



2011 BILL

1 AN ACT *to amend* 173.41 (1) (c), 173.41 (1) (d) and 173.41 (3) (a) 1. and 2. of the
2 statutes; **relating to:** the thresholds for regulation of dog breeders.

Analysis by the Legislative Reference Bureau

Current law requires certain persons who sell dogs or operate animal shelters or animal control facilities to be licensed by the Department of Agriculture, Trade and Consumer Protection (DATCP). Persons who are required to be licensed must comply with standards of animal care that are specified in the law. Among the persons who must obtain licenses are dog breeders who sell 25 or more dogs in a year from more than three litters.

Under this bill, a dog breeder must sell or offer to sell 100 or more dogs in a year to be subject to the requirement to obtain a license from DATCP. The bill also reduces the positions that are authorized to DATCP for the regulation of persons who sell dogs or operate animal shelters.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 SECTION 1. 173.41 (1) (c) of the statutes is amended to read:

4 173.41 (1) (c) “Dog breeder” means a person who sells ~~25~~ 100 or more dogs in
5 a year that the person has bred and raised, ~~except that “dog breeder” does not include~~

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1 ~~a person who sells 25 or more dogs in a year that the person has bred and raised if~~
2 ~~all of those dogs are from no more than 3 litters.~~

3 **SECTION 2.** 173.41 (1) (d) of the statutes is amended to read:

4 173.41 (1) (d) “Dog breeding facility” means a place at which dogs are bred and
5 raised and from which ~~25~~ 100 or more dogs are sold in a year, ~~except that “dog~~
6 ~~breeding facility” does not include a place at which dogs are bred and raised and from~~
7 ~~which 25 or more dogs are sold in a year if all of the dogs that are sold in a year are~~
8 ~~from no more than 3 litters.~~

9 **SECTION 3.** 173.41 (3) (a) 1. and 2. of the statutes are amended to read:

10 173.41 (3) (a) 1. For a ~~person~~ dog dealer or out of state dog dealer who sells or
11 offers to sell at least 25 but fewer than 50 dogs per year, \$250.

12 2. For a ~~person~~ dog dealer or out of state dog dealer who sells or offers to sell
13 at least 50 but fewer than 100 dogs per year, \$500.

14 **SECTION 4. Nonstatutory provisions.**

15 (1) POSITIONS. The authorized FTE positions for the department of agriculture,
16 trade and consumer protection are decreased by 3.0 PR positions funded from the
17 appropriation under section 20.115 (2) (j) of the statutes to reduce the staffing for the
18 regulation of persons who sell dogs or operate animal shelters.

19 (END)