

Talking Points on the Final Version of House Bill 1451

- **Defines a breeder as anyone who owns 11 intact females and sells or offers to sell 20 or more puppies per year.** AKC does not believe this threshold is appropriate as many breeders of this size may only sell a few litters a year and the regulations in this bill make it impossible for a breeder to whelp litters in their homes. Many large-breed dogs frequently have 10-12 puppies in a litter, meaning this could impact someone who sells as few as two litters per year.
- **Requires that regulations meet or exceed federal regulations which were written for wholesale, commercial breeders.** The provisions currently used by the federal government make it impossible for a breeder to whelp litters or raise puppies in a home environment.
- **Senate amendment allows breeders to euthanize puppies under 6 months of age.** AKC is unclear about the reason or the benefits of this provision. Only in rare circumstances where a puppy is suffering from a painful and untreatable health condition would a breeder choose to euthanize a puppy. Standard practice requires that this should be done in consultation with a veterinarian.
- **Senate floor amendments add “tracking, chasing” to the list of the types of dogs eligible under for an exemption and adds “hunting tests or similar organized performance events” to the list of the types of dogs eligible for an exemption.** AKC continues to believe that this exemption isn’t sufficient for the dogs it purports to cover or for other responsible dog owners who compete with their dogs in other events.

We would assume that the term “other performance events” will be defined as part of the regulatory process. It is *possible, but not assured*, that these events could be defined in such a way as to include conformation, agility, rally, obedience and other AKC-sanctioned events.

- **Mandates an unannounced inspection by the Texas Department of Licensing and Regulation (TDLR), or their designee every 18 months.** Due to the low thresholds in the bill, many of the breeders who will be licensed are not commercial operations and do not have regular business hours. Often, these people utilize their homes to breed their dogs. The AKC believes that to ensure that privacy and due process rights are protected, inspections, especially of private residences, should be performed pursuant to a warrant. Further, as these inspections are unannounced, it is unclear what would happen if a breeder is not at home when an inspector has gone to the expense of traveling to visit them.
- **Allows TDLR to charge an unspecified fee for licensure and inspection.** The measure says fees should cover the cost of establishing and implementing an inspections program. The last fiscal note (which does not address the Senate floor amendments) estimates the cost to be \$565,242 annually and estimates 600

breeders, meaning the licenses will be approximately \$1000. This is excessive for someone who breeds only a few litters a year. The cost will also rise if the number of licensees is lower than expected.

- **Requires an annual veterinary examination.** This is burdensome for breeders in rural areas who have to transport their animals to a veterinarian. It also forces the breeder to spend money on healthy animals when the funds would better be used to care for animals with health concerns and to maintain and improve facilities. Parents are not required to have their children seen by a physician annually, nor are farmers and ranchers whose animals enter our food supply required to have annual veterinary examinations of each animal. This provision is costly, may divert resources from truly sick animals and strips owners of their right to decide what care is best for their animals.
- **Establishes a public database of licensees and disciplinary actions.** The thresholds in this bill are so low as to include many who breed dogs in their homes. It is unreasonable for a small breeder to be required to post their name, address and other personal information on a public registry.