



2018 Legislative Ag  
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## State Legislation Impacting Pets

This panel was moderated by Kay Johnson Smith, President of the Animal Agriculture Alliance. Her organization monitors what's happening in the pet world because often what they see happening in pet legislation can easily be amended to impact poultry or livestock legislation. It is a very important issue.

The two speakers were introduced - Elizabeth Choate from the Texas Veterinary Medical Association, and Patti Strand, National Director of the National Animal Interest Alliance.

### Veterinary Reporting and Checking of State Prescription Monitoring Programs

Ms. Choate began the presentation, who noted that pet issues are nonpartisan, but more of a rural-urban divide. The first issue was the Veterinary Reporting and Checking of State Prescription Monitoring Programs, which is an attempt to deal with the opioid epidemic that we see raging across the 50 states. Thirty-four of the 50 states exempt veterinarians from the reporting entirely, with 16 states that have some form of regulation or law that requires veterinary reporting or checking. Several states passed repeal of requirements to report. Most states require checking human or animal prescription history. Under HIPAA, veterinarians are not subject to reporting, but states are trying to clamp down on doctor shopping by opioid abusers.

Veterinary practices are often misunderstood, as is animal medicine in particular. The large number of barbiturate prescriptions written by veterinarians was pointed to as proof that they need control. However, the size of the large animal compared to a human explained the large quantity, especially for euthanasia purposes. Doctor shopping is impractical in veterinary medicine.

There are a few fundamental questions to ask of any attempted legislation: What should the information be entered under – the human's name or the pet's name? Which human is it? Also groomers and pet sitters bring in pets also. Veterinarians are unfamiliar with [HIPAA](#). There are many problems that need to be addressed. From a policy making perspective, reporting requirements impose a lot of unnecessary government regulation without the intended outcome.

### Animal Shelter Standards of Care

Animal Shelter Standards of Care is a large issue in Texas. Now the public expects that animals will be rehomed, and so now there is a no-kill movement. Shelters haven't changed to keep up with this new movement. In many states, if you are the owner, designated owner or caregiver of an animal, you are not subject to the [Texas Veterinary Licensing Act](#). Shelters are owners of the pets in their care, and therefore claim the [Veterinary Licensing Board](#) has no authority over their veterinarians employed by the shelters. This has caused problems.

### Adoption of Research Animals

Adoption of Research Animals is an animal rights bill brought by the [Beagle Freedom Project](#). The reality is research animals can be adopted without need of this legislation. A lot of these animals are kept under rigid standards, and therefore don't need saving.

### Tethering Bills

[Tethering Bills](#) are cropping up from animal rights groups. It died for lack of time, so now Texas laws are unenforceable because there needs to be notice given. One problem with tethering bills is there is no exemption for different groups of dog owners, i.e., sled dog owners.

## **Animal Cruelty Bills**

[Animal Cruelty Bills](#) have been filed in many states, increasing the fines and penalties for cruelty.

## **Assistance Animal and Emotional Support Animal Legislation**

Another issue that is being seen now is [Assistance Animal Related Legislation](#), which includes Emotional Support Animals, for which there is no certification other than buying a vest and card online. This is a difficult subject, because some of these animals are very necessary and helpful, but the lack of training or qualifications for these animals is problematic. It was pointed out that there are three federal acts that are impacted by these proposed bills. Another attendee proposed legislation that would treat police service dogs in the same way that humans are treated when it comes to injury or death on duty. Another issue that was raised was the movement of animal shelters are humane societies to provide only vegetarian meals to their animals.

## **Humane Relocation**

Patti Strand gave the next presentation. She said that the number one issue that states are dealing with is [Humane Relocation](#), sometimes referred to as **Pet Trafficking**. She detailed the reality of the situation of pets in the world today, which is there was historically a big animal overpopulation problem, with shelters overflowing and dogs roaming the streets. But with spay and neuter programs, there is no longer any dog overpopulation. So today, about 35 states have no surplus animals.

Shelters in large population areas began acting as adoption hubs for the surrounding areas. However dogs began being moved from offshore islands, Mexico, Easter Europe, etc. By 2006, the [CDC](#) had a sting operation, by which they extrapolated that Mexico alone was exporting 190,000 dogs into the U.S. each year, with an estimate that over 300,000 were coming into the country from all sources. They are transported by vans, trucks and cars. These animals have no health certificates. Dogs are being shipped to the north from southern states with lax animal population laws. The marketing of these animals claims that they are being saved from euthanasia. The solution of the problem is to get stronger population control laws in the states with no regulations. More people have been killed recently by animals who were just adopted from animal shelters than ever before. Some of these animals have behavioral problems and are not trained or socialized and are being released to the public with no notification.

The main issue with this is public health. There are zoonotic diseases being brought in by these imported animals. There are countries that have thousands of wild street animals due to the lack of waste management. So we are getting feral dogs, some with rabies, some with select agents and other diseases that are hazardous to our human population. In the U.S. 259 jurisdictions have banned pet shops, and in these jurisdictions shelters are importing unsocialized and untreated dogs from out of state and out of the country every week. That's what is replacing American bred and regulated dogs. Sixty-seven percent of the population thinks that dog overpopulation was a serious issue, and most believe it is getting worse. This is because fundraising efforts from organizations like HSUS lead people to believe there is a huge problem.

Regulation of shelters through legislation is one thing that can be done. Shelters are operating as pet stores today. They are no longer open door shelters where you can take an unwanted animal.

Today, with humane relocation, many of the shelters in northern states, the goal is to get pets that can be placed quickly. Even though rescues and shelters transfer and sell more animals to the public than breeders or pet shops, they are the only unregulated segment.

Canine brucellosis is cropping up as a problem with imported dogs, which can affect people. There was a dog from Turkey that had TB. It is a very serious situation. The canine flu that stuck hundreds of dogs in 2015 was traced back to a dog imported from Korea. The U.S. has the weakest federal import laws of almost any developed country. We need to modernize our pet importation laws, which aren't anywhere near as good as the ones we currently have for livestock. At the time the laws were drafted, this wasn't a problem. The importation laws haven't been updated since 1956, which predates the internet.

There are still good shelters and good rescues, but there are no regulations to help lawmakers distinguish these from the bad. There is legislation that require shelters and rescues be licensed, and another that requires them to report on the numbers of animals that they take in and what the disposition of those dogs was, and also where the dogs came from, so that you can get to have some understanding of what is actually happening. Another solution is to require that shelters and rescues disclose any known bite history, and that they use due diligence in finding out this information.

[Homes for Animal Heroes](#) is a group that rehomes research dogs. What is new is there is an animal rights group that is opposed to research in the first place. The Beagle Freedom Project is the group, the president of which produced a movie called 'Unmasked' which is a glorification of the Animal Liberation Front, about the greatness of the people who burn down laboratories that use research animals. Patti suggest that anyone who is confronted in their legislature with these animal rescue adoption bills should add a sentence to the bill that reads – 'None of these dogs will be allowed to be given to anyone who has ever been convicted of an animals rights terrorism crime'.

### **Cost of Care Bonds**

[Cost of Care Bonds](#) is another issue that was discussed. The problem here is there is no due process. You can demand that the animal, if not in immediate danger, can be seized in situ, and left in the home.