

Legislation - What's Hot

By Joan Miller, CFA Legislative Information Liaison

State Law makers are back from summer vacation!!

By the second week in September the CFA Legislative Group was tracking 140 currently active state bills. Many bills have been enacted. Others died in committee, were withdrawn, defeated or held over to 2012. During the summer months some states ended their sessions and others were in recess. Once again we are monitoring the remaining bills around the country, watching for scheduled hearings and new introductions. The active bills include topics such as animal cruelty, rabies vaccination changes, puppy licenses, shelter microchip mandates, animal abuse registries, animal hoarding, animal shelter regulation, shelter sterilization, pet sales limits, pet dealer veterinary requirements, animal breeder regulation, warranty requirements for sellers and surcharges on the sale of pets.

Many currently active state bills appear to have little to no direct impact on cat breeders. However, they could be amended to add "and cats" or to affect breeders. Others are of interest because they regulate the sheltering of animals and could affect the numbers of cats in shelters. The complete federal and state bill tracking list is kept up to date on the CFA website legislative page: <http://cfa.org/documents/legislative/bill-tracking.pdf>

Bills continue to be introduced and the status changes every week. Check out your state. Let the CFA Legislative Group know if you want more information or if you live near a state capital and are willing to help. legislation@cfa.org

Of special note - Senate Bill 574 was recently introduced in Michigan. This bill imposes warranty requirements for anyone who purchases an "unfit" cat or dog. Many states have fair warranty laws ("lemon" laws) for pet stores or large commercial breeders who sell dogs. Only a few cover cats at all. This bill imposes requirements on every breeder as well as any individual selling dogs or cats to the public "for profit". A person selling more than one litter of dogs or cats under 6 months of age or 2 dogs/cats over 6 months of age per year must also provide the required remedies.

In 2008, AB 5738 was proposed by then Representative Steven M. Bieda. The current bill, SB 574, has the exact same language and is authored by now Senator Bieda.

An "unfit dog or cat" is defined as an animal who shows signs of contagious or infectious illness within 30 days of purchase. In addition the warranty remedies apply if a dog or cat dies or is ill within 90 days due to a hereditary or congenital defect. The burden to determine if the illness or defect existed at the time of purchase lies with a single veterinarian's statement. Remedies include return for full refund, replace/exchange or retain the pet and receive reimbursement for veterinary expense up to the purchase price. If the cat or dog dies the buyer has the option to receive another of equal value *and* reimbursement or veterinary fees, not to exceed the purchase price, or a refund of the full purchase price.

This bill would impact breeders or rescuers who are unaware of a hereditary defect. The 30 day period makes it difficult to know whether an infectious disease was present at the time of purchase or if the animal became infected later in the new home. Since cats are highly susceptible to infectious diseases this warranty bill is especially problematic for all sellers of cats. There is no opportunity for a breeder to make a person aware of a potential disorder that could be present in a breed and to receive a buyer's waiver. This is a bill that should be defeated or greatly modified. SB 574 has been assigned to the Senate Committee on Regulatory Reform. Watch for a CFA alert when a hearing is scheduled.

Local ordinances are introduced all year long – contact legislation@cfa.org if you hear of any new proposal in your city or county.