



WISCONSIN
PUPPY MILL
PROJECT

Wisconsin Puppy Mill Project Fact Sheet:

AB-250/SB-208: Summary

Analysis by the Legislative Reference Bureau



Introduced into the WI state legislature by Rep. Jeff Smith and Sen. Pat Kreitlow, AB-250 / SB-208 (formerly LRB 2448/2), the Commercial Dog Breeders Licensure Bill, is the culmination of a year's effort by legislators and a working group comprised of all stake-holders: humane organizations and rescues, hobby breeders, commercial breeders and sellers, DATCP, and veterinarians. 71 out of 132 members of the WI legislature signed on as authors or cosponsors.

THIS BILL WAS UNANIMOUSLY PASSED BY BOTH HOUSES OF THE WI LEGISLATURE AND IS NOW LAW!

Licensing of dog sellers, animal shelters, and animal control facilities:

This bill requires certain persons who sell dogs or operate animal shelters or animal control facilities to be licensed by the Department of Agriculture, Trade and Consumer Protection (DATCP), beginning 18 months after the bill is enacted into law.

The bill requires all of the following to obtain licenses, with limited exceptions:

1. A person who sells 25 or more dogs in a year (including a nonresident who brings dogs into the state of Wisconsin for sale).
2. A person who operates a dog breeding facility (a place at which dogs are bred and raised) from which 25 or more dogs are sold in a year.
3. A person who operates an auction at which 50 or more dogs are sold or offered for sale in a year.
4. A person who operates an animal shelter that is used to shelter at least 25 dogs in a year.
5. A person who operates an animal control facility under a contract with a city, village, town, or county.

The bill requires DATCP to inspect each location in this state at which a person who applies for a license operates before issuing an initial license and at least once every two years thereafter, except that during the first 12 months in which licenses are required DATCP may issue a temporary initial license before conducting the required inspection. The bill allows DATCP to make additional inspections during regular business hours to ensure compliance with requirements established in the bill. The bill specifies fees for licenses, generally based on the number of dogs sold, and authorizes DATCP to set higher fees by rule if necessary to cover the costs of administering the program.

Sale of dogs

This bill prohibits a licensee from transferring a dog to a buyer before the dog is seven weeks old. The bill requires a licensee to provide the purchaser of a dog with a copy of the dog's vaccination records and with a statement from a veterinarian who examined the dog stating that the dog had no infectious or contagious diseases at the time of examination.

The bill prohibits any person from selling at auction a dog that is not spayed or neutered unless the dog has tested negative for brucellosis.

The bill also requires a person who sells or offers to sell a dog at a temporary dog market, such as a flea market, to provide information about the dog to the operator of the temporary dog market. It requires the operator of a temporary dog market to register with DATCP, review and keep the information provided by sellers, and, if dogs are sold or offered for sale on two or more consecutive days, have a veterinarian examine the dogs.

Standards of care

The bill requires licensees to provide dogs with adequate food, water, veterinary care, shelter, and opportunity for exercise. The bill requires enclosures for dogs to be of appropriate size and structurally sound. It requires licensees to keep enclosures clean and to follow restrictions on the use of wire flooring. Under the bill, a licensee must ensure that each dog is observed every day in order to monitor the health and temperament of the dog and provide care as needed.

Enforcement and administration

A person who fails to obtain a license required under this bill may be fined not more than \$10,000 or imprisoned not more than nine months or both.

Violations of other requirements in the bill are punishable by forfeitures (civil monetary penalties). The bill authorizes the use of a citation, which is similar to a traffic ticket, in case of a violation that is punishable by a forfeiture.

The bill provides DATCP with authority to deny, revoke, or refuse to renew a license for cause. It also authorizes DATCP to summarily suspend a license if an inspection reveals a condition that imminently threatens an animal or there is evidence that an animal has been criminally mistreated.

The bill authorizes DATCP to seize a dog from a person required to be licensed if there are reasonable

grounds to believe that the dog is being criminally mistreated. The bill requires DATCP to promulgate rules for the administration of the program. It also requires DATCP to appoint an advisory committee for the rule making.

Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a report concerning the proposed penalty and the costs or savings that are likely to result if the bill is enacted.

See: www.NoWisconsinPupmills.org for the bill in its entirety, FAQ, how to find your state legislator, and more!

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