres and subject to certain provisions protecting the landowner property from damages. H 3272 has been referred to House Committee on Agriculture.

**South Carolina** – S 3 /H 3668 would provide that a person found guilty of animal cruelty may be required to pay the costs of care of an impounded animal. S 3 passed in the Senate and has been referred to the House Committee on Judiciary.

**South Carolina** – S 841, among other provisions, would: provide for awarding costs of care when a person is found guilty of animal cruelty; limit tethering with certain exceptions; make cruel tethering an animal cruelty violation; require magistrates to complete two hours of continuing education on animal cruelty; and provide for standards of care and inspections of animal shelters. S 841 has been referred to Committee on Agriculture.

**Tennessee** – HB 1713/SB 1968 would define any person who sells 25 or more dogs or cats a year as a “dealer”. Under current law, a dealer must be licensed and is subject to regulations based on federal USDA/APHIS requirements for commercial kennels. HB 1713 was defeated in the House Agriculture and Natural Resources Subcommittee.

**Tennessee** – HB 1909 would make it an animal cruelty violation to restrain a dog with a chain, cord, tether, cable, or similar device while a natural or manmade disaster is imminent or occurring or an evacuation order is in effect. HB 1909 has passed in House committees.

**Vermont** – Senate Bill 123 would provide animal shelter or rescue organizations that assist law enforcement in animal cruelty investigations or seizures with immunity from liability for civil damages by owners of animals unless their care and treatment constitutes gross negligence. As an advocate that also seeks to protect the rights of all dog owners, the AKC is concerned with unforeseen consequences. An amended version passed the Senate and has been referred to the House Judiciary Committee.

**Virginia** – HB 889 was amended by the Senate to restrict the circumstances in which a dog may be tethered outside, including limiting any tethering when the temperature is below 32 or above 85 degrees. This could impact humane tethering during certain dog events and even temporarily grooming a dog outside. The bill passed the Senate and awaits final action. Multiple attempts to pass a similar bill this session have been unsuccessful. AKC and its Virginia federation continue to monitor the bill.

**Washington** – HB 2822 aligns the definition of a “service dog” with the ADA and makes it a civil infraction to misrepresent a pet as a service dog. AKC provided testimony in support to both houses. The bill passed both houses and awaits the Governor’s signature.

**Washington** – Senate Bill 6623 requires pet shops to sell only cats or dogs obtained from an animal shelter, dog pound, or rescue. It also requires pet shop to spay or neuter all dogs sold and to maintain for records documenting the source of the dog or cat sold. The bill has been referred to the Committee on Labor and Commerce.

**Washington** – Senate Bill 6624 requires any facility that uses dogs for research and receives public funding or has a tax-exempt status to offer any research animal slated for euthanasia to a rescue organization. AKC has recommended changes that recognize that the owners of the animals and their current adoption partners should have first refusal to make re-homing decisions for any animals they are working with.