

LEGISLATIVE ALERT

Issued: September 17, 2009

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

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 BOTH houses of the California Legislature and is now ready for the Governor's action. **IMMEDIATE ACTION IS NEEDED** from clubs/organizations and individuals to call or write the Governor to urge him to veto 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 defined as 4 months of age. 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:

INDIVIDUALS/ORGANIZATIONS (clubs, rescue groups, etc.) must call or fax to Governor Schwarzenegger **immediately** to ask that he VETO this bill. He could act on it at any time. Contact information is included below.

- (1) If you are writing please FAX your letter to be sure it arrives quickly.
- 2) Reference the title - Re: AB 241, requesting VETO
- 3) Begin your letter by stating that your club (state name) is OPPOSED to AB 241 and you are asking the Governor to VETO the bill. 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 Governor and again ask that he VETO AB 241.

SUGGESTED POINTS (taken from previous CFA alert):

** 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.

PLEASE NOTE: The Governor has not seen your previous letters to the legislature so it

is acceptable to repeat arguments you may have used before. HOWEVER, there have been amendments to the bill over the past months (such as defining "adult" which was left out of the original version.) If you repeat a previous point please be sure it still applies to the final bill.

PLANNED MEETINGS: None. This is the final step.

CONTACT LIST: Contact information for the Governor is listed below. Please note that the fax number is new. Instructions for navigating the Governor's automated phone system to log your opposition are included below. The automated phone line is on 24/7 and appears to accept calls from out of California.

Governor's Office:

Governor Arnold Schwarzenegger
State Capitol Building
Sacramento, CA 95814
Phone: 916-445-2841
Fax: 916-558-3160 (note new number)

To use the automated voicemail to express your opposition (you don't need to state your reason it is just counting numbers of calls for and against):

1. Call 916.445.2841
2. Press 1 for English
3. Press 2 for legislation and you will get options
4. Press 6 for AB 241
5. Press 2 to express your opposition to the bill