

The Future of Dog Breeding Under AB 1634

Imagine if you will...

You have been breeding purebred working dogs in California for 18 years. You selectively breed for working abilities, health, athletic structure, and sound temperament. Dogs that you produced have grown up to be working search-and-rescue dogs, law enforcement dogs, guide dogs for the blind, assistance dogs for the disabled, and treasured family companions.

You decided to keep Cassie, a pup from your recent litter, as a possible future breeding prospect. AB 1634 has recently passed, which mandates spay/neuter of all dogs and cats in the state by 4 months of age, unless the dog or cat has an intact permit. Cassie just turned 4 months old. So you check to see what you need to do in order to get an intact permit for Cassie. You carefully review the AB 1634 section on eligibility for intact permits. There are five different ways that a dog can be eligible for an intact permit according to the revised text of AB 1634

<http://www.theanimalcouncil.com/files/AB1634mock-upofApril9amendments.pdf>

(1) The owner demonstrates, by providing a copy of his or her business license and federal and state tax number, or by other means, as determined by the local entity authorized to issue permits, that he or she is doing business and is licensed as a breeder by the local jurisdiction or its authorized local animal control agency.

Hmm... you've been breeding dogs in California for 18 years, but you don't meet those criteria because they are for commercial dog breeders, not hobby breeders like yourself. Licensing is for breeders who produce puppies for profit, such as those who mass produce for pet stores. Responsible breeders like you who carefully select homes for one or two litters a year and don't profit from it don't have business licenses for dog breeding. You could not get legally call what you do a business even if you wanted to. You would also be in violation of local zoning ordinances if you did. You don't have a business license and tax ids because what you do isn't a business under the law. Puppy mills have those licenses and tax ids though. Cassie does not qualify for an intact permit per (1) because you are the wrong kind of breeder according to the state of California.

(2) The owner sufficiently demonstrates, as determined in the discretion of the local entity authorized to issue intact permits, all of the following:

(A) His or her cat or dog is used to show or compete and has competed in at least one legitimate show or sporting competition within the last two years.

(B) His or her cat or dog is a valid breed that is recognized by an approved registry.

(C) The cat or dog has earned, or if under two years old, is in the process of earning, a conformation, obedience, agility, carting, herding, protection, rally, sporting, working, or other title from an approved purebred registry or association.

Hmm... that's interesting. According to (2)(A) Cassie is going to need to have "*competed in at least one legitimate show or sporting competition*". But there are no show or competition venues for 4 month old puppies like Cassie. Since (A), (B), and (C) must ALL be met, Cassie does not qualify for an intact permit per (2).

(3) The dog is appropriately trained and meets the definition of guide dog, service dog, or signal dog, as set forth in subdivisions (d), (e), and (f) of Section 365.5 of the Penal Code.

Hmm... Cassie is only 4 months old. She is not appropriately trained to be a guide dog, service dog, or signal dog. No 4 month old puppy can be appropriately trained for any of those jobs. Cassie does not qualify for an intact permit per (3).

(4) The dog is trained, or is documented as having been appropriately trained and actively used by law enforcement agencies for law enforcement and rescue activities.

Hmmm... Cassie is a 4 month old puppy, not a trained law enforcement dog . Law enforcement doesn't even start this training until dogs are at least 12 months old. Cassie does not qualify for an intact permit per (4).

The owner of a cat or dog provides a letter to the local jurisdiction from a California licensed veterinarian stating that due to age, poor health, or illness, it is unsafe to spay or neuter the cat or dog. This letter shall include the veterinarian's license number and shall be provided, upon request, to the local animal control agency. and shall, if this information is available, include the date by which the dog or cat may be safely spayed or neutered.

Hmmm... You just got back from the vet and he declared Cassie fit as a fiddle. Cassie does not qualify for an intact permit per (5).

So that's it. You have run out of options. Cassie must be spayed this month, because she doesn't qualify for an intact permit under AB 1634. If you refuse to abide by AB 1634, you are subject to a \$500 fine every 30 days.

This is madness. But this is what will happen, thousands of times over, if AB 1634 passes. The number of responsible dog breeders in California would plummet The only kind of dog breeder that AB 1634 recognizes as legitimate are licensed businesses, those who breed dogs for profit, e.g. puppy mills.

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