



## CALIFORNIA PET STORE ANIMAL CARE ACT SET FOR HEARING -- MONDAY, JULY 9

### The Issue.

Assembly Bill 1347, the “Pet Store Animal Care Act,” introduced by Assembly Member Caballero, passed the Assembly by a vote of 75 to 1. AB 1347 would establish criteria and procedures for the care and maintenance of animals in California pet stores. The bill would also establish a new infractions process which would require enforcement officers to clearly indicate the nature of the alleged infraction, identify the corrective action to be taken, and include the time frame in which the corrections should be completed. Unlike prior legislative initiatives, AB 1347 came about as an industry initiative to provide clearer guidelines for both pet stores and animal control officers. The bill also contains monetary limits that may be assessed against one found guilty of an infraction or a misdemeanor.

### The Impact.

AB 1347 contains certain provisions found in last year’s controversial AB 2862, as well as alternative language that PIJAC offered last year to fix a number of problems found in prior proposals. In designing AB 1347, a pet industry coalition, chaired by PIJAC, reviewed a variety of state, county and local laws regulating pet stores with the aim of having similar language adopted in California. California pet stores are already operating within the scope of most of the proposed criteria. A pet store is defined in such a way that it excludes breeders.

AB 1347 would require all pet stores to do the following:

- Develop and maintain a documented (written) plan for providing routine care, preventative care, emergency care, disease control, veterinary treatment, euthanasia, and a disaster/emergency evacuation plan. This plan should be made available to employees.
- Follow humane euthanasia protocols in compliance with California law and the AVMA Guidelines.
- Retain a consulting California-licensed veterinarian who visits the store at least once a year and is available for consultation.
- Ensure store operator, or at least one employee, be present in the store at least once daily, whether or not the store is open, to provide general care and maintenance of the animals. This would ensure, for example, that the animals have adequate food and water and allow for observation of the animals.
- Provide the animals “adequate space” which is defined as “sufficient height and sufficient floor space for the animals to stand up, sit down and turn about freely using normal body movements without the head touching the top of the primary enclosure; lie down with limbs outstretched and exercise normal postural movement, and move about freely as appropriate for the species, age, size, and condition of the animal ...”
- Maintain intact, sexually mature mammals in a manner so as to prevent unplanned reproduction.
- Isolate contagious animals and indicate on the primary enclosure that such animals are not for sale.



- Ensure that all ill and injured animals are provided veterinary care without delay.
- Maintain for two years certain records dealing with medical and veterinary treatments.
- Provide customers information at the time of sale regarding the store’s return policy for animals.
- Provide birds sufficient perch space so they can fully extend both wings at the same time, and that perches are of a diameter appropriate for the species, age, size and condition of the birds.
- Location prey species so they cannot be seen directly by predator animals for that species.
- Provide cat’s access to an elevated platform.
- Ensure each primary enclosure contains an enrichment device(s) appropriate for species, age, size, and condition of the animals.
- Implement pest control measures to “effectively control infestation of vermin, insects, or other pests.”
- Sanitize primary enclosures as often as necessary to “reasonably” control odors and adverse health impacts to the animals.
- Ensure that all ill and injured animals are evaluated and treated without delay.
- Maintain certain records on medications and treatments administered while the animals are in the pet store, including summaries of oral communications with the store’s veterinarian.
- Provide purchasers certain animal health information for dogs, cats and “individually housed animals” regarding procedures performed on those animals, such as spay/neuter, vaccinations, medical and veterinary treatments, and the presence of any identification device, if applicable.

The new enforcement language is designed to provide enforcement officers with more latitude through a “fix-it” ticket process whereby the enforcement officer may issue a notice of correction, which specifies the alleged violation, identifies the corrective action that must be taken for each violation, and includes a specific time period for the store to correct the problem. If the store fails to correct problems, or in cases of serious problems, the officers may employ a variety of other corrective actions, including infraction citations or initiating an action under Section 597.1 of the Penal Code. This new section provides enforcement officers an additional tool for attaining corrective action for minor, non-animal abuse violations of the Act. In no way do the proposed enforcement provisions alter or remove any sanctions that currently exist in California law.

PIJAC is working with various groups to refine language in the bill and expects that additional amendments will be made to clarify the language.

PIJAC is also planning on providing California pet stores, whether PIJAC members or not, a draft plan as called for in AB 1347, that can be used as a modifiable template to meet the specific requirements for types of animals in their stores.

## **Recommended Action.**

This bill has been assigned to **the Senate Business, Professions & Economic Development Committee**. A list of the committee members follows. The hearing has been scheduled for **Monday, July 9 at 1:30 pm**. in **Room 3191** at the **State Capitol**. PIJAC will be testifying in support of AB 1347.

To review AB 1347, visit “Breaking News” on the PIJAC website at [www.pijac.org](http://www.pijac.org) or at [http://www.legislature.ca.gov/the\\_state\\_legislature/bill\\_information/bill\\_information.html](http://www.legislature.ca.gov/the_state_legislature/bill_information/bill_information.html). If you can not attend, check the Senate’s website to find out if hearing will be streamed live on the web.

If this matter is of interest to you, please contact committee members. If you have further questions, or want to express your views to PIJAC, contact Marshall Meyers or Michael Maddox at 202-452-1525, or by email at [mmeyers@pijac.org](mailto:mmeyers@pijac.org) or [mmaddox@pijac.org](mailto:mmaddox@pijac.org).

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