

TEXAS ALERT!

**TEXAS SUNSET COMMISSION STAFF SAYS:
“STATE DOG AND CAT BREEDER LAW DOES
NOT PROTECT OVERALL PUBLIC INTEREST
AND SHOULD BE ELIMINATED!”**

Fifteen Programs are proposed for elimination at Texas Department of Licensing & Regulation (TDLR), including the onerous Dog and Cat Breeder Law which we have opposed and monitored for 11 years!

We're delighted that the Sunset Staff agrees with us.

There will be one bill filed in the 2021 Legislative Session listing all 15 programs for elimination. It will pass! We must ensure Sunset Staff recommendations remain intact and include this onerous Program for elimination! Dates for our “input” and the Commission vote are “tentative.” Stay tuned!



To understand this issue, you must consider the groups behind HB 1451 – radical national “Animal Rights” organizations -- with the goal of ending “all” breeding of dogs and cats in the U.S. All breeders are “puppy mills” to the extremists who seek “personhood” for animals equal to humans in our legal system.

Report to Congress by Department of Justice (September 2, 1993): “Many advocates of animal rights oppose all ways in which animals are confined and utilized by humans, whether it be for food, clothing, servitude, or household pets.”

The future of pet ownership is in jeopardy as there will be an end to sterilized “rescued” dogs and cats for “adoption” at some point in time.

SUNSET COMMISSION STAFF SAYS “NO NEED FOR THIS PROGRAM!”

1. “Sunset Reviews evaluate the ‘need’ for programs. When evaluating licensing and regulatory programs, **the burden is on proving the need** for the regulation which occurs through a detailed analysis. The Licensed Breeder Program does not provide meaningful regulation and could be safely eliminated.” Averages 150 licensed breeders – not 1,000 licensed breeders as predicted.

2. TEXAS ANIMAL CRUELTY LAW:

Outside of the licensing program, **[Texas] state law makes cruelty to animals – including failing to provide necessary food, water, care, or shelter – a criminal offense punishable up to a state jail felony**, which is appropriate for law enforcement, not a regulatory agency to address.

3. **HIGH ADMINISTRATIVE COSTS: “Revenues do not cover its administration [as required by statute].** A 2018 agency fee study found the program had a 38% cost overrun. A large share of the cost is inspections. Statute requires each licensed breeder facility be inspected every 18 months. Enforcement cases took 307 days to resolve in fiscal year 2019, more than double the average across all TDLR programs.”

4. **“UNENFORCEABLE REQUIREMENTS UNDERMINE THE AGENCY’S EFFORTS.”**

5. **“DUPLICATES USDA FEDERAL STANDARDS FOR BREEDING ANIMALS FOR SALE.”**

What You Can Do Now!

1. Subscribe to TX RPOA E-News, our Yahoo List. Send a BLANK email to: [TX RPOA E-News-subscribe@yahoo.com](mailto:TX_RPOA_E-News-subscribe@yahoo.com) and you're subbed!
2. Find the name of your elected state representatives at: www.capitol.texas.gov .
3. Make a donation to RPOA Texas Outreach: www.rpoatexasoutreach.org
4. Spread this information to your friends, club or group members!

TDLR and their Dog and Cat Breeders Advisory Committee **With the current "Animal Political Climate" in the U.S., it would be impossible to appoint an impartial committee with extensive expertise in the care of animals!**

- **Dr. Lori Teller, former president of Texas Veterinary Medical Association (representing "veterinarians" on the Committee,) said it best:** "I am resigning my position on the TDLR Breeders Advisory Committee ... I have become disillusioned with the process. Unfortunately I do not feel we are going down the right road to improve animal welfare ... I think we are driving the good breeders out of business ... the breeders who do seriously care about the animals they raise and improving the breeds they are passionate about will either be out of business or, at the least, out of state."

"IRREGULARITIES" REGARDING HB 1451

TDLR Deputy General Counsel Della Wood Lindquist, an "animal rights" extremist, helped draft HB 1451 and later the oppressive over-the-top "TDLR Rules" --- a serious conflict of interest – considering the radical agenda involved!

