

## CALIFORNIA LEGISLATION ON ANIMAL POPULATION ISSUES SINCE 1997

(Excludes annual Spay Day resolutions, and failed special vehicle license plate and income tax check-off contribution bills.)

- All FIVE (5) separate bills mandating local regulation of owners failed.
- Only 1 bill relating to dog breeders passed, and this was limited in scope.
- No bills requiring spay/neuter of privately owned dogs/cats passed.

The 1998 Hayden and Vincent bills separately addressing shelter and rescue issues of euthanasia, holding periods and spay/neuter were the significant policy bills of the decade with significant impact on local animal control agencies and efforts at subsequent legislation and litigation. The Hayden bill moved toward the “no kill” ideal in an effort to require shelters to make efforts to avoid unnecessary euthanasia. The Vincent bill pressured local resources. Local agencies feared private litigation to enforce the Hayden bill and increased costs to comply with its requirements. The latter led to extended proceedings of the Commission on State Mandates and litigation. The former was eventually realized in *Lock v. County of Kern*, S-1500-CV-254024 in which the plaintiff prevailed. Senator Hayden’s original motivation targeted the City of Los Angeles, where treacherous long term antagonism among animal activists and animal services personnel and advocates is ongoing. Hayden advocates represent ideological animal rights activists focused on eliminating unnecessary euthanasia through shelter practices. Hayden antagonists see these standards as unrealistic and not obtainable without drastic reduction in the number of animals in the community through legislation restricting ownership of unaltered animals with minimal regard to the role of un-owned or loosely owned cats.

For detailed pro-Hayden information, see the following:

[http://www.maddiesfund.org/news/news\\_pdfs/hayden\\_update.pdf](http://www.maddiesfund.org/news/news_pdfs/hayden_update.pdf)

[http://www.maddiesfund.org/nokill/nokill\\_legis\\_vincent.html](http://www.maddiesfund.org/nokill/nokill_legis_vincent.html)

[http://www.maddiesfund.org/nokill/nokill\\_legis\\_hayden.html](http://www.maddiesfund.org/nokill/nokill_legis_hayden.html)

For a critical analysis, *Society & Animals Journal of Human-Animal Studies*, Vol 8, No 2

<http://www.psyeta.org/sa/sa8.2/balcom.shtml>

The relationship between shelter practices and unnecessary euthanasia and the total number of dogs and cats entering shelters and leaving alive (“live release”) is complex and involves many variables. However, entry and euthanasia numbers declined steeply from the early 1970’s and in varying degrees in the 1990’s when aggressive shelter and community programs were instituted. Because of these programs, the effect of legislation in limited areas is impossible to quantify. As part of the California Department of Health Services Communicable Disease program to prevent rabies, local jurisdictions are supposed to report extensive annual data about animals including shelters. Until the 1998 reporting year, the DHS data was nearly complete except for Los Angeles County and extremely useful. Since 1998, reporting by numerous jurisdictions has become tardy, irregular or non-existent. A major reason is likely avoidance of scrutiny for Hayden purposes, both public demand for accountability and possible claims for cost reimbursement. Public records demands to local jurisdictions, litigation or grand jury

investigations are the last resort methods to obtain data when responsible officials do not make it available, and when they do, accuracy may still be a concern.

DHS shelter data by county, available at:  
<http://www.theanimalcouncil.com/Reference.html>

ENACTED BILLS	FAILED BILLS
	1997 SB 621 (Rosenthal, D) Require local governments to license/inspect dog breeders. Hearings cancelled. No Action
1998 SB 1785 (Hayden, D) State policy to not euthanize adoptable/treatable animals, established longer shelter holding periods and requirements and more, Penal Code 597.1 amended to mandate pre- and post-seizure forfeiture hearings. Amended 4 x	1998 SB 2102 (Rosenthal, D) lower consumer protection dog breeder threshold and other dog breeder licensing, regulation/MSN. Amended 5 x Failed in Assembly policy committee. 7/98
1998 AB 1856 (Vincent, D) required MSN for all dogs/cats on all transfer/release, amended to include only shelter/rescue, special provisions for small counties; surcharges on unaltered impound fines. Amended 8 x	
1999 AB 1432 (Alquist, D) Move forward date of Hayden holding periods from 7/1/99 to 7/1/00 for certain shelters (Urgency)	
2000 AB 1786 (Maddox, R) Hayden revisions: no holding period for owner relinquished kittens/puppies	2000 AB 2102 (Strom-Martin, D) Hayden revisions, gut/amend to different topic
2000 AB 2754 (House, R/Strom-Martin, D) Complex holding period revisions to Hayden bill, opposed by Mr. Hayden. Amended 7 x	2000 AB 2628 (Zettel, R) Hayden revision, “adoptable” 9 weeks instead of 8. No action.
2001 AB 161 (Maddox, R) lowered consumer protection dog breeder threshold, added conditions for covered breeders.	2001-02 SB 236 (O’Connell, D) mandatory microchip/mandated local pre-sale permits for dogs, cats. 2 yr bill, failed 1/02.
2001-02 AB 1336 (Koretz, D) introduced pet store MSN, 2 yr bill, amended to pet store s/n info ONLY, no MSN	

	2002 SB 1373 (O'Connell, D) mandated local sales permit, microchip for dogs, cats. Failed on Senate Floor, 6/02
	2002 SB 1931 (Vincent, D) reduce Hayden holding period. No action, dropped.
	2003 AB 1542 (Levine, D) spot bill "Dogs: regulation: licensing." No action.
	2004 SB 1301 (Vincent, D) repeal sunset provisions for parts of AB 1856 (1998)
	2004 AB 2513 (Levine, D) A spot bill, amended "Humane Control of Dog and Cat Overpopulation" requiring local governments to enact ordinances no less restrictive than bill's mandate: dog/cat transfer permits w/extensive provisions. Withdrawn on Assembly Floor.
	2005 AB 1659 (Levine, D) Spot bill declaring intent of Legislature to end cat/dog overpopulation. No Action.
	2005 SB 934 (Vincent, D) revisions to AB 1856, multiple hearings cancelled, died.
2005 SB 861 (Speier) modifying breed specific preemption to allow local jurisdictions to enact BSL provisions only for spay/neuter/breeding regulation if making specified quarterly reports to Department of Health Services.	
	2007-08 AB 1634 (Levine, D, Solario, Nava, Padilla) mandated local MSN of dogs and cats, multiple amendments over 2 years, failed 5-27 on Senate Floor, 8/22, reconsideration granted, died.

Note: No population bills were introduced in 2006.