

Bill to Regulate Dog Breeders, Dealers Advances

Texas legislation sets rules that concern disclosure, record-keeping, veterinary exams.

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A measure seeking to regulate commercial dog breeders and dealers passed the Texas House of Representatives on May 12 by a wide margin. The bill is now in the state Senate where, according to the Pet Industry Joint Advisory Council (PIJAC), it will likely see swift passage as the Legislature is scheduled to adjourn in June.

House Bill 3180, introduced by state Rep. Senfronia Thompson (D-Houston), sets rules for pet dealers that concern disclosure, record-keeping, pedigree registration, veterinary exams and dealer and purchaser rights. A dealer is defined as anyone who is "required to collect sales taxes for the sale of animals to a retail purchaser."

In an alert about the bill, PIJAC raised an issue with a provision that would allow buyers to recover a remedy for up to a year after the sale if a veterinarian certifies that the animal is "not the breed the dealer represented" it to be. PIJAC notes that the provision "guarantees frivolous claims since there is no scientific method for proving a breed."

PIJAC also raised concerns about an amendment on the House floor that would require dealers to reimburse a buyer's veterinary fees of up to 300 percent of the original cost of the animal. According to PIJAC, such a provision is unprecedented.

In addition to dealers, HB 3180 sets licensing requirements and rules for commercial breeders. A commercial breeder is defined as anyone "who possesses adult intact female animals that produce 20 or more litters in one calendar year and is engaged in the business of breeding animals for direct or indirect sales."

Under the proposal, a commercial breeder would be banned from possessing more than 50 intact adult female animals in a facility at any time.

A "Breeders Advisory Committee" would be established under the bill to advise the Texas Commission of Licensing and Regulation in adopting rules for standards of care, administration, fees and enforcement.

HB 3180 has been assigned to the Senate Committee on Criminal Justice. PIJAC is urging concerned citizens to immediately contact their legislators.