



# THE CAT FANCIERS' ASSOCIATION, INC.

World's Largest Registry of Pedigreed Cats

## LEGISLATIVE ALERT

Issued: August 5, 2009

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### AB 241 -- "Responsible Breeder Act of 2009" CALIFORNIA

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**BRIEF SUMMATION:** This bill would make it a criminal offense for any person to have possession of a total of 50 sexually intact "adult" cats or dogs (or both combined) *without regard to the quality of the care of the animals*. By creating new crimes and imposing new duties on local animal control agencies, this bill would impose a state-mandated local program upon local governments.

**CURRENT STATUS:** The bill has already passed the California Assembly. It will be heard by the Senate Appropriations Committee on August 17, 2009 at 10:00 a.m. **IMMEDIATE ACTION IS NEEDED** from clubs/organizations and individuals addressed to the committee. All California fanciers should call or write the Senate Appropriations Committee to inform them you are opposed to this bill.

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

Anyone who possesses more than 50 sexually intact "adult" cats and dogs may be charged with a misdemeanor for each violation. Adult is not defined. AB 241 provides that any person that must reduce the number of unsterilized dogs or cats in order to comply with this section shall spay or neuter the excess animals or sell, transfer, or relinquish the excess animals within 30 days. If necessary, any euthanasia procedures shall be performed by a California licensed veterinarian. The bill would authorize certain officers to seize an animal kept in violation of the limits, as specified.

## **ACTION TO TAKE:**

ORGANIZATIONS (clubs, rescue groups, etc.) must write to the committee members immediately – there is not much time!! Send your letter to be received by the Committee Consultant, Jacqueline Wong-Hernandez. She will be preparing the bill analysis for the committee.

INDIVIDUALS NOTE: It is important for individuals to send opposition to the committee too.

In addition to the Committee Consultant, please also copy the thirteen Appropriations Committee members and as a courtesy copy the author, Assembly Member Pedro Nava.

- 1) Send your letters on Organization or Club *letterhead*. Mail or fax - hard copy is important.
- 2) Reference the title - " Re: OPPOSE AB 241 as amended 7/23/09
- 3) Begin your letter by stating that your club (state name) is OPPOSED to AB 241 as amended July 23, 2009. If you are an out of state breed clubs with members in California, please be sure to note that fact.
- 4) Don't worry too much about substance; the goal is to express your opposition. One page is ideal – 2 pages are OK. Try to focus on the fiscal impact of this bill.
- 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 241.

### SUGGESTED POINTS:

\*\* AB 241 is an unfunded mandate on local government. The implementation and enforcement of this bill could require additional resources. It will only further burden the counties and municipalities and divert limited resources that would be better utilized elsewhere.

\*\* Large scale breeders are already licensed and inspected by the USDA. This bill would create an unnecessary duplication of effort. Better results could be obtained through cooperation with the federal inspectors and enforcement of existing laws.

\*\* AB 241 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. The number 50 is arbitrary and unrelated to the care and condition of the animals.

\*\* The author's stated purpose of this bill is to address concerns related to animal health and safety resulting from unregulated "puppy mills." Supporters claim that "puppy mills" engage in overcrowding of animals, outdoor enclosures, female dogs bred continuously, and conditions of malnutrition, exposure, and lack of adequate veterinary care. All of these concerns could be addressed by enforcing existing law. NONE of these concerns are addressed by AB 241.

\*\* Commercial breeding operations need sales volume to cover expenses. Limiting the number of intact animals encourages more frequent breeding, inbreeding and other poor husbandry and may reduce the health of the animals produced. This could lead to an increase in relinquishments at local shelters. This cost would be borne by local governments.

\*\* Persons over the new limit may surrender the "excess" cats and dogs to local shelters which are already overburdened.

\*\* The bill is poorly written and the arbitrary limit on the number of animals, as well as the failure to define "adult" are an invitation to costly litigation.

**PLANNED MEETINGS:** The Senate Appropriations Committee is scheduled to up AB 241 on August 17, 2009 at 10:00 a.m. in Room 4203. Please act promptly.

**CONTACT LIST:** Contact information for the Senate Appropriations committee, the committee consultant, and the bill's author are as follows:

Senate Appropriations Committee  
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Sacramento, CA 95814  
(They do not accept position letters by fax)

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Senate Appropriation Committee Members:

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