

LAWS REGULATING PET BREEDERS AND SELLERS

**Overview** Pet suppliers that handle numerous litters of dogs (sometimes called “puppy mills”) may breed and raise them in conditions that promote disease and genetic problems related to inbreeding. Some federal and state laws apply to such businesses. The federal Animal Welfare Act (1966) authorizes the Secretary of Agriculture to license animal dealers and exhibitors and to inspect their facilities. It originally dealt only with research animals, but in 1970 was amended to include pet animals. Several states, including Illinois, require licenses to sell pet animals, and may inspect licensed facilities. Some states require that retail dog dealers offer buyers information on the origin and health of their dogs. Many of those laws also apply to dealers in cats.

This Research Response describes state laws regulating pet breeders and sellers. Appendix A summarizes penalties for animal cruelty and similar crimes in all states. Appendix B lists criteria for licensing pet breeders in Illinois and the 18 states in our standard survey list (the 10 most populous states other than Illinois; neighboring states; and regional representatives<sup>1</sup>).

**Animal Welfare Act**

The federal Animal Welfare Act<sup>2</sup> is intended to ensure humane care and treatment of dogs and cats used in research. It requires persons selling or transporting cats or dogs to research facilities to be licensed. The Secretary of Agriculture regulates the conditions in which the animals are held and transported. The Act was amended in 1970 to include several other warm-blooded animals, and all animals used as pets.<sup>3</sup> The Act authorizes the Secretary to license all dealers and exhibitors selling or transporting animals to research facilities, for exhibition, or to be kept as pets.<sup>4</sup>

Pet stores need licenses only if they sell animals to research facilities, exhibitors, or dealers. The Secretary can exempt stores that get an insubstantial part of their income that way. Persons who breed and sell animals as a hobby rather than a main source of income need not be licensed.<sup>5</sup>

All licensed dealers and exhibitors must demonstrate that their facilities meet the minimum requirements for handling and caring for animals established by the Secretary.<sup>6</sup> They also must keep records on the purchase, sale, transportation, identification, and previous ownership of all animals they handle.<sup>7</sup> All facilities and records must be open for inspection by the Secretary.<sup>8</sup>

**Illinois Law**

The Pet Shop and Dog Dealer Licensing Act (1965) required pet shops and dog dealers to be licensed by the Illinois Department of Agriculture.<sup>9</sup> But the Act was not a general animal control or welfare law, and did not cover breeding operations. An attempt to broaden it to include breeders was defeated in 1969.<sup>10</sup>

In 1973 the Act was amended and renamed the "Animal Welfare Act."<sup>11</sup> It now requires breeders such as kennel and cattery operators, as well as pet shop operators, dog dealers, pounds, and animal shelters, to be licensed by the Illinois Department of Agriculture.<sup>12</sup> The Act defines a "dog dealer" basically as anyone who sells or exchanges dogs, or offers them for adoption, other than those who sell only dogs they raised themselves.<sup>13</sup> All licensed facilities must maintain sanitary conditions, insure proper ventilation, provide adequate nutrition, and take reasonable care to insure that animals are free of disease and abnormality. The Department can inspect all facilities for compliance with these conditions.<sup>14</sup>

Dog dealers must keep records showing the origin and sale of all their dogs.<sup>15</sup> The records must also show proof of a dog's purebred status if claimed to be purebred, and be available to any person buying a dog from the dealer. Dealers may not separate puppies or kittens from their mothers for purposes of sale until they are 8 weeks old.<sup>16</sup> Licensed kennel operators may not accept a cat or dog for boarding or training unless it has been vaccinated for distemper with proof of such vaccination furnished. Any dog accepted must be in compliance with the rabies vaccination requirements of the Illinois Animal Control Act,<sup>17</sup> which requires every owner of a dog at least 4 months old to have it inoculated by a veterinarian against rabies.<sup>18</sup> Every dog must have a second rabies vaccination within 1 year after the first; later vaccinations must be consistent with the periods of immunity listed in USDA licenses for vaccines used.<sup>19</sup>

Pet shop operators, dog dealers, and cattery operators must provide information on each dog or cat sold, including (1) its age, sex, and weight; (2) its breed; (3) a record of vaccinations and veterinary care; (4) a record of surgical sterilization or lack thereof; (5) the name and address of the breeder; and (6) the name and address of any other person who owned it before sale.<sup>20</sup>

A 2007 law taking effect June 1, 2008 amends the Animal Welfare Act by adding a section authorizing the Department to impose administrative fines for violations. The schedule of penalties is: \$200 for a first violation; \$500 for a second violation within 3 years after the first; and \$1,000 plus mandatory probationary status for a third violation within 3 years after the first.<sup>21</sup>

The new law defines "probationary status" as "the 12-month period following a series of violations of this Act during which any further violation shall result in an automatic 12-month suspension of licensure."<sup>22</sup>

### **Other States' Laws**

The Legislative Research Unit surveyed laws of all 50 states to find which of them regulate the breeding and sale of animals. At least 24 states require a license to sell animals in addition to a federal license, as listed in Table 1. Licenses are usually not required for persons selling only a few animals per year.

**Table 1: States Requiring Licenses to Sell Animals**

Arkansas	Illinois	Massachusetts
California	Iowa	Michigan*
Connecticut*	Kansas	Minnesota
Delaware	Kentucky*	Missouri
Georgia	Maine	Nebraska
New Hampshire	Rhode Island	
New Jersey*	Tennessee	
North Carolina	Vermont*	
Ohio	Wisconsin	
Pennsylvania		

\* Municipalities may require local licenses in addition to a state license.

