

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

TERESA M. ARNETT, SHARLEEN PELZL, §
JAMES O. SMITH and RPOA TEXAS §
OUTREACH, INC., §
PLAINTIFFS, §
§
VS. § CIVIL ACTION NO. 1:12-cv-00913-JRN
§
FRANK DENTON, Chairman of Commissioners §
of the Texas Department of Licensing and §
Regulation, in his official capacity §
DEFENDANT. §

**Plaintiffs’ Appendix in Support of Plaintiffs’ Response to Defendant’s Motion to Dismiss and Plaintiffs’
Reply to Defendant’s Response to Plaintiffs’ Motion for Injunctive Relief**

TO THE HONORABLE JUDGE OF SAID COURT:

COME NOW, Teresa M. Arnett, Sharleen Pelzl, James O. Smith and RPOA Texas Outreach, Inc. and file this Appendix in Support of Plaintiffs’ Response to Defendant’s Motion to Dismiss and Plaintiffs’ Reply to Defendant’s Response to Plaintiffs’ Motion for Injunctive Relief:

Plaintiffs submit the following affidavits as support of Plaintiffs’ Response to Defendant’s Motion to Dismiss and Plaintiffs’ Reply to Defendant’s Response to Plaintiffs’ Motion for Injunctive Relief. The documents attached to this appendix are:

- Exhibit “A” Affidavit of Teresa M. Arnett
- Exhibit “B” Affidavit of Sharleen Pelzl
- Exhibit “C” Affidavit of James O. Smith
- Exhibit “D” Affidavit of Mary Beth Deurler

Plaintiffs offer these documents as evidence substantiating Plaintiffs’ claims regarding the unconstitutional aspects of Chapter 802 of the Texas Occupations Code. Specifically, Plaintiffs detail their personal backgrounds, the type of business they are engaged in, the constitutional and other problems related to Chapter 802 of the Texas Occupations Code and the Rules promulgated thereon and how Chapter 802 of the

Texas Occupations Code has harmed and will continue to harm them. The affidavit of Ms. Deurler will describe how members of RPOA Texas Outreach, Inc. are affected by Chapter 802 of the Texas Occupations Code, the constitutional and other problems related to Chapter 802 of the Texas Occupations Code and the Rules promulgated thereon, the impact of Chapter 802 of the Texas Occupations Code and the Rules promulgated thereon upon the membership of RPOA Texas Outreach, Inc., and how Chapter 802 of the Texas Occupations Code and the Rules promulgated thereon has harmed and will continue to harm them.

Respectfully submitted,

WESTERBURG & THORNTON, P.C.
6060 N. Central Expressway, Suite 690
Dallas, Texas 75206
Phone No.: 214.528.6040
Facsimile: 214.528.6170

By: /s/ Steven Thornton
Steven Thornton
State Bar No. 00789678

ATTORNEY FOR PLAINTIFFS

CERTIFICATE OF SERVICE

I certify that a true copy of the above was served on opposing counsel of record or party in accordance with the Federal Rules of Civil Procedure on this 13th day of November, 2012.

 /s/ Steven Thornton
Steven Thornton

IN THE UNITED STATES DISTRICT COURT
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TERESA M. ARNETT, SHARLEEN PELZL,
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VS.

CIVIL ACTION NO. 1:12-cv-00913-JRN

FRANK DENTON, Chairman of Commissioners
of the Texas Department of Licensing and
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DEFENDANTS.

