



# AKC Government Relations Legislative Update

June 2020

## Legislative Update

The U.S. House of Representatives and 15 states are currently in session, and three states remain on an extended recess as a result of the COVID-19 pandemic. AKC Government Relations continues to monitor approximately 2,000 active bills at the federal, state, and local levels. The pandemic and response has had a dramatic impact on legislatures and policymaking at all levels of government. Below are some highlights of pending canine legislation issues across the country. **For more information, visit [www.akcgr.org](http://www.akcgr.org) or contact [doglaw@akc.org](mailto:doglaw@akc.org).**

### Major Issues and Developments

**COVID-19** – The AKC GR team has been active in COVID -19 policy issues impacting AKC and dog owners throughout the COVID-19 pandemic. This ranges from advocacy to ensure that dog owners continue to be able to access pet supplies and essential services, to liability information, to information for dog related businesses. The *AKC Legislative Action Center's COVID-19 Resources page* is updated daily with the latest information on state regulations impacting dog owners and businesses as well as on what to expect as restrictions begin to loosen. AKC GR is also continuing to daily update a list of legislative activity for each state and providing AKC constituents with the latest information and actions they can be taking to continue to stay involved and communicate with their lawmakers during this time. The resources page also includes daily reports state liability protection legislation, blogs, and information on how dog owners can be effective advocates from home.

**U.S. Congress** – HR 6921, The Healthy Dog Importation Act, strongly supported by AKC, provides the U.S. Department of Agriculture (USDA) with additional tools to monitor and safeguard the health of dogs being imported into the U.S. The measure is designed to ensure that dogs entering the country are healthy and not at risk to spread dangerous diseases that could adversely impact pet and public health. Specifically, it requires that every dog entering the U.S. must provide the USDA with a health certificate issued by a veterinarian accredited by a USDA-recognized veterinary authority. The certificate will demonstrate that the dog has received required vaccinations and demonstrated negative test results for health issues. It also requires dogs be permanently identified and provides for reasonable fees to offset costs for increased monitoring and oversight. For more information, visit key issues: *Pet Imports: Protecting Pet and Public Health* at [www.akcgr.org](http://www.akcgr.org).

**U.S. Congress** – H.R. 2442 (the “Puppy Protection Act”) seeks to amend the AWA by establishing extensive new requirements for licensed pet breeders. This includes but is not limited to: completely solid flooring; mandated primary enclosure height such that a dog can stand on its hind legs and not touch the enclosure roof; new space requirements; mandated feeding twice daily; unrestricted access from primary enclosure to outdoor exercise yards large enough to achieve full stride during daylight hours; specific mental stimulation and socialization; annual dental exams; and arbitrary prohibitions on breeding age and number of litters bred.

**U.S. Congress** – H.R. 4211 would make numerous changes to USDA pet breeder/dealer licensing requirements. Provisions include: Requiring breeders to apply for new licenses on an annual basis and a new annual pre-licensing inspection. It does not provide a grace period for license extensions if the USDA is unable to inspect in a timely manner. It requires USDA to inventory all animals on a breeders’ premises and to publish all breeder inventory, inspection and violation information without redaction. It would also allow for “citizen suits” (third party cause of action) to enjoin any other person or government. It has been assigned to the House Agriculture Livestock Subcommittee.

**U.S. Congress** – H.R. 3103/S. 2949 (“Puppies Assisting Wounded Service Members” - PAWS) establishes a Veterans Administration program to establish grants for the provision of service dog to certain qualified disabled veterans suffering from posttraumatic stress disorder or traumatic brain injury. Grants would be provided to dogs from not-for-profit service dog trainers who meet the ASDAC credentials published by the Association of Service Dog Providers for Military Veterans.

**USDA/APHIS** – On May 13, new rules for USDA breeder/dealer licensing, on which AKC GR provided extensive comments, were finalized. Updates include requiring licensees to demonstrate compliance with the AWA and demonstrate that animals in their possession are adequately cared for in order to obtain a USDA license, requiring licensees to maintain a written program of veterinary care (including visits at least once a year), and constant access to potable water unless restricted by a veterinarian. More information is in the AKC Legislative Action Center ([www.akcgr.org](http://www.akcgr.org)).

**California** – AB 1850 seeks to address several questions on California’s new law requiring independent contractors be given the same benefits as employees. While it was unclear whether this would apply to judges for AKC events, AKC is supporting an amendment in AB 1850 that clearly exempts competition judges. The bill has passed the Assembly and is pending committee assignment in the Senate.

**California** – AB 2152 allows pet stores to only showcase animals for adoption from a public animal control agency or shelter, or a rescue. The rescue must be 501(c)(3) charity and cannot breed

Information current as of June 15, 2020. For more information and the latest developments, visit [www.akcgr.org](http://www.akcgr.org) or contact AKC’s Government Relations Department at (919) 816-3720, or [doglaw@akc.org](mailto:doglaw@akc.org).