Sources: Ark. Stat. Ann., sec. 4-97-104; Cal. Health & Safety Code, subsec. 122125(b), and Cal. Rev. & Tax. Code, sec. 6066; Conn. Gen. Stat. Ann., sec. 22-344(b); Del. Code Ann., tit. 7, sec. 1702; Ga. Code Ann., sec. 4-11-3; 225 ILCS 605/3(a); Iowa Code Ann., secs. 162.1 ff.; Kans. Stat. Ann., secs. 47-1702 ff.; Ky. Rev. Stat. Ann., sec. 258.135; Me. Rev. Stat. Ann., secs. 3931-A; Mass. Gen. Laws Ann., ch. 140, sec. 137A; Mich. Comp. Laws Ann., sec. 287.270; Minn. Stat. Ann., secs. 347.32 ff.; Mo. Ann. Stat., secs. 273.327 ff.; Neb. Rev. Stat., sec. 54-627; N.H. Rev. Stat. Ann., secs. 437:1 ff.; N.J. Stat. Ann., secs. 4:19-15.8 ff.; N.C. Gen. Stat., secs. 19A-27 ff.; Ohio Rev. Code Ann., secs. 955.04 ff.; Pa. Stat. Ann., tit. 3, sec. 459-206; R.I. Gen. Laws, secs. 4-19-5 ff.; Tenn. Code Ann., secs. 44-17-103 ff.; Vt. Stat. Ann., tit. 20, secs. 3681 ff.; and Wis. Stat. Ann., sec. 174.053.

Many states require breeding kennels or pet stores to give animals adequate ventilation; nutrition and water; heating and cooling; and space. Another common requirement is that animals being for sale be examined by a licensed veterinarian. A few states require that animals found after sale to have illnesses or diseases be returnable for a full refund or exchange within a limited time. Several states authorize state agencies to inspect pet kennels and/or stores. Laws on sale of animals are summarized below for the 30 states found to have such laws.<sup>23</sup>

**Arizona** Pet dealers must have dogs and cats examined by a licensed veterinarian before placing them for sale.<sup>24</sup> A pet dealer who decides to keep a dog or cat that has a contagious disease must keep it in a separate cage.<sup>25</sup> Dealers may not place dogs or cats for sale before they are 8 weeks old.<sup>26</sup>

Pet dealers are required to maintain sanitary facilities; provide dogs and cats with food and water; provide them with adequate space; provide a floor mat or resting board if they house animals in wire cages; and provide veterinary care when required.<sup>27</sup> Violation is a Class 1 misdemeanor.<sup>28</sup>

**Arkansas** A retail pet store at the time of sale must give the buyer written notice of a right to reimbursement for veterinary treatment of the animal, if within 10 days after the sale a licensed veterinarian finds the animal unfit for sale due to illness, a congenital malformation adversely affecting its health, or symptoms of a contagious or infectious disease.<sup>29</sup> The notice must also provide the animal's identifying number; description including its breed, sex, and color; the buyer's name, address, and phone number; and the sale price.<sup>30</sup> An

authorized person may inspect the retail pet store at reasonable hours.<sup>31</sup> Failure to make premises and records available for inspection is a misdemeanor.<sup>32</sup> Notice must be posted in each pet store that complaints about the care and treatment of animals can be filed with the State Board of Health or any law enforcement officer.<sup>33</sup>

- California    Knowingly selling a diseased or sick dog is punishable by a \$1,000 fine and/or a ban on selling dogs for up to 30 days after a first offense; up to \$2,500 and/or a ban up to 90 days for a second offense; up to \$5,000 and/or a ban up to 6 months for a third offense; and up to \$10,000 and/or a ban up to 1 year for a further offense.<sup>34</sup> Each retail dog dealer must put on the cage of each dog offered for sale a sign disclosing the state in which the dog was bred and brokered.<sup>35</sup> A sign posted near cages must say that information is available on the sources of dogs and veterinary treatments they have received.<sup>36</sup>
- Colorado    The Commissioner of Agriculture may set minimum standards for physical facilities, sanitation, care, and method of operation of animal facilities.<sup>37</sup> Such facilities include places where animals are kept for breeding, selling, or grooming.<sup>38</sup>
- Connecticut    Dogs and cats must be examined by a licensed veterinarian before sale, and pet stores must provide records of services given to them. If, within 15 days after sale, an animal becomes ill or dies from an illness existing at the time of sale, the pet shop must either replace the animal or pay a full refund.<sup>39</sup> Each cat or dog imported into the state for sale must have a certificate of health issued by a licensed veterinarian. Kittens and puppies may not be imported before they are 8 weeks old unless accompanied by their mothers, or be sold before then.<sup>40</sup>
- Delaware    Retail dealers' or kennel operators' housing facilities for dogs must be structurally sound, without sharp edges or points. Food and bedding must be stored away from vermin and contamination; food must be refrigerated when necessary. If housing facilities contain disposal systems, they must be constructed so that wastes are quickly eliminated and dogs remain dry.
- Indoor housing facilities for dogs must offer sufficient heating, cooling, ventilation, and lighting. Dry bedding must be provided to dogs when facility temperatures fall below 50° Fahrenheit. Walls and floors of indoor facilities must be impervious to liquid.<sup>41</sup>
- A retail dealer or kennel operator found not to comply with these requirements will be given 10 to 60 days to comply, depending on the severity of the violation. After that, the owner will be fined and may suffer license revocation.<sup>42</sup>
- Florida    It is a misdemeanor to sell any animal known to have a contagious disease,<sup>43</sup> or to put artificial color on any animal.<sup>44</sup> Dogs and cats imported for sale must be examined by a licensed veterinarian 14 to 30 days before entering the state.<sup>45</sup> Dogs must be vaccinated for canine distemper; leptospirosis; bordetella; parainfluenza; hepatitis; canine parvo; rabies (if at least 3 months old); roundworms; and hookworms.<sup>46</sup> Cats must be vaccinated for panleukopenia; feline viral rhinotracheitis; calici virus; rabies (if at least 3 months old); hookworms; and roundworms.<sup>47</sup> A certificate of veterinary inspection must accompany each dog or cat for sale, listing all vaccines and medications given.<sup>48</sup> Dogs and cats may not be imported for sale before they are 8 weeks