Affidavit of Teresa M. Arnett

THE STATE OF TEXAS

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§

COUNTY OF CALDWELL

BEFORE ME, the undersigned authority, personally appeared Teresa M. Arnett, who, being by me duly sworn, deposed as follows:

1. I, the undersigned, am over 21 years of age, of sound mind, capable of making this affidavit, and have personal knowledge of the facts herein stated. The facts stated in this affidavit are true and correct.
2. I am one of the Plaintiffs in the above-entitled and numbered cause.
3. I reside and work in Delhi, Texas. Currently, I breed and show Boston Terriers in competition. I have been a breeder for 20 years.
4. I also breed to raise Boston Terriers to be used as Service Dogs for military members. I currently have a working service dog for myself that I trained and have 3 service dogs with other people. I have dogs living in nursing homes with the residents. I have participated in shows such as the AKC, UKC and other international shows. I have been recognized as an AKC Breeder of Merit. Until last year, I was an AKC Canine Good Citizenship Evaluator. I have bred 10 AKC Champion, 2 AKC Grand Champions, 53

EXHIBIT "A"

UKC Champions, 22 UKC Grand Champions, One National Champion, 7 International Champions and 2 International Veteran Champions.

5. Currently, I am maintaining 34 dogs at my facility. Based on my understanding of the Texas Dog and Cat Breeder law which is the subject of this lawsuit (hereinafter the "Law"), I will not have to comply with the provisions of this law because I do not own 11 intact females. Should I keep any more females, I will fall under this law and be required to obtain a license.

6. I have never received any citations for violating any local ordinance or Texas statute regarding the operation of my breeding business. I have never been charged with or accused of any acts of animal cruelty by any law enforcement unit. My facilities are clean and professionally operated.

7. Currently, I am financially unable to meet each and every regulation required of "licensed breeders" under the Law. If I am compelled to make the required modifications to my current premises in order to secure a license, I will be forced to close my operations. As a result, I will be out of business and will lose all of the income I derive from it. Although I would like to have more than 11 breeding females and have had more in the past, I cannot now due to the Law. I am losing both business opportunities as well as opportunities to assist disabled people obtain service animals due to the Law.

8. In addition to the damage that the law does to my business, the Law suffers from numerous flaws. First, the exemption that the law makes for breeders of animals bred for herding livestock, hunting or performance events is illogical. As a breeder of Boston Terriers, I know that there is no difference in how a dog is bred with regard to its ultimate use. Moreover, the Law does not provide any exemption for animals bred to be used as service dogs. The training for service dogs is far more rigorous and intensive than any training for hunting or herding.

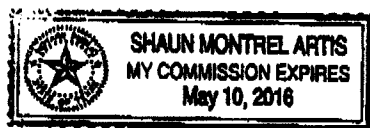
9. I know of no legitimate interest that is served by this exemption. If the reasoning for creating the Law in the first place can be believed, exempting this classification of breeders does nothing to promote the health and safety of these animals during the breeding process. Second, I know of no statistics and have never seen any reports claiming that this class of exempted uses for dogs have some special protection during breeding

based upon that use. If the safety and welfare of these animals during the breeding process is the sole concern of this Law, exempting any animals due to their ultimate use seems nonsensical and likely to lead to the very result that the Law is supposedly designed to prevent.

10. I am also deeply concerned about the warrantless searches that the Law allows. From my reading of the Law, it appears that the inspectors are authorized to enter my business premises and even my private residence to access my facilities without my permission and without notice if they determine it to be appropriate. Without any oversight from a Court, the Law gives these inspectors the right to access my private residence and business premises of their own accord and without the necessity of probable cause. I have no way to challenge that intrusion or prevent it. I believe this to be a violation of my constitutional rights against warrantless searches.

Teresa M. Arnett
Teresa M. Arnett, Affiant

SIGNED under oath before me on this 12th day of November, 2012, by Teresa M. Arnett.



Shaun Montrel Artis
Notary Public, State of Texas

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Affidavit of Sharleen Pelzl

THE STATE OF TEXAS §
COUNTY OF HAYS §

BEFORE ME, the undersigned authority, personally appeared Sharleen Pelzl, who, being by me duly sworn, deposed as follows:

