



DOG BREEDER LEGISLATION INTRODUCED IN WEST VIRGINIA...AGAIN

**** Bill Limits Breeders to 50 Dogs ****

The Issue:

New commercial dog breeder requirements have been reintroduced in West Virginia. House Bill 2015 calls for a permit system, breeding age restrictions and housing requirements. The bill also limits breeders to having no more than 50 breeding dogs at a time. Non-compliance can result in a misdemeanor and fines.

The Impact:

HB 2015 defines “commercial breeder” as “any person who maintains 20 or more unsterilized dogs over the age of one year and is engaged in the business of breeding animals for direct or indirect sale or for exchange in return for consideration, except that any person who holds an occupational permit and has registered a greyhound kennel name with the West Virginia Racing Commission is not considered a commercial dog breeder under this article.”

Permits.

Under this legislation, a commercial dog breeder will be required to obtain an annual permit to operate as required by the county in which the commercial dog breeding operation is located. The county commission will be responsible for establishing a fee and deposit fees according to the following permit classes:

- Class I - Maintain 15 to 40 unsterilized dogs over the age of one year at any one time (fees may not exceed \$250 per year); and
- Class II - Maintain more than 40 unsterilized dogs over the age of one year at any time (fees may not exceed \$500 per year).

Breeding Age Restrictions.

Commercial dog breeders may only breed female dogs between the age of 18-months and eight years of age and after annual certification by a licensed veterinarian that the dog is in suitable health for breeding;

Housing and Care Requirements

This bill provides a long list of housing and care requirements commercial breeders must adhere to including:

- Protection from extreme weather conditions;
- Primary enclosures must be placed no higher than 42- inches above the floor and may not be placed over or stacked on top of another cage or primary enclosure;
- A primary enclosure must have solid floors that are constructed in a manner that protects the dogs' feet and legs from injury;
- Sick dogs shall be isolated sufficiently so as to not to endanger the health of other dogs;
- Provide dogs with easy and convenient access to adequate amounts of clean food and water; and
- Provide veterinary care without delay when necessary.

(Please read the [text of HB 2015](#) for a complete list of these requirements.)

Limit Provision.

HB 2015 bans commercial dog breeders from possessing, controlling, owning or maintaining more than 50 unsterilized dogs over the age of one year for the primary purpose of breeding and selling the offspring as household pets. Any commercial dog breeder with more than 50 unsterilized dogs at the time this legislation becomes effective will be required to reduce the number of dogs to comply by either spay/neuter, sell, transfer or relinquish the excess dog(s) within 30-days following notification of the violation.

Penalties.

Any commercial dog breeder found in violation of the provisions of this bill will be guilty of a misdemeanor. If convicted the breeder may face a fine of up to \$1,000 or jail time of up to a year, or both.

PIJAC Position:

A similar bill was introduced in 2010 which would have limited commercial breeders to 40 dogs at any time. This reintroduction of a limit law raises the number to 50. **PIJAC strongly opposes legislation that includes an arbitrary limit on the number of dogs a breeder may have. There is no correlation between the number of animals in a facility and the quality of care those animals receive.** Furthermore, a prohibition such as this limits the ability of dog breeders to maintain sufficiently diverse blood lines – This will result in an increase in adverse hereditary conditions, to the detriment of pets and pet owners.

Recommended Action:

HB 2015 has been assigned to the House Committee on Agriculture, but has not yet been set for hearing. **Persons in the pet industry, and all those who support the right to keep pets, are encouraged to contact [members of the committee](#) to voice your opposition to this legislation! Let them know that imposing an arbitrary limit on the number of animals one may keep harms pets and pet owners, and provides no benefit to anyone!**

While this PetAlert summarizes HB 2015, [click here](#) to see the actual language of the bill. PIJAC will issue a revised PetAlert advising members of any change in status of this bill, and recommending appropriate further action.

For questions or additional information about this legislation, contact PIJAC's Bambi Nicole Osborne via email at Bambi@pijac.org or by phone at 202-452-1525, ext 105.