

## Wisconsin to Consider Dog Breeder Legislation

**Companion bills would create standards for commercial dog breeders and protect buyers with a puppy “warranty.”**

Posted: November 15, 2007, 5 a.m. EST

Companion bills were introduced in Wisconsin’s assembly and senate in early November that would require licensure for commercial dog breeders and provide protection to purchasers of dogs “unfit for sale.”

The legislation defines “unfit for sale” as a dog that has a congenital or hereditary condition that severely affects the health of the dog or having an injury, defect or illness that was obvious or able to be diagnosed before the purchaser received the dog from the seller or that is likely to have been acquired before the buyer received the dog.

The legislation also requires dog sellers to provide the purchaser with a written description of vaccinations and parasite treatments that the dog has received and prohibits retailers from knowingly buying dogs from unlicensed commercial dog breeders. Under the legislation, retailers are not expected to make any effort to determine whether a breeder is a commercial dog breeder and, if so, whether the breeder is licensed.

As crafted, the legislation defines a commercial dog breeder as anyone engaged in the breeding of dogs who offers more than 60 dogs for sale in a year or who has at least eight breeding female dogs.

The legislation would also require the state’s Department of Agriculture, Trade and Consumer Protection to create a set of standards for commercial dog breeders that includes minimum standards for facilities, specific standards for humane care, rules for transporting dogs, and a minimum age for the sale of puppies.

The proposed consumer protections, which apply to dogs sold directly by commercial breeders or dogs under 18 months of age sold by anyone else, includes a puppy warranty. The warranty allows consumers to obtain a refund of the purchase price and reimbursement of veterinary bills for up to twice the purchase price (including sales tax) for dogs that die or shows signs of illness or defects from preexisting conditions within two weeks of the purchase.

Moreover, the legislation would make any person knowingly selling a dog “unfit for sale” subject to escalating penalties ranging from a maximum fine of \$3,000 for the first offense to a maximum fine of \$10,000 and 90 days imprisonment for a second offense occurring within a year of a prior offense.

The bill would also make dog breeders liable to retailers for any such “unfit for sale” dogs sold by the breeder to the retailer.