1. I, the undersigned, am over 21 years of age, of sound mind, capable of making this affidavit, and have personal knowledge of the facts herein stated. The facts stated in this affidavit are true and correct.
2. I am one of the Plaintiffs in the above-entitled and numbered cause.
3. I reside in Dripping Springs, Texas. Currently, I breed Oriental Shorthair and Siamese cats. I have been a breeder for 21 years.
4. My cattery has been registered with Cat Fancier's Association (CFA) since 1991. CFA has been existence since 1906 and is a pedigree based registry. We are also registered with The International Cat Association (TICA) that has been in existence since 1979 and is a genetic based registry. Our kittens/cats are registered with one or both associations.
5. We exhibit the best of our planned breedings that meet or exceed the written standard for the breed. Over the years we have had numerous Grand Champion; Regional Winners and one Distinguished

EXHIBIT "B"

Merit (DM). A DM is awarded to a female that has produced 5 Grand Champions or for a male that has sired 15 Grand Champions that are registered and shown in CFA Shows. We have been exhibiting and registering our kittens/cats with TICA since 2010. We have produced 3 Supreme Grand Champions and purchased a cat that also received her title of Supreme Grand Champion. Additionally, our cats have 4 Regional Wins since 2010. Currently, we have a kitten that is a possible contender for an International Win. He is now competing for his Supreme Grand Champion Title.

6. Other breeder's frequently consult me on topics of health, breeding and grooming. I have attended numerous seminars on veterinary health, genetics and breed specific issues. The veterinary seminars I attended were conducted by UC Davis on specific health issues and by Dr. Heather Lorimer, Phd., TICA Genetic Instructor on feline genetics.

7. I have never received any citations for violating any local ordinance or Texas statute regarding the operation of my breeding business. I have never been charged with or accused of any acts of animal cruelty by any law enforcement unit. My facilities are clean and professionally operated.

8. I am licensed with TDLR. While my facilities will meet the requirements under the Law, the idea of subjecting myself and my business to the whims of inspectors is both offensive and costly.

9. I do not understand the purpose or necessity of the exemption that the law makes for breeders of animals bred for herding livestock, hunting or performance events is illogical. Dogs, in general, have always been used and developed for some specific purpose. As an animal breeder, I know that there is no difference in how an animal is bred with regard to its ultimate use. This exemption speaks volumes about the authors of the Law and their desire to get the Law passed as opposed to the actual care and safety for these animals. Oddly, this Law does not provide any exemption for cats.

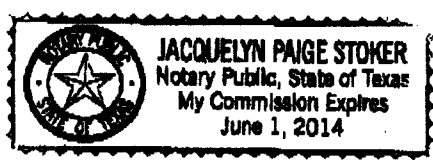
10. I know of no legitimate interest that is rationally related to this exemption. I have been told that the reason behind passing the Law is ostensibly to promote the health and welfare of animals involved in breeding. What I see no reason for is the exemption of a class of breeders based on what the dog may ultimately be used for.


11. The ultimate use for a dog or a cat has absolutely no affect on the health and care of the animal during the breeding process. I have never seen or heard of any study showing that the classes of dogs exempted from the Law are somehow immune to bad breeding conduct. If the safety and welfare of these animals during the breeding process is the sole concern of this Law, exempting any animals due to their ultimate use seems nonsensical and likely to lead to the very result that the Law is supposedly designed to prevent.

12. I am also deeply concerned about the warrantless searches that the Law allows. From my reading of the Law, it appears that the inspectors are authorized to enter my business premises and even my private residence to access my facilities without my permission and without notice if they determine it to be appropriate. Without any oversight from a Court, the Law gives these inspectors the right to access my private residence and business premises of their own accord and without the necessity of probable cause. I have no way to challenge that intrusion or prevent it. I believe this to be a violation of my constitutional rights against warrantless searches. Moreover, this law promotes and encourages neighbors to look for "possible" violators and report them for a monetary reward. These aspects of the law should not be tolerated in a free society.


Sharleen Pelzl, Affiant

SIGNED under oath before me on this 9 day of November, 2012, by Sharleen Pelzl.