TDLR's corruption by "animal rights" extremist personnel was first reported in The Texas Tribune (4/6/2011) by Brandi Grissom: Grissom described TDLR Deputy General Counsel Della Wood Lindquist as a "Volunteer with Emancipet, an Austin animal 'rights' group." Further reporting that "Lindquist's Facebook page was populated with posts from animal 'rights' groups and that Lindquist worked with Rep. Senfronia Thompson to write HB 1451." The list of groups Lindquist "likes" on Facebook was reportedly a virtual directory of animal "rights" groups, including Humane Society of the United States and Texas Humane Legislation Network, both key backers of the misnamed "Puppy Mill Bill."

HB 1451 was written to ensure that TDLR would oversee regulations instead of the Texas Department of Agriculture (who have extensive animal knowledge), knowing that TDLR Deputy General Counsel Della Wood Lindquist would be there to keep the rules so strict that breeders would be forced out of business. Grissom further reported that Susan Stanford, TDLR spokesman, said "leaders are aware of Lindquist's involvement in animal 'rights' causes. Though she is working on the puppy mill legislation and would be involved in implementation," Stanford said, "Lindquist would not have carte blanche to write these rules. She's working as a team member."

What's Wrong with HB 1451?

There's not a single humane society, animal shelter, veterinary hospital, nor local animal control facility in Texas that can meet the regulations in HB 1451, mandated to be no less than federal USDA Regulations for the Animal Welfare Act, originally written for sterile animal research facilities.

HB 1451 mandates all this and much more:

- **\$1,000 "Breeder Bounty,"** which leads to breeder harassment from "animal rights" extremists. **Humane Society of U.S.** offered a \$5,000 "Breeder Bounty" nationwide.
- **USDA Standards** for handling, care, housing, treatment and transportation of dogs and cats by a breeder are impossible to meet in a home setting. (Perhaps this was the intent.)
- **Breeder Exemptions for "Performance Events" do not apply to American Kennel Club and United Kennel Club competitions:** Conformation Shows, Agility, Obedience Trials.
- **Exemptions are worthless as written.** Self executing as TDLR says "breeders must prove it when they come after you."
- **Allows TDLR to write any "rules" it desires to administer HB 1451.**
- **Established a (potentially) biased Breeders Advisory Committee.**
- **Allows "anonymous" complaints which mandate costly "investigations."**
- **Establishes a "Snitch Slush Fund,"** the Dog/Cat Breeder Training and Enforcement Fund which may solicit and accept gifts, grants, and donations from any source; paying for information resulting in disciplinary action against breeders.
- **Impossible to enforce** without demanding warrantless entry to private property to "count" the number of intact female dogs and cats (over 6 months of age).
- **Fifteen (15) real "commercial" dog/cat breeders were licensed by both Texas and USDA.**
- **Proof is upon the breeder that intact females are *not* being bred (no existing criteria.)** It's impossible to "prove sale of 20 offspring."
- **USDA regulations (required at a minimum) were originally written for large sterile animal research facilities.** \$20,000 to \$30,000 required to build USDA compliant facility, if even allowed as a commercial "business" due to zoning, property size, etc.
- **Requires all surfaces to be impervious to moisture,** special disposal and drainage systems, ventilation, bio-hazard control, exercise, evenly diffused natural or artificial diurnal lighting on regular diurnal cycles, and temperature controls (which can't vary more than 2 hours) and not be lower than 45 degrees and not above 85 degrees, and more. No animals allowed in homes unless all wall and ceiling surfaces "sanitized."
- **"Criminal Background Check"** required for breeders and all employees.
- **Allows "Third Party Inspectors,"** who could be biased "animal rights" extremists.
- **Cat physiology not same as that of a dog.** Dog breeds differ in many significant ways regarding care and confinement. All dog breeds are not created equally regarding sizes, thickness of coat, activity levels, and appropriate ambient temperature levels.
- **Mandates breeding facilities (homes?) to be open for "business hours."** TDLR Inspections do not require any breeder notification.
- **Federal "engineering" standards** are required as opposed to **"performance" standards.** **Engineering standards** require adherence to very specific requirements declared by a government agency to be the only way acceptable. **Performance standards** direct regulated parties to reach a result, but don't lay down specific requirements, allowing license holders to reach the desired result using their own discretion in a variety of ways.