old.<sup>49</sup> If within 14 days after purchase a licensed veterinarian certifies that the animal was unfit for purchase due to disease or parasites, or within 1 year after sale the pet is found to have a congenital or hereditary disorder, the buyer may: (1) return it for a full refund, including any veterinary bills; (2) exchange the animal and get a refund for any such bills; or (3) keep the animal and get a refund for such bills.<sup>50</sup>

- Georgia The Commissioner of Agriculture may quarantine any animal having a contagious disease.<sup>51</sup> Pet stores and kennels must be in good repair, clean and sanitary, and adequately ventilated or disinfected. Animals must get enough food and water, and humane care.<sup>52</sup> Violation is a misdemeanor.<sup>53</sup>
- Indiana A dog under 8 weeks old may not be imported into or exported from the state without its mother; however licensed research facilities are exempt.<sup>54</sup>
- Iowa Pet shops and kennels must provide facilities with adequate food, water, sanitation, and housing. Failure to do so may result in revocation of a pet shop or kennel's license.<sup>55</sup>
- Kansas The Livestock Commissioner of the Kansas Animal Health Board may set rules on treatment, housing, sanitation, feeding, watering, and medical treatment of animals in operating kennels and pet shops. The Commissioner may also inspect those facilities.<sup>56</sup>
- Maine The Commissioner of Agriculture, Food and Rural Resources; a state humane agent; or a licensed veterinarian employed by the state may inspect any kennel or pet shop for infectious diseases and sanitary conditions.<sup>57</sup>
- Maryland Dogs or cats younger than 8 weeks may not be imported for sale or distribution without their mothers.<sup>58</sup> A director of a state-chartered humane society, accompanied by a sheriff or deputy, may inspect any business that buys, sells, trades, or breeds dogs, or any kennel keeping at least 25 dogs.<sup>59</sup>
- Massachusetts County commissioners, police chiefs, and dog officers may inspect any kennel. If a kennel does not meet sanitary and humane conditions, or its records are not properly kept, the officer may suspend or revoke its license.<sup>60</sup> Dogs or cats imported into the state must be vaccinated against distemper 7 to 30 days before entry, and must have a certificate signed by a licensed veterinarian. No dog or cat younger than 8 weeks may be imported for commercial purposes.<sup>61</sup>
- Michigan A pet shop operator may not: (1) import for sale a dog or cat less than 8 weeks old; (2) sell a dog or cat lacking visible baby teeth; (3) sell a dog not inoculated against distemper, hepatitis, leptospirosis, and parainfluenza at least 7 days before entry into the state (the law does not address animals born in the state); (4) sell any cat not inoculated against feline panleukopenia, rhinotracheitis, and calici viruses at least 7 days before entry into the state (also not addressing animals born in the state); or (5) sell or deliver an animal lacking a health certificate signed by a licensed veterinarian.<sup>62</sup>
- Minnesota The Board of Animal Health may issue rules on animal dealers.<sup>63</sup> Any Board agent, sheriff, deputy, police officer, or humane agent may inspect a kennel.<sup>64</sup> Pet dealers must give each buyer information on the breeder and the animal, and a statement signed by the dealer saying the animal has no

known health problems (or a statement of health problems with recommended treatments).<sup>65</sup> All animals must be examined by a licensed veterinarian before being placed for sale.<sup>66</sup> Animals found to have an illness within 10 days, or dying within 1 year, after sale may be returned for a full refund if accompanied by a note from a veterinarian.<sup>67</sup> Pet dealers must notify consumers of their rights.<sup>68</sup>

Missouri Kennels, pet shops, and pet dealers may be licensed only after a state veterinarian or animal welfare official inspects them.<sup>69</sup> If conditions pose a risk to animals' health or safety, the veterinarian may ask a court to issue an injunction against the sale of such animals and/or to order quarantine.<sup>70</sup>

Montana Every pet shop operator, humane society, or publicly operated animal shelter or pound that makes cats and dogs available for adoption or sale must provide the following information (apparently on each animal offered): (1) age, sex, and weight; (2) breed; (3) a record of vaccinations and veterinary care received; and (4) whether the animal has been surgically sterilized.<sup>71</sup> The following information must be kept for 2 years: name and address of breeder if known; name and address of the person who harbored the animal from birth to time of sale or adoption; and a copy of the import permit and health certificate if the animal came from out of state.<sup>72</sup>