Notary Public, State of Texas

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DEFENDANTS. §

Affidavit of James O. Smith

THE STATE OF TEXAS §
COUNTY OF WILLIAMSON §

BEFORE ME, the undersigned authority, personally appeared James O. Smith, who, being by me duly sworn, deposed as follows:

1. I, the undersigned, am over 21 years of age, of sound mind, capable of making this affidavit, and have personal knowledge of the facts herein stated. The facts stated in this affidavit are true and correct.
2. I am one of the Plaintiffs in the above-entitled and numbered cause.
3. I reside in Georgetown, Texas. I work in Austin Texas. Currently, I breed Bengal and Savannah cats. I have been a cat breeder for 20 years.
4. I have been a member and an officer of several international cat associations, and have been rated as a "Cattery of Excellence" by several of them. I am a past Vice President of The International Bengal Cat Association" and a past Director of the Austin Cat Fanciers. Currently I am a member of the International Cat Association Savannah Breed Section, which represents the Savannah Breed to the International Cat Association (TICA).

EXHIBIT "C"

5. In our years of breeding, we have produced three cats that were ranked Best of Breed Internationally for their breed. They were also ranked in the top 20 of the cats that showed that year. We have had 18 cats to achieve Supreme Grand Champion, which is the highest title for Championship cats in The International Cat Association.

6. Additionally, I author software and have produced a Cattery Management program which is used internationally by many breeders to keep track of their cats and their breeding programs.

7. I grew up on a Central Texas dairy farm, and have always been involved in raising cattle, horses, dogs and goats. But, the only animals I have raised professionally are my cats.

8. I have never received any citations for violating any local ordinance or Texas statute regarding the operation of my breeding business. I have never been charged with or accused of any acts of animal cruelty by any law enforcement unit. My facilities are clean and professionally operated. Originally, I ran my business with my wife (now Ex) and now I operate it with the help of a local friend, who depends on the income to supplement her family's income.

9. Due to the Texas Dog and Cat Breeder Act (hereinafter the "Law"), I was forced to reduce the number of cats in my possession to fall below the minimum required amount. Previously, I usually maintained at least 20 females for breeding. While I would prefer to maintain more cats than I currently have in order to maximize my business opportunities, the requirements and certain features of the Law make its application to me unacceptable. As a result, I am losing significant income and suffering a great deal of emotional stress due to the Law. Despite being 69 years old, I'm having to work a full time outside job because the income from the cats won't do much more than simply pay for their keep.

10. I have been instrumental in the development of the Savannah breed, and with my Ex, we developed a fine line of cats. Due to the Law, we have had to move over half of the cats to Tennessee and cease using them in the Savannah program here in Texas. This reaction is severely hurting the development of our program. It takes a goodly number of breeding individuals to ensure a diverse gene

pool. Currently, we don't have that number of breeders. If we are unable to rectify this problem soon, significant and irreparable damage could occur to this project.

11. I followed the development of the Texas Dog and Cat Breeder act, and from the beginning it was not written so as to produce a reasonable set of rules and guidelines to be used by breeders in the operation of their breeding business. Rather, it was designed to be punitive and oppressive, with the aim of forcing breeders out of business. There are probably around 100 TICA breeders in Texas, nearly all of which have fewer than 10 breeding cats. There are more Cat Fanciers of America (CFA) breeders, but likewise, they also probably average fewer than 10 breeding cats. In fact, I only know of two or three programs that would fall under the new law, and like myself, they have been forced to reduce their numbers. During the writing of the law, none of the authors of the law actually left Austin and visited the various people who raise cats to determine the actual truth of the conditions that cats were being raised under. The number of large breeders were greatly overstated, the amount of income that registering the breeders that would fall under the law was overstated, and the resources required to police a state the size of Texas was understated.