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animals, obtain animals from a breeder or broker, have any personnel in common with a breeder, or be on the same premises as a breeder. There is a concern that while only applying to pet stores, the bill implies that breeders should not be involved in rescue work. AKC GR has requested an amendment that would still ensure those who are falsely operating as a rescue cannot source to pet stores, but remove the implication against reputable breeders and AKC clubs involved in legitimate rescue activities. This bill passed the Assembly on June 10 and is awaiting assignment to a Committee in the Senate.

**Colorado** – The City of Aurora is holding a virtual town hall on June 18 to discuss the city’s long-standing breed ban. Separately, the city is also taking public comment until July 24 on a new proposed dangerous dog ordinance. More information on these initiatives and how to participate can be found in the AKC Legislative Action Center.

**Illinois** – A City of Chicago proposal attempting to stop fraudulent rescues from sourcing to pet stores would define a rescue as any organization not affiliated with a breeder, and would also require all hobby breeders to obtain an animal facility license. This means, among other provisions, hobbyists in the city may have to maintain two staff members on site. AKC has reached out to the sponsor with concerns. The proposal is pending in the city’s Health and Human Services Committee.

**Iowa** – HF 737, as introduced, defined animal abuse as when a person “intentionally, knowingly, or recklessly” inflicts injury. Questions were raised by AKC and local clubs about accidents and incidents where a dog gets injured, even if the owner was acting in a responsible manner. Other amendments included changes to the regulations for shelter, food, and other aspects of dog care. A House amendment passed on June 12 removes all unclear and problematic portions of the bill. The bill, as amended, awaits final approval before going to the governor.

**Massachusetts** – On June 4, the Department of Agricultural Resources finalized regulations overseeing animal rescue and shelter organizations and updated regulations for pet shops. AKC GR and local clubs supported these regulations. The new rules require annual registration, basic sanitary conditions, core vaccinations prior to importation, and record keeping. Also, adopters may return animals for a full refund of the adoption fee if an undisclosed medical or behavior issue is discovered by a veterinarian within 14 days of placement.

**Mississippi** – SB 2658 would, among other provisions, provide that a court may prohibit a person convicted of simple animal cruelty from owning or residing with a dog or cat for a period not to exceed 5 to 15 years. Further, it would prohibit a person convicted of aggravated animal cruelty from owning or residing with a dog or cat for not less than 5 years. SB 2658 has passed in the Senate and has been referred to the House Judiciary B Committee.

**New Hampshire** – AKC GR and NH DOGS have successfully negotiated an amendment to address concerns with SB 608 authorizing the public to take whatever action necessary to rescue an animal subject to extreme temperature in a motor vehicle, without liability. The amendment, under Senate Committee on Judiciary review, would authorize law enforcement to permit an individual with a witness present to rescue an animal under extreme circumstances.

**Pennsylvania** – SB 798 amends the Dangerous Dog Law. It removes the term “without provocation” and replaces it with “unprovoked”, defined as any action by a dog that involves biting, attacking or forcibly coming into unwanted physical contact with a person or domestic animal acting peaceably and lawfully. It would also remove current law requiring the need to prove that a dog has a vicious propensity or history of attacks in order to prove the offense of harboring a dangerous dog. As such, an owner could be cited for “harboring a dangerous dog” after that first attack. The bill passed the Senate on June 8 and was assigned to the House Agriculture and Rural Affairs Committee. Pennsylvania is soon heading into summer recess, and AKC GR understands this bill is not likely to be scheduled for a hearing.

**Rhode Island** – The Department of Environmental Management finalized regulations for the temporary import of animals into the state for fair, exhibition or show. AKC GR and local clubs worked with the State Veterinarian to ensure that the final rule creates a process for identifying any animal that may pose a risk of infectious disease and its removal. Text was removed that would have required a veterinarian on-site for the whole event and reporting the color of every entry.

**South Carolina** - Aiken County is holding a public hearing and second vote on June 16 on a new ordinance that among many other provisions includes annual registration of nuisance animals and the premises of their owners, as well as new regulations impacting dangerous dogs.

**Texas** – The Sunset Advisory Commission’s June 2020 Staff Report has recommended that the Licensed Breeders Program should be eliminated. The Commission finds that the program is fundamentally flawed, and revenues do not cover administrative costs. AKC GR will continue to closely monitor this issue.

**Vermont** – The House Agriculture Committee introduced HB 940 establishing animal cruelty investigation, training and certification for animal control officers. The bill has been posted to the notice calendar for House consideration. AKC GR will continue to work closely with the Federation on bill text.