Nebraska Commercial breeders (persons who both breed and sell dogs or cats, unless they keep no more than three cats)<sup>73</sup> must maintain sanitary housing facilities; keep dogs and cats dry and clean; protect them from extremely hot or cold temperatures; give them enough food and water; provide them enough housing space, socialization, and exercise; and provide immediate veterinary care when necessary.<sup>74</sup> An inspection program administered by the Bureau of Animal Industry in the Department of Agriculture determines whether breeders are complying with this law.<sup>75</sup> Violators are given time (as determined by the Bureau) to comply.<sup>76</sup> The Bureau may issue rules to regulate these inspections.<sup>77</sup> Violators may be put on probation or suffer license suspension or revocation.<sup>78</sup>

Nevada Catteries, kennels, and any facility selling animals must be clean and in good repair; must not be accumulated with trash; must protect animals from injury; must prevent them from escaping and prevent other animals from entering; and have adequate sources of electricity.<sup>79</sup> Similar conditions must be met by enclosures for such animals.<sup>80</sup> Animals must have water available for at least one hour at least twice daily, and be fed at least once a day.<sup>81</sup> Animal wastes must be removed and the primary enclosure disinfected at least daily. Other enclosures must be cleaned, washed, and disinfected at least every 2 weeks.<sup>82</sup> Animals must be examined by a veterinarian every 30 days until sold. The buyer must be given information on any treatment or medication received by the animal.<sup>83</sup> The seller of a cat or dog must provide a written statement showing (1) its date of birth if known; (2) the name and address of the person from whom it was acquired and whether that person is licensed by the USDA; (3) a record of immunizations; (4) notice of any illnesses, diseases, or terminal conditions requiring immediate hospitalization at time of sale; and (5) (for dogs), the registration numbers of the sire and dam and the breed registry, if any.<sup>84</sup>

New Hampshire Kennels and pet shops must be inspected by an official of the humane society or SPCA at the direction of the Department of Agriculture at least every 6

months.<sup>85</sup> Dogs and cats for sale by a licensed business must be inoculated against infectious disease by a veterinarian at the business's expense. The seller must give the buyer a copy of the animal's health certificate signed by a veterinarian. Dogs and cats may not be sold before they are 8 weeks old.<sup>86</sup>

- New Jersey A pet shop or kennel owner commits a disorderly offense by: (1) confining an animal without enough food and water, or (2) destroying an animal by any means other than a form of euthanasia accepted by veterinarians.<sup>87</sup> Persons destroying animals by unapproved means are fined \$25 for the first offense and \$50 for any repeat offense.<sup>88</sup> Persons confining animals with inadequate food or nutrients are fined \$250 to \$1,000 or imprisoned up to 6 months,<sup>89</sup> and required to do up to 30 days' community service.<sup>90</sup>
- New York Purchased animals found by a licensed veterinarian to have an illness, congenital malformation affecting health, or symptoms of contagious or infectious disease within 14 business days may be returned for a full refund; exchanged; or provided any veterinary services needed by the dealer. The dealer must also provide each buyer with a written description of the animal including its breed, date of earlier purchase, and purchase price.<sup>91</sup>
- North Carolina Failure to provide adequate housing, feeding, and watering of animals is a misdemeanor punishable by a fine of \$5 per animal, up to a maximum of \$1,000. Such animals may be seized and impounded and then sold or euthanized.<sup>92</sup>
- Oregon Animal dealers must keep records on each dog and cat kept for sale and their offspring, including species, sex, age, color, and breed; a photograph of the animal within 24 hours after birth or acquisition; name, address, and driver's license number of the provider; date of acquisition; and intended destination. Such records must be sent within 24 hours after acquisition to the state Department of Agriculture along with a \$1 fee per animal.<sup>93</sup>
- Pennsylvania Kennels must be kept in sanitary and humane condition. Owners of a dog kennel must keep records for at least 2 years on each dog held, including breed, color, markings, sex, and age; date of entering the kennel; source; name of previous owner; reason for keeping the dog in the kennel; date of leaving; and how and to whom the dog was transferred.<sup>94</sup> Dealers may not bring a dog into the state without a health certificate signed by a licensed veterinarian. The certificate must state that the dog is at least 7 weeks old; has no sign of infectious or contagious disease; and has not been exposed to rabies in the last 100 days. Dogs over 3 months old must be vaccinated for rabies.<sup>95</sup> State dog wardens and employees of the Department of Agriculture may inspect kennels.<sup>96</sup>
- Rhode Island Licensed kennels and pet shops must provide animals with proper housing, food, and water. Violation is a misdemeanor punishable by a fine up to \$100 per animal. Such animals may be seized or impounded, then sold or euthanized, and licenses may be revoked.<sup>97</sup> The Director of Environmental Management may also issue rules on the sale, transportation, and care of animals.<sup>98</sup>
- Tennessee Each animal acquired by a dealer must have a bill of sale including the seller's name, address, phone number, and driver's license or Social Security number.<sup>99</sup> Dealers must hold animals at least 5 business days before offering

them for sale.<sup>100</sup> An Agriculture Department representative may inspect animal dealerships at any reasonable time.<sup>101</sup>

**Vermont** Kennels and pet shops may be inspected by police officers; representatives of the Department of Agriculture; agents of the humane society; or licensed veterinarians designated by such officers.<sup>102</sup> Those persons may quarantine such facilities that keep dogs in unsanitary or inhumane conditions.<sup>103</sup> The Commissioner of Agriculture may also issue rules on the sale, transportation, and care of animals.<sup>104</sup>

**Virginia** Sellers of dogs and cats must give each buyer a signed animal history certificate showing its breed, sex, age, color, and birthdate; previous owner's name and address; breeder's name and address; names and registration numbers of its sire and dam; and a statement of all vaccinations given, with the name and address of the veterinarian.<sup>105</sup> Animals found to have diseases, illnesses, or congenital defects may be returned to the dealer for a full refund or exchange.<sup>106</sup> Buyers have the same remedies if a pet dealer promises or claims that a dog or cat is registered or capable of being registered with an animal pedigree registry but has not registered the animal within 120 days after sale.<sup>107</sup>

