



MICHIGAN CONSIDERS COMMERCIAL BREEDING BILLS

The Issue.

Two bills have been introduced in the Michigan House of Representatives to regulate commercial dog breeders. House Bill 6562 would establish the “Puppy Protection Act” and House Bill 6561 amends the state Dog Law by mandating licensure for “large-scale” breeders. The Puppy Protection Act sets forth a number of standards for persons qualifying as “large-scale” breeders but does not itself require licensure.

The Impact.

Both HB 6561 and HB 6562 define a “large-scale commercial breeding kennel” as one in which more than 10 litters of puppies are produced for sale as pets in a calendar year. HB 6561 requires that any person who operates such a kennel must apply to the county treasurer for the locality in which they reside for a license. The bill authorizes “a reasonable fee” for the license but does not establish what the fee will be, or define what qualifies as “reasonable.” It further mandates that those operating such a kennel comply with provisions of the Puppy Protection Act.

The Puppy Protection Act, as established by HB 6562, **prohibits possession, ownership or control of more than 50 intact dogs over the age of four months at any time.** If further requires all large-scale commercial kennels to provide dogs:

- Adequate housing
- Adequate sanitary conditions
- Sufficient room for each dog to turn and stretch freely in its primary enclosure
- Adequate food and water
- Regular exercise
- Adequate veterinary care
- Adequate rest between breeding cycles
- Adequate shelter from the elements

The requirement for adequate housing does not include specific sizes for primary enclosures but does mandate sufficient space for dogs to “turn and stretch freely and to fully extend all limbs.” The primary enclosure must also have solid flooring, or slatted floors with gaps of no more than ½ inch slats. Stacking of cages is prohibited.

Regular exercise means at least one exercise period during each day for a total of not less than 1 hour for each dog. Dogs must be removed from their primary enclosure to be allowed free mobility for the entire exercise period by either leash-walking or giving the dog access to a space that is at least 4 times the size of the minimum requirements of the primary enclosure. Such exercise may NOT include the use of a treadmill, jenny mill, slat mill, or similar device, unless prescribed by a doctor of veterinary medicine to address a specific medical condition.

Adequate rest between breeding cycles means a dog may not be bred to produce more than one litter in any 12-month period.

Adequate shelter means protection from heat and cold and from the elements and weather conditions so as to maintain the dog in a state of good health and safety, and specifically **prohibits an environment in which the temperature ever falls below 50 degrees Fahrenheit or rises above 85 degrees Fahrenheit.**

Anybody violating any provision of the Puppy Protection Act would be guilty of a misdemeanor and could be punished by as much as 180 days of imprisonment and a fine of up to \$1,000, for each violation. Furthermore, the violator could have their license suspended for at least a year, and potentially indefinitely.

PIJAC Position.

PIJAC is supportive of humane standards in the care of pet animals in commercial settings, but believes that **state requirements should be consistent with prevailing standards of care recognized under federal law and in the industry.** Departures from established prevailing standards should never be arbitrary and should only be made based on objective criteria supported by scientific research. **PIJAC strongly opposes an arbitrary limit on the number of dogs breeders may have, as that is wholly unrelated to any standard of animal care or welfare.**

Recommended Action.

Both of these bills were assigned to the House Committee on Agriculture, but neither bill has yet been set for hearing. While the legislature remains in session through the end of the year, it will be in recess for the December holidays. If and when these bills are set for hearing, PIJAC will issue a new *PetAlert* advising members of appropriate action. Should the bills not be adopted prior to adjournment, the legislation would have to be reintroduced to be considered in the 2011 legislative session.

This *PetAlert* summarizes the major provisions of the legislation. Interested persons may click the following links to see the actual language of the bills: [HB 6561](#) [HB 6562](#).

For questions or additional information about this or other legislation of concern, contact PIJAC's Michael Maddox via email at Michael@pijac.org or by phone at 202-452-1525 ext 106.

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On behalf of pets, responsible pet owners, and the pet industry, we thank you!