

FEB 22 2001

Agriculture

HOUSE FILE **358**

BY GRUNDBERG

Passed House, Date _____ Passed Senate, Date _____
 Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
 Approved _____

A BILL FOR

1 An Act relating to breeding records required to be maintained by
 2 commercial breeders and dealers.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 358

1 Section 1. Section 162.7, Code 2001, is amended to read as
2 follows:

3 162.7 DEALER LICENSE.

4 A person shall not operate as a dealer unless the person
5 department has ~~obtained~~ issued the person a license ~~issued-by~~
6 ~~the-secretary~~ or ~~unless-the-person-has-obtained~~ a certificate
7 of registration ~~issued-by-the-secretary~~ if the ~~kenne~~ dealer
8 is federally licensed. ~~Application~~ An application for the
9 license or the certificate shall be made in the manner
10 provided by the ~~secretary~~ department. The license and or
11 certificate ~~expire~~ expires one year from the date of issue
12 unless revoked. The license fee is one hundred dollars per
13 year and the ~~certification~~ certificate fee is twenty dollars
14 per year. The license may be renewed upon application and
15 payment of the fee in the manner provided by the ~~secretary~~
16 department if the licensee has conformed to all statutory and
17 regulatory requirements. The certificate may be renewed upon
18 application and payment of the fee in the manner provided by
19 the ~~secretary~~ department. As a condition of licensure or
20 certification, a commercial breeder must maintain breeding
21 records as required in section 162.11A.

22 Sec. 2. Section 162.8, Code 2001, is amended to read as
23 follows:

24 162.8 COMMERCIAL BREEDER'S LICENSE.

25 A person shall not operate as a commercial breeder unless
26 the department has issued the person ~~has-obtained~~ a license
27 ~~issued-by-the-secretary~~ or ~~unless-the-person-has-obtained~~ a
28 certificate of registration ~~issued-by-the-secretary~~ if the
29 ~~kenne~~ commercial breeder is federally licensed. ~~Application~~
30 The application for the license or the certificate shall be
31 made in the manner provided by the ~~secretary~~ department. The
32 ~~annual~~ license or ~~the-certification-period~~ certificate expires
33 one year from the date of issue. The license fee is forty
34 dollars per year and the certificate fee is twenty dollars per
35 year. The license may be renewed upon application and payment

1 of the prescribed fee in the manner provided by the secretary
2 department if the licensee has conformed to all statutory and
3 regulatory requirements. The certificate may be renewed upon
4 application and payment of the prescribed fee in the manner
5 provided by the secretary department. As a condition of
6 licensure or certification, a commercial breeder must maintain
7 breeding records as required in section 162.11A.

8 Sec. 3. Section 162.11, subsection 2, Code 2001, is
9 amended to read as follows:

10 2. The certificate of registration may be denied or
11 revoked if the person no longer possesses a current and valid
12 federal license. ~~Other-than-obtaining-the-certificate-of~~
13 ~~registration-from-the-secretary,-any~~ Except as otherwise
14 provided in this chapter, a person who is a dealer or
15 commercial breeder and-any-person or who operates a commercial
16 kennel or public auction and who holds a certificate of
17 registration shall not be subject to further regulation under
18 the provisions of this chapter.

19 Sec. 4. NEW SECTION. 62.11A BREEDING RECORDS.

20 A person who is a commercial breeder or dealer shall
21 maintain breeding records for dogs or cats that the person
22 sells or offers for sale. The records shall indicate the
23 familial relationship between the dam and sire that produced
24 the progeny that the person is selling or offering for sale.
25 The records shall also indicate any known genetic disorder or
26 disability that impairs the health of the dam or sire. A
27 person purchasing the progeny may review information about the
28 dam and sire as required to be contained in the breeding
29 records.

30 For purposes of this section, a familial relationship is
31 present if the dam and sire are related as dam and progeny,
32 sire and progeny, or as littermates.

33 Sec. 5. Section 162.12, Code 2001, is amended to read as
34 follows:

35 162.12 DENIAL OR REVOCATION OF LICENSE OR REGISTRATION.

1 bill provides that a person purchasing the progeny may review
2 information about the progeny's dam and sire as required to be
3 contained in the breeding records.

4 The bill provides that a license issued by the department
5 or certificate or registration (if federally licensed) is
6 conditioned on maintaining the breeding records.

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**HOUSE FILE 358
FISCAL NOTE**

A fiscal note for **House File 358** is hereby submitted pursuant to Joint Rule 17. Data used in developing this fiscal note is available from the Legislative Fiscal Bureau to members of the Legislature upon request.

SUMMARY

House File 358 allows the Department of Agriculture and Land Stewardship to regulate commercial breeders or dealers that sell dogs and cats. The Bill requires the commercial breeders and dealers to maintain breeding records and requires the Department to inspect the premises and all pertinent records.

ASSUMPTIONS

1. The average cost for salary and benefits for two full-time inspectors is \$67,000 per year for FY 2002 and \$70,000 per year for FY 2003 and subsequent years.
2. The average cost for supplies is \$18,000 for FY 2002 and \$19,000 for FY 2003 and subsequent years.
3. The average cost for equipment is \$50,000 for FY 2002. This includes the purchase of two vehicles for \$32,000 and computers for \$18,000.
4. The cost to develop an educational information program is \$3,000 for FY 2002 and \$1,000 for FY 2003 and subsequent years.

FISCAL IMPACT

The estimated fiscal impact of House File 358 is an increase in General Fund expenditures of \$138,000 and 2.00 FTE position for FY 2002. The fiscal impact for FY 2003 and subsequent years is \$90,000 and no change in FTE positions.

SOURCE

Department of Agriculture and Land Stewardship

(LSB 1359hh, DFK)

FILED FEBRUARY 27, 2001

BY DENNIS PROUTY, FISCAL DIRECTOR