#### Notes

1. Those states are Arizona, California, Florida, Georgia, Indiana, Iowa, Massachusetts, Michigan, Missouri, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Texas, Virginia, Washington, and Wisconsin.
2. 7 U.S.C. secs. 2131 ff.
3. Pub. L. 91-579, 84 Stat. 156 (1970); 7 U.S.C. secs. 2131 ff.
4. 7 U.S.C. sec. 2134.
5. 7 U.S.C. sec. 2133.
6. 7 U.S.C. sec. 2143.
7. 7 U.S.C. sec. 2140.
8. 7 U.S.C. subsec. 2143(a)(7)(B).
9. Laws 1965, p. 2956, sec. 1.
10. 1969 S.B. 785 (Baltz et al.—House Committee on Registration and Regulation) (passed Senate, lost in House).
11. P.A. 78-900 (1973), enacted by H.B. 1330 (Pierce et al.—Carroll), amending provisions now cited as 225 ILCS 605/1, 605/2, 605/3, 605/5, 605/9, 605/10, 605/18, and 605/21.
12. 225 ILCS 605/3.
13. 225 ILCS 605/2.
14. 225 ILCS 605/18.
15. 225 ILCS 605/2.2.
16. 225 ILCS 605/2.2.
17. 8 Ill. Adm. Code sec. 25.120.
18. 510 ILCS 5/8.
19. 510 ILCS 5/8.
20. 225 ILCS 605/3.1.
21. P.A. 95-550, adding 225 ILCS 605/20.5.



22. P.A. 95-550 (2007), enacted by H.B. 822 (J. Mitchell-Mathias-Froehlich-Boland et al. — Harmon-Holmes et al.), amending 225 ILCS 605/2.
23. These states were found by searching the laws of all states not listed in the predecessor to this report (Alabama, Alaska, Arkansas, Hawaii, Idaho, Kentucky, Louisiana, Mississippi, Montana, New Mexico, North Dakota, Ohio, Oklahoma, South Carolina, South Dakota, Texas, Utah, Washington, West Virginia, Wisconsin, and Wyoming) by computer for “sale” within 5 words of “cat” or “dog.” The laws listed in the predecessor version (File 11-043) were also checked for intervening changes.
24. Ariz. Rev. Stat. Ann., sec. 44-1799.01(A).
25. Ariz. Rev. Stat. Ann., sec. 44-1799.01(B).
26. Ariz. Rev. Stat. Ann., sec. 44-1799.04(B).
27. Ariz. Rev. Stat. Ann., sec. 44-1799.04(A).
28. Ariz. Rev. Stat. Ann., sec. 44-1799.04(C).
29. Ark. Stat. Ann., sec. 4-97-105(a)(1) and (b)(1).
30. Ark. Stat. Ann., sec. 4-97-105(a)(2)(A) to (E).
31. Ark. Stat. Ann., sec. 4-97-108(a).
32. Ark. Stat. Ann., sec. 4-97-108(b) and (c).
33. Ark. Stat. Ann., sec. 4-97-108(d)(1)(A).
34. Cal. Health & Safety Code, sec. 122205.
35. Cal. Health & Safety Code, sec. 122215.
36. Cal. Health & Safety Code, subsec. 122220(a).
37. Colo. Rev. Stat., sec. 35-80-109(2)(a).
38. Colo. Rev. Stat., subsec. 35-80-102(11).
39. Conn. Gen. Stat. Ann., sec. 22-344b.
40. Conn. Gen. Stat. Ann., sec. 22-354.
41. Del. Code Ann., tit. 7, sec. 1704(b).
42. Del. Code Ann., tit. 7, sec. 1703(c).
43. Fla. Stat. Ann., sec. 828.16.
44. Fla. Stat. Ann., sec. 828.161.
45. Fla. Stat. Ann., subsec. 828.29(1)(a).
46. Fla. Stat. Ann., subsec. 828.29(1)(b).
47. Fla. Stat. Ann., subsec. 828.29(2)(b).
48. Fla. Stat. Ann., subsec. 828.29(3)(b).
49. Fla. Stat. Ann., subsec. 828.29(4).
50. Fla. Stat. Ann., subsec. 828.29(5).
51. Ga. Stat. Ann., sec. 4-11-9.1.
52. Ga. Stat. Ann., sec. 4-11-10.
53. Ga. Stat. Ann., sec. 4-11-16.
54. Ind. Code Ann., sec. 15-2.1-21-11.1.
55. Iowa Code Ann., sec. 162.12.
56. Kans. Stat. Ann., sec. 47-1712.
57. Me. Rev. Stat. Ann., tit. 7, sec. 3936, subd. 1.
58. Md. Crim. Law Code Ann., sec. 10-613.
59. Md. Crim. Law Code Ann., sec. 10-616.
60. Mass. Gen. Laws Ann., ch. 140, sec. 137C.
61. Mass. Gen. Laws Ann., ch. 140, sec. 138A.
62. Mich. Comp. Laws Ann., sec. 287.335a.
63. Minn. Stat. Ann., sec. 347.35.
64. Minn. Stat. Ann., sec. 347.37.
65. Minn. Stat. Ann., sec. 325F.791, subd. 1.
66. Minn. Stat. Ann., sec. 325F.791, subd. 4.

