

Introduced by Senator Rosenthal

February 25, 1997

An act to add Section 122047 to the Health and Safety Code, relating to dog breeders.

LEGISLATIVE COUNSEL'S DIGEST

SB 621, as introduced, Rosenthal. Dog breeders: requirements.

Existing law, the Polanco-Lockyer Pet Breeder Warranty Act, requires every dog breeder to comply with certain pet warranty requirements, including, but not limited to, the health and condition of the dog. Existing law defines dog breeder for this purpose to mean a person, firm, partnership, corporation, or other association that has sold, transferred, or given away, 50 or more dogs during the preceding calendar year.

This bill would, in addition, require every dog breeder to obtain an annual dog breeder permit from the local health officer or local animal control agency, obtain a sales and use tax permit from the State Board of Equalization, provide a sales receipt to the buyer, keep a record of sales for the State Board of Equalization, and include a valid business street address and telephone number when placing an advertisement for the sale of any dog. The bill would require the local agency to annually inspect the facility and administration of the dog breeder and certify compliance with dog breeder requirements by issuing the annual permit. By increasing the duties of local officials, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 122047 is added to the Health
2 and Safety Code, to read:

3 122047. Every dog breeder shall do all of the
4 following:

5 (a) Obtain an annual dog breeder permit from the
6 local health officer or local animal control agency. The
7 local agency shall annually inspect the premises and
8 administration of the dog breeder, and shall certify
9 compliance with this article by issuance of the permit.
10 The local agency may assess a fee for the cost of the
11 inspection and permit.

12 (b) Obtain a sales and use tax permit from the State
13 Board of Equalization.

14 (c) Provide a sales receipt to the buyer and keep a
15 record of sales for the State Board of Equalization.

16 (d) Include a valid business street address and
17 telephone number when placing an advertisement for
18 the sale of any dog.

19 SEC. 2. No reimbursement is required by this act
20 pursuant to Section 6 of Article XIII B of the California
21 Constitution because a local agency or school district has
22 the authority to levy service charges, fees, or assessments
23 sufficient to pay for the program or level of service
24 mandated by this act, within the meaning of Section 17556
25 of the Government Code.

26 Notwithstanding Section 17580 of the Government
27 Code, unless otherwise specified, the provisions of this act



1 shall become operative on the same date that the act
2 takes effect pursuant to the California Constitution.

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