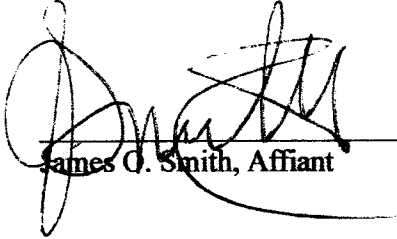
12. The fee structure of the law is several times as great as that of the USDA, and the law duplicates the function of the USDA and the Animal and Plant Health Inspection Service (APHIS). The APHIS regulations are simple and easy to understand, and the USDA inspectors are available to help and advise, and they provide much useful information and booklets. Their inspection practices are simple, and if they find you in violation of a rule, you are instructed on how to correct the fault, rather than being fined thousands of dollars. It appears that huge fines are going to be required by the few breeders that eventually will fall under the new law, as that is the only way that this behemoth structure can be financed.

13. The new law states that "The commission shall adopt rules establishing minimum standards for the humane handling, care, housing, and transportation of dogs and cats by a dog or cat breeder to ensure the overall health, safety, and well-being of each animal in the breeder's possession." However, certain breeds and activities are exempted from the law, without any explanation of why the health and safety of

those animals is any less important than the health and safety of any kittens that I raise. Also, why should animals such as horses or goats be exempted, when dogs and cats aren't? I know of no reason that exempting certain breeders whose dogs are intended for hunting or herding from the Law promotes the health and safety of these animals during the breeding process.

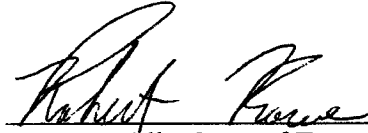
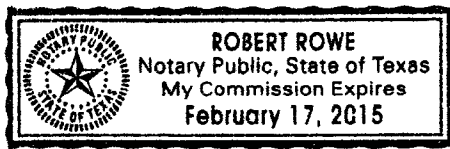
14. I am most concerned about the warrantless searches that the Law allows. From my reading of the Law (Sec. 802.062. Inspections.), inspectors may enter my business premises and even my private residence to access my facilities without my permission and without notice if they determine it to be appropriate. Furthermore, they can demand that I (the breeder) assist them in their inspection, enter private quarters, allow them access to records, etc. Sec. 802.061. Inspections, refers to "Third Party" inspectors, without spelling out exactly what they are, only that they can be contracted by the agency to enforce the rules of the Act, which therefore means that persons who are hostile to pet ownership can be empowered to provide inspection services and enforce penalties without my having a hearing to state my own case. Without any oversight from a Court, the Law gives inspectors the right to access my private residence and business premises of their own accord and without the necessity of probable cause. I have no way to challenge that intrusion or prevent it. This is a violation of my constitutional rights against warrantless searches.

15. Moreover, there does not appear to be any feature in the law to allow me to appeal the decision of the inspectors or to appeal a refusal of license. The Law seems to imbue these inspectors with the power to be prosecutor, judge and executioner of any sentence that they deem appropriate.



James O. Smith, Affiant

SIGNED under oath before me on this 10th day of November, 2012, by James O. Smith.



Notary Public, State of Texas

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Affidavit of Mary Beth Duerler

THE STATE OF TEXAS §
COUNTY OF WILLIAMSON §

BEFORE ME, the undersigned authority, personally appeared Mary Beth Duerler, who, being by me duly sworn, deposed as follows:

1. I, the undersigned, am over 21 years of age, of sound mind, capable of making this affidavit, and have personal knowledge of the facts herein stated. The facts stated in this affidavit are true and correct.
2. I am the executive director of RPOA Texas Outreach, Inc. (hereinafter "RPOA"), one of the Plaintiffs in the above-entitled and numbered cause.
3. I live in Helotes, Texas. I have previously participated in American Kennel Club Obedience Competition Trials with my purebred dog, an AKC Staffordshire Bull Terrier. I currently am retired and have spent the past 20 years organizing Responsible Pet Owners Alliance, Inc. and RPOA Texas Outreach, Inc. We offer our extensive animal expertise to Texas communities at no cost. I receive no salary.
4. As the executive director and a co-founder of RPOA, my responsibilities are to administer our Pet Education, Assistance & Statewide Purebred All Species Rescue Program with the assistance of office staff. RPOA has a telephone Pet Assistance Hotline to help anyone with an animal problem. Our

EXHIBIT "D"

knowledge about pets, their behavior and proper care is extensive and hopefully will prevent an animal from being relinquished to animal shelters. Many times animals are turned in due to a correctable behavior problem. Our organization has and continues to be used as a model for programs in other states.