67. Minn. Stat. Ann., sec. 325F.791, subd. 6.
68. Minn. Stat. Ann., sec. 325F.791, subd. 10.
69. Mo. Ann. Stat., sec. 273.331.
70. Mo. Ann. Stat., secs. 273.335 and 273.348.
71. Mont. Code Ann., sec. 7-23-4201(1)(a) to (d).
72. Mont. Code Ann., sec. 7-23-4201(2)(a) to (c).
73. Neb. Rev. Stat., sec. 54-626.
74. Neb. Rev. Stat., sec. 54-640.
75. Neb. Rev. Stat., sec. 54-628.
76. Neb. Rev. Stat., sec. 54-628.
77. Neb. Rev. Stat., sec. 54-629.
78. Neb. Rev. Stat., sec. 54-631.
79. Nev. Rev. Stat., sec. 574.360.
80. Nev. Rev. Stat., secs. 574.370 ff.
81. Nev. Rev. Stat., sec. 574.420.
82. Nev. Rev. Stat., sec. 574.430.
83. Nev. Rev. Stat., sec. 574.450.
84. Nev. Rev. Stat., secs. 574.460 and 574.470.
85. N.H. Rev. Stat. Ann., sec. 437:8.
86. N.H. Rev. Stat. Ann., sec. 437:10.
87. N.J. Stat. Ann., sec. 4:22-19.
88. N.J. Stat. Ann., sec. 4:22-19.
89. N.J. Stat. Ann., sec. 4:22-17(a).
90. N.J. Stat. Ann., sec. 4:22-17(a).
91. N.Y. Gen. Bus. Law, sec. 753, subd. 1.
92. N.C. Gen. Stat., sec. 19A-35.
93. Ore. Rev. Stat., sec. 609.510.
94. Pa. Stat. Ann., tit. 3, sec. 459-207.
95. Pa. Stat. Ann., tit. 3, sec. 459-214.
96. Pa. Stat. Ann., tit. 3, sec. 459-218.
97. R.I. Gen. Laws, sec. 4-19-11.
98. R.I. Gen. Laws, sec. 4-19-13.
99. Tenn. Code Ann., sec. 44-17-113.
100. Tenn. Code Ann., sec. 44-17-114.
101. Tenn. Code Ann., sec. 44-17-115.
102. Vt. Stat. Ann., tit. 20, sec. 3682.
103. Vt. Stat. Ann., tit. 20, sec. 3683.
104. Vt. Stat. Ann., tit. 20, sec. 3908.
105. Va. Code Ann., sec. 3.1-796.78.
106. Va. Code Ann., sec. 3.1-796.80.
107. Va. Code Ann., sec. 3.1-786.81.

**Appendix A: State Animal Cruelty Laws and Penalties**

State	Most serious offense	Has a <u>Maximum penalties</u>			Counseling provision	Other provisions
		lesser offense	Fine	Prison or jail		
Alabama	Cruelty to a dog or cat in the first degree	<input type="checkbox"/>	\$ 15,000	10 years	-	Felony only if cruel to cat or dog
Alaska	Animal cruelty	-	10,000	1 year	-	-
Arizona	First offense of intentional animal cruelty	<input type="checkbox"/>	150,000	1 year	-	-
Arkansas	Cruelty to animals	<input type="checkbox"/>	1,000	1 year	Court may order	-
California	First conviction	<input type="checkbox"/>	20,000	1-3 years	Mandatory	-
Colorado	Aggravated cruelty	<input type="checkbox"/>	100,000	2 years	Court may order evaluation or anger management after first offense (mandatory after second)	-
Connecticut	Malicious and intentional animal cruelty	<input type="checkbox"/>	5,000	5 years	Court may order counseling or animal cruelty prevention and education program	-
Delaware	Intentionally and cruelly killing or seriously injuring most kinds of animals (excludes veterinarians, hunters, and farmers)	<input type="checkbox"/>	At court's discretion	3 years	-	Felony convicts cannot own animal for 15 years after conviction

**Appendix A: State Animal Cruelty Laws and Penalties**

State	Most serious offense	Maximum penalties		Counseling provision	Other provisions
		Has a lesser offense	Prison or jail		
Florida	Intentional animal cruelty	<input type="checkbox"/>	\$10,000	5 years	Psychological counseling or anger management treatment is mandatory for acts of intentional torture or torment  Defendant found guilty of intentional cruelty must pay fine of at least \$2,500
Georgia	Aggravated cruelty	<input type="checkbox"/>	15,000 (first offense)  100,000 (second offense)	1-5 years	-
Hawaii	Animal cruelty	-	2,000	1 year	-
Idaho	Animal cruelty	-	5,000	6 months	-
Illinois	First offense of animal cruelty	<input type="checkbox"/>	2,500	1 year	Mandatory for juveniles and hoarders of companion animals; court may order for all others
	Second offense of animal cruelty	-	25,000	1-3 years	
Indiana	First offense of animal torture	<input type="checkbox"/>	10,000	3 years	The court may offer psychological, behavioral, or other counseling

