



# THE CAT FANCIERS' ASSOCIATION, INC.

World's Largest Registry of Pedigreed Cats

## LEGISLATIVE ALERT

Issued: August 5, 2009

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### AB 1122 -- Animal Abuse: Sale of Live Animals CALIFORNIA

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**BRIEF SUMMATION:** This bill would make it a criminal offense to sell, offer for sale, or give away a live animal on any street, highway, public right-of-way, parking lot, carnival, or boardwalk. Sales of cats/kittens at cat shows would be also prohibited unless certain conditions are all met, some of which may not be possible.

**CURRENT STATUS:** The bill has already passed the California Assembly. It has passed the necessary Senate Committees and is now on the Senate floor for a final vote.

**IMMEDIATE ACTION IS NEEDED** from clubs/organizations and individuals addressed to your State Senators. All California fanciers should call or write your Senator to inform them you are opposed to this bill.

### **WHAT THIS LEGISLATION WILL MEAN TO YOU AND ARGUMENTS AGAINST THIS LEGISLATION:**

AB 1122 has been amended several times, the most recent on June 29, 2009. The amendments to the bill created an exemption to allow sales at cat shows only if **ALL** of 5 conditions were met. Some, such as a permit from the city or county where the show is held, may not be possible since no such permitting process exists in most cities or counties. The requirement that "*Each and every participant in the show complies with all federal, state, and local animal welfare and animal control laws*" would be impractical (if not impossible) for a cat show to enforce.

## **ACTION TO TAKE:**

ORGANIZATIONS/INDIVIDUALS should call, e-mail or fax their opposition to their respective State Senators and to the entire Senate if possible. The Senate is in recess until August 17, 2009, so hard copy letters would need to be sent immediately. Please visit your Senator's district office to express your opposition if possible.

- 1) If you are faxing a letter for an organization try to send your letters on Organization or Club *letterhead*.
- 2) Reference the title - " Re: OPPOSE AB 1122 as amended 6/29/09
- 3) Begin your letter/e-mail/fax by stating that your club (state name) is OPPOSED to AB 1122 as amended June 29, 2009.
- 4) If you are an out of state breed clubs with members in California, please be sure to note that fact. If you are an individual with an address in California please note to your Senator you are a CONSTITUENT.
- 5) Put comments in your own words so the letters do not appear to be "form". You may use the samples below - make only a few brief points.
- 6) Conclude your letter by again stating your opposition to the Bill; thank the Senator for his/her time and ask for a NO vote on AB 1122.

### SUGGESTED POINTS:

\*\* AB 1122 is unnecessary and fails to address the well being of the animals. Existing laws prohibit cruelty to cats and dogs and make it a misdemeanor to permit an animal to be kept without proper care and attention. For example, Penal Code § 597.1 already provides in part that: "(a) Every owner, driver, or keeper of any animal who permits the animal to be in any building, enclosure, lane, street, square, or lot of any city, county, city and county, or judicial district without proper care and attention is guilty of a misdemeanor. ..."

\*\* AB 1122 is an unfunded mandate on local government. The implementation and enforcement of this bill, such as creating a "cat show" permitting process in 58 counties and 480 cities will be an unnecessary burden on local government. Once implemented, the investigations into the requirements for exemptions will take staff time and resources. It will only further burden the counties and municipalities and divert limited resources that would be better utilized elsewhere.

\*\* AB 1122 could have unintended consequences, such as driving animal sales underground. Unregulated sales could create serious public health risks.

\*\* AB 1122 contains exemptions for cat “show” sales but only if 5 “circumstances” exist. Some of these are so outlandish as to make the exemption meaningless. The requirement that each and every participant complies with every possible animal law would be impossible to ascertain or assure, rendering this entire exemption utterly meaningless.

**NOTE:** The California Department of Finance "... is opposed to this bill because it has unknown costs associated with the enforcement and implementation..." They note that: "... the scope of this bill is broad enough that it may cover behavior that it does not intend to prohibit." They report that the CDFA (California Department of Food and Agriculture) has concerns that the prohibition on the sale of live poultry could drive sales underground and lead to spread of diseases such as avian influenza (bird flu) and higher State costs for increased surveillance in domestic poultry populations.

Please feel free to quote liberally from the Department of Finance analysis. It will be posted on the CFA web site legislative page at: <http://www.cfa.org/exhibitors/alerts.html>

**PLANNED MEETINGS:** The Senate may take this up at any time after they return from recess on August 17, 2009. Please act promptly.

**CONTACT LIST: NOW IS THE TIME FOR ALL CALIFORNIANS TO BEGIN CONTACT THEIR STATE SENATOR TO EXPRESS YOUR OPPOSITION.** Contacting all of the State Senators would also be beneficial.

If you live in California, please visit your Senator's district offices [in you area] call, fax and write them. Don't know which Senator represents you? To find your state senator visit: <http://www.senate.ca.gov/~newsen/senators/senators.htm> Click on "Your Senator" on the left and then enter your address in the pop up window.

To write to all the California Senate members their contact information can be found at: <http://www.senate.ca.gov/~newsen/senators/senators.htm>