

HOUSE BILL REPORT

HB 1424

As Reported by House Committee On:
Consumer Protection & Business

Title: An act relating to consumer protection with respect to the sale of dogs and cats.

Brief Description: Concerning consumer protection with respect to the sale of dogs and cats.

Sponsors: Representatives Walen, Ybarra, Springer, Simmons, Ramel and Berg.

Brief History:

Committee Activity:

Consumer Protection & Business: 2/11/21, 2/15/21 [DPS].

Brief Summary of Substitute Bill

- Prohibits a retail pet store from selling a cat.
- Prohibits a retail pet store from selling or offering to sell a dog unless the pet store sold or offered for sale any dog prior to the effective date of the act.

HOUSE COMMITTEE ON CONSUMER PROTECTION & BUSINESS

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 4 members: Representatives Kirby, Chair; Walen, Vice Chair; Ryu and Santos.

Minority Report: Do not pass. Signed by 3 members: Representatives Vick, Ranking Minority Member; Dufault, Assistant Ranking Minority Member; Corry.

Staff: Serena Dolly (786-7150).

Background:

State law regulates the treatment of animals in a variety of contexts. Animal cruelty statutes

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

prohibit harming or killing animals in most situations and transporting or confining animals in an unsafe manner. State law also requires dog breeding operations to meet requirements regarding space, sanitation, and safety. Dog breeding operations may not have more than 50 adult, intact dogs at one time unless licensed as a commercial breeder by the United States Department of Agriculture (USDA) prior to January 1, 2010.

Certain categories of animal sales are regulated at the federal and state levels. For example, federal and state laws regulate the sale of livestock and the sale of animals for use in research. The retail or private sale of domesticated animals is generally not regulated at either the federal or state level; however, the state prohibits a live dog or cat from being named as collateral for a consumer lease or secured transaction.

Some counties and cities impose regulations on the sale of animals intended for use as pets, such as imposing licensing requirements on retail pet stores and prohibiting the sale of animals in public places.

Summary of Substitute Bill:

A retail pet store may not sell or offer to sell any cat. A retail pet store may not sell or offer to sell a dog unless the retail pet store sold or offered to sell any dog prior to the effective date of the act.

Substitute Bill Compared to Original Bill:

The substitute bill allows a retail pet store that sold or offered for sale any dog prior to the effective date of the act to continue selling dogs without meeting additional requirements specified in the original bill. The substitute bill removes the penalties for a retail pet store selling a cat or a dog in violation of the act. The substitute bill removes the requirement that a commercial dog breeder licensed by the USDA before January 1, 2010, may only retain its exemption from the limit of 50 adult, intact dogs at one time if it has maintained the license without interruption.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) This bill will prohibit new pet stores from selling puppies while allowing those who already do so to continue. Puppies from puppy mills are stressed from the moment they are born. This stress impacts their immune systems. They often have physical and emotional problems, and sometimes spread disease to other healthy animals. Veterinarians see the results of poorly treated puppies from puppy mills. When a puppy gets sick, the owners are heartbroken, face expensive veterinarian bills, and may still owe money to the pet store. Consumers should be able to make fully informed choices about the pets they bring home, and this bill requires transparency about where a puppy is bred and raised. Three Washington pet stores are connected to inhumane, out-of-state puppy mills. One of these pet stores has been trying to expand. This is a way to prevent poorly bred and poorly cared for pets from being brought into Washington. Puppies should not be sold in this state if the breeders do not meet state standards. With overwhelming public support, a number of cities have already banned the sale of dogs and cats, including Gig Harbor, Lacey, and Olympia.

(Opposed) This bill will force pet stores to close. Even good pet stores cannot do business under the restrictions in the bill. The closure of pet stores will result in the loss of jobs and sales tax revenue. Restricting puppy sales will drive consumers to unregulated sellers. People do not want to obtain a puppy from the home of a private breeder. Pet stores have access to every aspect of a puppy's transfer from breeder to store and can look for things like cleanliness and exercise opportunities. Pet stores offer viral and health guarantees. Pet store animals receive veterinarian care. Sometimes humane societies and shelters do not have an appropriate dog available for a family. Licensed breeders are not puppy mills. This bill requires pet stores to obtain puppies from larger, out-of-state breeders and closes the door for pet stores to work with many great breeders, including local, private breeders. Good breeders can raise well-adjusted and healthy animals, even at numbers that exceed the state's limit. It is of no benefit to a breeder to sell a sick puppy. Brokers also play a role in keeping breeders updated on laws and technology and holding breeders accountable for the health of animals. Brokers do not want to acquire unhealthy animals. There is no way to enforce Washington requirements on out-of-state breeders. Another option would be to enact a Lemon Law provision that would require puppies to be guaranteed.

Persons Testifying: (In support) Representative Walen, prime sponsor; Jeni Woock, Gig Harbor City Council; Ava Finn; Novia Liu; Brooke Davies, Pasado's Safe Haven; Ashly Dale, Bailing Out Benji; Lisa Parshley, Olympia City Council; Dan Paul, The Humane Society of the United States; Cynthia Pratt, City of Lacey; Carollyns Zimmers; and Elizabeth Oreck, Best Friends Animal Society.

(Opposed) Albert Sardinas and Paula Sardinas, FMS Global Strategies; Larry Zimmer and Angela Clifton, Alley Cat Pet Center; Justin Kerr and Kayla Kerr, Puppyland; Jared Peterson, Crane Canines; Brandon Sinn; Ben Hatler, NeoTech, LLC; and Calvin Kroger.

Persons Signed In To Testify But Not Testifying: None.