Increased penalties for additional offenses

Higher sentence for animal torture

## Appendix A: State Animal Cruelty Laws and Penalties

State	Most serious offense	Has a		Fine	Maximum penalties		Counseling provision	Other provisions
		lesser offense	Prison or jail					
Iowa	First offense of animal torture	<input type="checkbox"/>	2 years	\$ 5,000		Mandatory	-	
	Second offense of animal torture		5 years	7,500				
Kansas	First offense of animal cruelty	<input type="checkbox"/>	30 days	5,000		First offense requires mandatory psychological evaluations, and completion of an anger management course	-	
	Second offense of animal cruelty		1 year					
Kentucky	First offense of animal torture	<input type="checkbox"/>	1 year	500		-		Felony only if dog or cat is tortured
	Repeat offense of animal torture		1-5 years	10,000				
Louisiana	Aggravated cruelty	<input type="checkbox"/>	10 years	25,000		-		
Maine	First offense of animal cruelty	<input type="checkbox"/>	Less than 1 year	2,000		Mandatory for juveniles; court may order for all others	-	
	Aggravated animal cruelty; repeat offense of animal cruelty		5 years	5,000				
Maryland	First offense of aggravated cruelty	<input type="checkbox"/>	3 years	5,000		Court may order	-	
Massachusetts	First offense of animal cruelty	-	5 or 2½ years	2,500		-		
Michigan	Causing death or torturing	<input type="checkbox"/>	4 years	5,000		Court may order		500 hours of community service can be required
Minnesota	Intentional animal cruelty	<input type="checkbox"/>	4 years	10,000		Court may order		Felony only if companion animal is tortured

**Appendix A: State Animal Cruelty Laws and Penalties**

State	Most serious offense	Maximum penalties				Counseling provision	Other provisions
		Has a lesser offense	Fine	Prison or jail			
Mississippi	Animal cruelty	-	\$ 1,000	6 months	-	-	
Missouri	First offense of animal cruelty	<input type="checkbox"/>	1,000	1 year	-	-	
	Animal torture or repeat offense of animal cruelty		5,000	4 years			
Montana	First offense of animal cruelty	<input type="checkbox"/>	1,000	1 year	-	-	
	First offense of aggravated animal cruelty; repeat offense of animal cruelty		2,500	2 years			
Nebraska	First offense of animal cruelty	<input type="checkbox"/>	1,000	1 year	-	-	
	Torture or repeat offense of animal cruelty		10,000	5 years			
Nevada	The first two offenses of animal cruelty	<input type="checkbox"/>	1,000	6 months			Applies to all animals; community service is mandatory for the first and second offense
	Third offense in 7 years		10,000	5 years			
New Hampshire	First offense of animal cruelty	<input type="checkbox"/>	2,000	1 year	-	-	
	Beating and torturing; repeat offense of animal cruelty		4,000	7 years			
New Jersey	First offense of animal torture	<input type="checkbox"/>	15,000	5 years			Mandatory for juveniles in specified animal cruelty crimes Court may also require community service

**Appendix A: State Animal Cruelty Laws and Penalties**

State	Most serious offense	Has a		Fine	Prison or jail	Counseling provision	Other provisions
		lesser offense	Maximum penalties				
New Mexico	First three offenses of animal cruelty First offense of extreme cruelty; fourth offense of animal cruelty	<input type="checkbox"/>	<input type="checkbox"/>	\$1,000 5,000	1 year 1 ½ years	Mandatory for juveniles; court may order for all others	Court may order an animal cruelty prevention program
New York	Aggravated cruelty	<input type="checkbox"/>	<input type="checkbox"/>	-	2 years	-	Felony only if cruel to companion animal
North Carolina	First offense of torture	<input type="checkbox"/>	<input type="checkbox"/>	At court's discretion	6 months	-	-
North Dakota	Animal cruelty	-	-	2,000	1 year	-	-
Ohio	First offense of animal cruelty	<input type="checkbox"/>	<input type="checkbox"/>	1,000	6 months	-	Felony only if cruel to companion animal
	Second offense of animal cruelty	-	-	2,500	1 year	-	-
Oklahoma	First offense of animal cruelty	-	-	5,000	5 years or 1 year	-	-
Oregon	First offense of aggravated animal abuse	<input type="checkbox"/>	<input type="checkbox"/>	125,000	5 years	Court may order	-
Pennsylvania	Second offense of animal cruelty	<input type="checkbox"/>	<input type="checkbox"/>	15,000	7 years	Court may order	Felony only if cruel to dog or cat
Rhode Island	Disemberment of animal	<input type="checkbox"/>	<input type="checkbox"/>	1,000	2 years	-	10 hours of community restitution is mandatory
South Carolina	First offense of animal torture	<input type="checkbox"/>	<input type="checkbox"/>	5,000	5 years	-	-

## Appendix A: State Animal Cruelty Laws and Penalties

State	Most serious offense	Maximum penalties				Counseling provision	Other provisions
		Has a lesser offense	Fine	Prison or jail			
South Dakota	Animal cruelty	-	\$ 2,000	1 year	-	-	-
Tennessee	Repeat offense of aggravated animal cruelty	<input type="checkbox"/>	3,000	6 years	Court may order	-	Felony only if cruel to companion animals
Texas	Third conviction of animal cruelty	<input type="checkbox"/>	10,000	10 years	-	-	-
Utah	Animal cruelty	-	2,500	1 year	Court may order	-	-
Vermont	Aggravated animal cruelty	<input type="checkbox"/>	7,500	5 years	Court may order	-	-
Virginia	First offense of animal torture; repeat offense of animal cruelty	<input type="checkbox"/>	2,500	5 years	Court may order	-	Felony if animal dies or must be euthanized
Washington	First degree cruelty	<input type="checkbox"/>	10,000	5 years	-	-	-
West Virginia	First offense of animal torture	<input type="checkbox"/>	5,000	5 years	Mandatory evaluation	-	Prohibits person from possessing, owning, or residing with an animal for up to 15 years after conviction
Wisconsin	Death, disfigurement, or mutilation	<input type="checkbox"/>	10,000	3½ years	-	-	-
Wyoming	Knowingly committing animal cruelty	<input type="checkbox"/>	5,000	2 years	-	-	-

Note: This table lists only the most serious crimes related to animal cruelty. Less serious crimes are included if their maximum penalties apply only to repeat offenses. The statutes listed below include other animal cruelty crimes and penalties.