5. RPOA was formed originally as an AKC state federation in 1992 by a group of dedicated and conscientious American Kennel Club (AKC) clubs, representing 305 AKC clubs in Texas. This is not a legal affiliation with AKC. AKC has an impressive Education Program and provides free materials for our educational booths and schools presentations. We quickly expanded far beyond that to include all species pet owners. The purpose of this organization was and is to analyze animal related problems and develop programs to prevent or solve them instead of only accepting the growing number of unwanted animals filling Texas animal shelters.

6. The membership of RPOA is comprised of concerned pet owners, pet clubs, pet fanciers, veterinarians, veterinary technicians, pet groomers, boarding kennels, pet sitters, rescuers, dog behaviorists and trainers and many others in the pet industry. Additionally, RPOA has approximately 6,000 members whose profession or hobby is breeding dogs and/or cats. Due to so many AKC club memberships, it is impossible to have an exact count. The businesses or hobbies of these breeder-members are covered and impacted by the Texas Dog and Cat Breeder Act (hereinafter the "Law"). The faulty breeder definition in the Law throws a wide net over many Texas show/hobby breeders who work full time in order to support their expensive hobby. This is not a business to them in the normal sense of the word. Participation in AKC events every weekend in Texas and all across the country is costly and includes entry fees, lodging, meals, RVs, gasoline, and many other expenses. Most of these breeder-members cannot afford to challenge the Law on their own and depend on RPOA to represent their interests in this matter.

7. Upon reading the Law, I learned that the Law exempts certain dog breeders if those dogs are intended to be used for herding livestock or other agricultural uses; hunting, including tracking, chasing, pointing, flushing, or retrieving game; or competing in field trials, hunting tests, or similar organized

performance events. This exemption does nothing to protect any animals nor is it related to any governmental interest.

8. As someone who represents the interests of dog breeders, I know that there is no difference in how an animal is bred with regard to its ultimate use. The same breeds that would be used for herding, hunting or performance events can also be used as house pets, security forces or services animals. In fact, it is common for a breeder to sell puppies from the same litter to multiple buyers. If one of those buyers ultimately use one of the puppies for hunting and another uses one of the puppies as a house pet or service dog, how would one determine whether the Law should apply to the breeder or not?

9. Putting aside the Law's application issues, the larger problem with this exemption is that it is counter-intuitive to the purpose for which the law is supposedly designed. Assuming that the Law was actually created to safeguard the health and welfare of animals involved in breeding, exempting a class of breeders based on the ultimate use of the dog makes no sense. If these regulations actually protect the animals, hunting dogs or herding dogs should be protected just as much house pets or service dogs. The ultimate use for a dog or a cat has absolutely no affect on the health and care of the animal during the breeding process. I have never seen or heard of any study showing that the classes of dogs exempted from the Law are somehow immune to bad breeding conduct. I can conceive of no legitimate interest that this exemption serves.

10. But, I do know the real reason that this exemption was created. When the Texas Legislature was considering the Law during the last 2011 session, it became apparent that they did not have sufficient votes to pass the Law. Moreover, Governor Perry indicated that he did not intend to sign the Law due to several issues that he had with the legislation. In a compromise to eliminate the opposition to the Law from representatives of rural areas and the Governor, the sponsors wrote this exemption.

11. I am also concerned about the warrantless searches that the Law allows. From my reading of the Law, it seems that the inspectors are authorized to enter the business premises and private residence of RPOA members to access their facilities without permission and without notice if they determine it to be

appropriate. Without any oversight from a Court, the Law gives these inspectors the right to access a private residence and business premises of their own accord and without the necessity of probable cause. RPOA members have no way under the Law to challenge that intrusion or prevent it. I believe this to be a violation of RPOA's members' constitutional rights against warrantless searches. Show/hobby breeders don't keep "business hours" in their homes and are away from home with their full time employment during the day. Therefore, it is impossible for them to be available for inspections during these times.

