SYNOPSIS: This bill would provide requirements for the responsible breeding and care of dogs. This bill would require access to adequate exercise, necessary food and water, sufficient housing, sufficient space, and veterinary care.

This bill would limit the number of times a dog may be bred within an 18-month period of time.

This bill would provide penalties.

Amendment 621 of the Constitution of Alabama of 1901, now appearing as Section 111.05 of the Official Recompilation of the Constitution of Alabama of 1901, as amended, prohibits a general law whose purpose or effect would be to require a new or increased expenditure of local funds from becoming effective with regard to a local governmental entity without enactment by a 2/3 vote unless: it comes within one of a number of specified exceptions; it is approved by the affected entity; or the Legislature appropriates
funds, or provides a local source of revenue, to the entity for the purpose.

The purpose or effect of this bill would be to require a new or increased expenditure of local funds within the meaning of the amendment. However, the bill does not require approval of a local governmental entity or enactment by a 2/3 vote to become effective because it comes within one of the specified exceptions contained in the amendment.

A BILL
TO BE ENTITLED
AN ACT

To establish requirements for the responsible breeding and care of dogs; to require access to adequate exercise, necessary food and water, sufficient housing, sufficient space, and veterinary care; to limit the number of times a dog may be bred within a certain period of time; to provide criminal penalties for violations; and in connection therewith would have as its purpose or effect the requirement of a new or increased expenditure of local funds within the meaning of Amendment 621 of the Constitution of Alabama of 1901, now appearing as Section 111.05 of the Official Recompilation of the Constitution of Alabama of 1901, as amended.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:
Section 1. As used in this act, the following terms have the following meanings:

(1) ADEQUATE EXERCISE. Providing the covered dog with the opportunity to exercise by ensuring access to an outdoor ground-level exercise area that does all of the following:
   a. Contains an entryway that allows for constant and unfettered access to and from the primary enclosure, unless the primary enclosure is being cleaned.
   b. Permits all dogs contained in the area to achieve a running stride.
   c. Has adequate means to prevent dogs from escaping.
   d. Is cleaned of feces, urine, and other harmful debris at least once daily.

(2) COVERED DOG. Any species of domestic dog of the species Canis lupus familiaris, or resultant hybrids that is over the age of six months and has intact sexual organs.

(3) NECESSARY FOOD AND WATER. Appropriate, nutritious food sufficient to maintain good health provided at least twice a day and continuous access to potable water that is not frozen, and is free of feces, algae, and other contaminants.

(4) PERSON. Any individual, firm, partnership, joint venture, association, limited liability company, corporation, estate, trust, receiver, or syndicate.

(5) RESPONSIBLE BREEDING METHODS. Ensuring, at a minimum, that dogs are not bred to produce more than two
litters in any 18-month period; maintaining detailed records
of each covered dog's pregnancy and whelping history,
including the date of each confirmed pregnancy, the result of
the pregnancy, the number of puppies delivered, any
pregnancy-related complications experienced by the covered dog
and birth-related complications experienced by any puppies,
and providing all records described in this subdivision at the
time of each veterinary care examination.

(6) SUFFICIENT HOUSING. Housing that provides
constant and unfettered access to an indoor enclosure that has
all of the following:

a. A solid, ground level floor.
b. Is not stacked or otherwise placed on top of or
below another animal's enclosure.
c. Is cleaned of waste at least once a day while the
dog is outside of the enclosure.
d. Does not fall below 45 degrees Fahrenheit.
e. Sufficient space.

(7) SUFFICIENT SPACE. Space for the covered dog to
turn, stretch freely, lie down, and fully extend its limbs.
Sufficient space includes all of the following:

a. Indoor space large enough for each dog to turn in
a complete circle without any impediment, including a tether.
b. Indoor space large enough for each dog to lie
down and fully extend its limbs and stretch freely without
touching the side of an enclosure or another dog.
c. At least one foot of headroom above the head of the tallest dog in the enclosure.

d. At least 12 square feet of indoor floor space per dog for each dog between 25 and 35 inches in length, measured from the tip of the nose to the base of the tail and at least 30 square feet of indoor floor space per dog for each dog 35 inches in length and longer from the tip of the nose to the base of the tail.

(8) VETERINARY CARE. All of the following:

a. A complete physical veterinary examination prior to each breeding cycle, including a determination of whether pregnancy, whelping, or nursing puppies for at least eight weeks would compromise the well-being of the dog.

b. Prompt treatment by or under the direction of a licensed veterinarian of any illness or injury.

c. Humane euthanasia by a licensed veterinarian using a lawful technique deemed acceptable for dogs by the most recent version of the American Veterinary Medical Association's Guidelines on Euthanasia.

Section 2. (a) A person commits the offense of unlawfully operating a puppy mill if the person has custody or ownership of more than 10 covered dogs for the purpose of breeding the dogs and selling the offspring and does any of the following:

(1) Fails to provide any covered dog with necessary food and water, sufficient housing, sufficient space, or veterinary care.
2 Fails to use responsible breeding methods with respect to any covered dog.

3 Fails to allow a covered dog the opportunity to get adequate exercise except as provided in subsection (b) of Section 3.

6 (b) Each violation of this section constitutes a separate offense.

7 (c) Unlawfully operating a puppy mill is a Class A misdemeanor.

Section 3. (a) A violation of this act shall not occur if the failure to provide a covered dog with necessary food and water, sufficient housing, sufficient space is for any of the following:

14 (1) Veterinary examination, testing, operation, recuperation, or other individual treatment for veterinary purposes.

17 (2) Lawful scientific research.

18 (3) During transportation.

19 (4) During cleaning of a covered dog's enclosure.

20 (5) During supervised, outdoor exercise.

21 (6) During an emergency that places the life of the covered dog in imminent danger.

(b) If, in the opinion of a veterinarian, it is inappropriate for a dog to exercise due to its health, condition, or well-being, the provisions in Section 2 requiring adequate exercise shall not apply. The determination that adequate exercise is inappropriate for the dog due to
health, condition, or well-being shall be documented in
writing by a veterinarian, and, unless the basis for the
decision is a permanent condition, shall be reviewed at least
every 30 days and updated accordingly.

Section 4. Although this bill would have as its
purpose or effect the requirement of a new or increased
expenditure of local funds, the bill is excluded from further
requirements and application under Amendment 621, now
appearing as Section 111.05 of the Official Recompilation of
the Constitution of Alabama of 1901, as amended, because the
bill defines a new crime or amends the definition of an
existing crime.

Section 5. This act shall become effective on the
first day of the third month following its passage and
approval by the Governor, or its otherwise becoming law.