Sources: Ala. Code, sec. 13A-11-241; Alaska Stat., sec. 11.61.140; Ariz. Rev. Stat. Ann., sec. 13-2910; Ark. Stat. Ann., sec. 5-62-101; Cal. Penal Code, sec. 597; Colo. Rev. Stat., secs. 18-9-202 and 18-1-105; Conn. Gen. Stat. Ann., sec. 53-247; Del. Code. Ann., tit. 11, sec. 1325; Fla. Stat. Ann., sec. 828.12; Ga. Code



## Appendix A: State Animal Cruelty Laws and Penalties

State	Most serious offense	Has a <u>Maximum penalties</u>			Counseling provision	Other provisions
		lesser offense	Fine	Prison or jail		
Ann., sec. 16-12-4; Haw. Rev. Stat., sec. 711-1109; Idaho Code, sec. 25-3520A; 510 I.C.S. 70/3.01 ff.; Ind. Code Ann., sec. 35-46-3-12; Iowa Code Ann., secs. 717B.2, 717B.3, and 717B.3A; Kans. Stat. Ann., sec. 21-4310; Ky. Rev. Stat. Ann., secs. 525.130 and 525.135; La. Rev. Stat. Ann., sec. 14:102.1; Me. Rev. Stat. Ann., tit. 7, sec. 4011 and tit. 17, sec. 1031; Md. Criminal Code Ann., Sec. 10-606; Mass. Gen. Laws Ann., ch. 272, sec. 77; Mich. Comp. Laws Ann., secs. 750.50 and 750.50b; Minn. Stat. Ann., sec. 343.21; Miss. Code Ann., sec. 97-41-1; Mo. Ann. Stat., sec. 578.012; Mont. Code Ann., sec. 45-8-211; Neb. Rev. Stat., sec. 28-1009; Nev. Rev. Stat., sec. 574.100; N.H. Rev. Stat. Ann., sec. 644:8; N.J. Stat. Ann., sec. 4:22-17; N.M. Stat. Ann., sec. 30-18-1; N.Y. Agriculture and Markets Law, sec. 353-a.; N.C. Gen. Stat., sec. 14-360; N.D. Cent. Code, sec. 36-21.1-02 and 36-21.1-11; Ohio Rev. Code Ann., secs. 959.02, 959.131 and 959.99; Okla. Stat. Ann., tit. 21, sec. 1685; Ore. Rev. Stat., secs. 167.315 and 167.322; Pa. Cons. Stat. Ann., tit. 18, sec. 5511; R.I. Gen. Laws, secs. 4-1-2, 4-1-3 and 4-1-5; S.C. Code Ann., sec. 47-1-40; S.D. Cod. Laws Ann., sec. 40-1-27; Tenn. Code Ann., secs. 39-14-202 and 39-14-212; Tex. Penal Code Ann., sec. 42.09; Utah Code Ann., sec. 76-9-301; Vt. Stat. Ann., tit. 13, sec. 352 and tit. 13 sec. 353; Va. Code Ann., sec. 3.1-796.122; Wash. Rev. Code Ann., sec. 16.52.205 and 16.52.207; W. Va. Code, sec. 61-8-19; Wis. Stat. Ann., sec. 951.02 and 951.18; and Wyo. Stat., sec. 6-3-203.						

## Appendix B: Criteria for Licensing Pet Breeders in 18 Surveyed States and Illinois

<i>State</i>	<i>Conditions requiring a breeder to be licensed</i>
Arizona	-
California	Sold or gave away all or part of at least 3 litters, or 20 dogs, in 1 year.
Florida	Sold more than 2 litters, or 20 dogs or cats, in 1 year.
Georgia	-
<b>Illinois</b>	<b>Has 6 or more breeding female cats or dogs.</b>
Indiana	-
Iowa	Has at least 4 breeding dogs or cats.
Massachusetts	Has at least 3 dogs older than 3 months.
Michigan	Has at least 3 breeding dogs.
Missouri	Has at least 3 breeding female dogs or cats.
New Jersey	Operates a kennel where dogs or cats are kept or sold.
New York	Sells or offers for sale at least 25 dogs or cats in 1 year.
North Carolina	-
Ohio	-
Pennsylvania	Keeps, sells, or gives away at least 26 dogs in one year.
Texas	-
Virginia	Has at least 5 dogs or cats for breeding.
Washington	-
Wisconsin	-

### Note

- State does not license pet breeders, but it may license pet shops or dealers.

Sources: Cal. Health & Safety Code, secs. 122045 to 122110; Fla. Stat., subsec. 828.29(13); 225 ILCS 605/2; Iowa Code, sec. 162.2, subd. 6; Mass. Gen. Laws. ch. 140, secs. 136A and 137A; Mich. Comp. Laws, sec. 287.270; Mo. Rev. Stat., secs. 273.325 and 273.327; N.J. Stat., secs. 4:19-15.1 and 15.8; N.Y. Agric. & Mkts. Law, secs. 400 and 403; Pa. Cons. Stat., tit. 3, subsec. 459-206(a); and Va. Code, secs. 3.1-796.66 and 3.1-796.67:2.