12. It also does not appear to be any feature in the law to allow a breeder to appeal the decision of the inspectors or to appeal a refusal of license. From a reading of the Law and the rules promulgated by TDLR, there appear to be few if any limits to the discretion of these inspectors.

13. The law was presented to legislators under false premises, on the presumption there would be 1,000 Licensed Breeders to cover its administration and enforcement. The law mandates there be no cost to the state. To date 124 Dog and Cat Breeder Licenses have been approved. Some breeders have moved out of state. Others lowered the number of intact females or stopped breeding altogether due to onerous Rules written for the new Law, which are impossible to meet in a private home. USDA regulations are required as a minimum, which were originally written to apply to disease free animals bred and raised for research only in a sterile environment. The law requires that all surfaces coming in contact with animals must be impervious to moisture with specific sterile sanitization methods: temperature ranges required to be kept between 50° F to 85° F, special drainage, and ventilation – prohibiting certain breeds from being kept outside at all without veterinarian approval and documented in each dog's medical records. Ambient temperature must not fall outside those perimeters for more than 2 consecutive hours. Estimates have been from \$20,000 to \$30,000 to build a USDA complaint Facility. Certain categories of dogs and cats cannot be kept in outdoor facilities unless specifically approved by a veterinarian and documented by a veterinarian in medical records related to each individual dog or cat to which the exemption applies.

TDLR may deny issuance of license or refuse to renew a license if the breeder fails to meet any standard adopted by rule under this chapter.

14. The Law will lead to pet owners seeking puppies and kittens from the Internet and black market sources, possibly shipped from other countries. Purebred dogs and cats face extinction due to a well funded and well organized effort of animal extremists who oppose all use of animals for any reason, including pet ownership. Truth is: the irreparable harm from the Law will trickle down to pet owners, who seek a healthy purebred lifetime companion; well bred, well socialized, with stud and dam genetic tested to eliminate inherited problems.

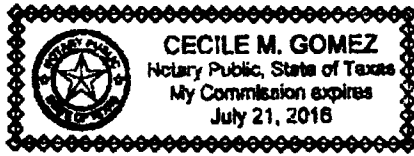
15. All dog breeds were bred for a special purpose and those characteristics are what makes some breeds excel in many ways to serve mankind: therapy dogs, service dogs, guide dogs for the blind, police dogs, drug sniffing, detecting seizures before they happen, detecting undiagnosed cancer, police and military bomb sniffing dogs, etc. The Law threatens loss of bloodlines and gene pools which include many years of work to establish. Once these bloodlines are lost, they are lost forever and can never be retrieved. It is necessary to maintain certain intact female animals for years to be sure progeny test properly for desired traits. Owning an "intact" female does not equate to a "breeding" female animal. Show/hobby dog breeders do not breed intact females until they are two years of age and even then only after they have completed their show or performance titles.

16. The Law establishes a "Breeder Bounty" with an online complaint reporting system for reporting chapter violations, including unlicensed activity by breeders required to be licensed. A person is eligible to receive a reward if information is independently verified and substantiated by inspectors or investigators. Persons may elect to provide information anonymously. The General Fund may accept donations from any source for administration and enforcement of the Law, which could be perceived as certain extremist groups influencing the administration and enforcement of this Law. Rewards may not exceed \$1,000, decided on case by case basis.

17. Texas Department of Licensing and Regulation (TDLR) may contract with Third Party Inspectors to enforce or assist in the enforcement and rules adopted under this chapter, including the performance of inspections and investigations required. This allows national animal extremist groups to make large donations, and then negotiate contracts to assume all duties of TDLR staff.

Mary Beth Duerler
Mary Beth Duerler, Affiant

SIGNED under oath before me on this 13 day of November, 2012, by Mary Beth Duerler.



Cecile M. Gomez
Notary Public, State of Texas