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MEMORANDUM

To: House Committee on Agriculture
From: Kyle Hamilton, Assistant Revisor of Statutes
Date: March 16, 2017
Subject: Bill Brief on SB 47, as Amended by Senate Committee on Agriculture and Natural Resources

SB 47 makes amendments to the pet animal act. Section 1 provides guidelines for operating a rescue network. A person must obtain a license before operating a rescue network. Rescue networks may use pet animal foster homes, and the rescue network is responsible for ensuring the foster homes comply with the pet animal act. Each rescue network must have a manager who is responsible for carrying out the administrative duties for the rescue network.

Section 2 provides that, when proper notice is given to the animal health commissioner, rescue networks and animal shelters may host adoption events at a location other than the licensed premises.

Section 3 amends the definition section of the pet animal act. It modernizes the definitions to use current language used in the industry. It strikes the definitions of “hobby breeder premises,” “hobby breeder,” “retail breeder,” “retail breeder premises,” “retail” and “wholesale,” and defines “rescue network,” “rescue network manager” and “pet animal foster home.”

Section 6 provides that animal shelters may use pet animal foster homes and are responsible for ensuring such pet animal foster homes comply with this act.

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Section 7 provides reasons for which the commissioner may refuse to issue or renew or may suspend or revoke a license or permit., including failing three inspections within 24 months or refusal to allow an inspector onto the premises. A person who has been convicted of cruelty to animals could not receive a license or permit under the pet animal act.

Section 8 requires the commissioner to inspect each premises for which a license or permit is issued according to an inspection frequency schedule to be adopted by rules and regulations. Notice would be given to a person being inspected for an application for an original license or permit, but notice would not be given prior to an inspection of a licensed or permitted premises.

Sections 9 and 10 amend references to definitions that are changing or being removed by the bill. Section 9 would also amend the criterion for euthanizing an animal in an animal shelter.

Section 11 removes the requirement that the commissioner may only adopt certain rules and regulations for USDA licensed breeders.

Section 13 changes the license fee caps for the various licenses available under this act. Foster home fees would be \$20 a year. An \$80 fee would be established for “no-contact inspections”, a term which would be defined. Fees would also be established for first and second re-inspections.

Section 15 amends the membership of the Kansas pet animal advisory board to include both an animal breeder who holds a USDA license and an animal breeder who is only licensed under the state. A licensed rescue network manager would also be added to the membership.

Section 17 allows students at all accredited colleges of veterinary medicine to spay or neuter dogs and cats on behalf of an animal shelter or rescue network.

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The license period for each premises licensed under the pet animal act would now end on September 30th instead of June 30th.

Additionally, the bill strikes the terms “pound” and “kennel” throughout the act and replaces the term “facility” with “premises.” The bill also repeals four additional statutes including a severability clause, the hobby breeder license provision, the temporary closing permit provision and the retail breeder license category.

SB 47 would become effective upon publication in the Kansas register.