

SUBJECT: Amending certain animal breeding provisions

COMMITTEE: Licensing & Administrative Procedures — committee substitute recommended

VOTE: 9 ayes — K. King, Walle, Goldman, Harless, Hernandez, Herrero, Patterson, Shaheen, S. Thompson

1 nay — Schaefer

1 absent — T. King

WITNESSES: For — Kimberly Meloncon, Animal Investigation and Response; Ronald Ducharme, Rescue Magazine; Courtney Burns, SPCA of Texas; Jamey Cantrell, Texas Animal Control Association; Susan Swift; Randy Turner (*Registered, but did not testify*: John Hubbard, Ian Randolph, Animal Legal Defense Fund; Alex Gamez, Humane Society; Susan Peters, Puppy Mill Awareness Day; Brian Hawthorne, Sheriffs Association of Texas; Shelby Bobosky, Stacy Sutton Kerby, Texas Humane Legislation Network; Hilary Shurtleff, Texas Pets Alive; and seven individuals)

Against — Jacob Hupp, American Kennel Club; Martin Kralik, Responsible Pet Owners Alliance; Mary Morrison, Toy Club of Greater Houston

On — (*Registered, but did not testify*: Steve Bruno, Texas Department of Licensing and Regulation)

BACKGROUND: Some have suggested that animal breeding provisions should be amended to ensure certain standards of animal care are met and provide consumer protection.

DIGEST: CSHB 2238 would amend the definition of "dog or cat breeder" to mean a person who possessed five, rather than 11, or more adult intact female animals and would remove the condition that a breeder sells, exchanges, or offers to sell or exchange at least 20 animals in a calendar year.

The bill would apply certain exemptions for breeding special purpose dogs to a person who bred a dog for the purposes of breed or conformation shows. The bill would specify that provisions regarding dog breeding would not apply to a person to the extent the person bred dogs for personal, noncommercial use, rather than for personal use.

As soon as practicable after the effective date of the bill, the Texas Department of Licensing and Regulation would be required to prescribe the forms and procedures necessary to implement these changes.

A dog or cat breeder who possessed between five and 10 adult intact female animals and was engaged in the business of breeding those animals for direct or indirect sale or for exchange in return for consideration would not be required to hold a license to act as a dog or cat breeder until January 1, 2024.

The bill would take effect September 1, 2023.