

Date of Hearing: August 3, 2016

ASSEMBLY COMMITTEE ON APPROPRIATIONS  
Lorena Gonzalez, Chair  
SB 945 (Monning) – As Amended August 1, 2016

Policy Committee: Business and Professions Vote: 15 - 0

Urgency: No State Mandated Local Program: Yes Reimbursable: No

**SUMMARY:**

This bill establishes standards for the operational requirements of pet boarding facilities and facility operators, as specified.

**FISCAL EFFECT:**

Negligible state fiscal impact. Any local costs are not reimbursable.

**COMMENTS:**

- 1) **Purpose.** According to the author, "This bill would establish minimum standards for the care of pets while they are in boarding facilities, as current law is silent on animal and consumer protections relating specifically to pet boarding facilities. Pet owners who board their pets may be unaware that California law does not establish minimum standards of care for conditions at pet boarding facilities such as quantity of food and water, limitations on the time pets spend in cages, veterinary care, or emergency evacuation plans. This bill would provide operators of pet boarding facilities with clear guidance, help ensure the safety and wellbeing of pets, and provide protection to pet-owning consumers."
- 2) **Background.** Recent news articles and reports have highlighted issues in pet boarding facilities which have led to animal death or harm. Among the reports, in 2015, a fire at a pet boarding facility killed 14 dogs in Monterey. In January of 2016, ABC reported that an injured dog found near the highway in Brentwood was reunited with his family after escaping from a boarding facility.

Unlike pet stores, pet boarding facilities are not uniformly regulated throughout the state. California law does not provide detail on the daily operating practices such as what constitutes appropriate animal enclosures, feeding, watering, general health veterinary treatment, record keeping, among other related matters. Local jurisdictions are responsible for enacting ordinances pertaining to the operation and control of pet boarding facilities. For example, the City of Newport Beach requires the operator of a kennel to obtain a permit from the city. In California, because pet boarding facilities are not licensed, and therefore not directly regulated, enforcement is complaint driven and there is little recourse for the consumer should something go wrong.

The Lockyer-Polanco-Farr Pet Protection Act (Pet Protection Act) regulates of the retail sale of dogs and cats. As part of the Pet Protection Act, pet dealers are required to maintain facilities where dogs are kept in sanitary conditions, provide dogs with adequate nutrition and water, adequate space appropriate to the age, size and weight of the dog, provide dogs with

adequate socialization and exercise, and requires a fire alarm system connected to a central reporting station or a fire suppression sprinkler system, among other requirements. A number of the requirements for facilities in the Pet Protection Act are similar to the provisions in this bill.

### 3) **Prior Legislation.**

- a) AB 1810 (Maienschein), Chapter 86, Statutes of 2014, permits a veterinarian or animal care facility to turn over an abandoned animal to a public animal control agency or shelter rather than euthanize it, as long as the shelter has not refused to take the animal, and deletes the requirement that an abandoned animal be euthanized 10 days after abandonment.
- b) SB 969 (Vargas) of 2012, would have established the California Pet Grooming Council to administer a voluntary pet groomer and pet bather and brusher certificate program, until January 1, 2017. This bill was held on this Committee's Suspense file.
- c) AB 490 (Smyth), Chapter, 446, Statutes of 2009, revised the guidelines by which a pet store operator or employee may euthanize rodents and rabbits intended as food for another animal, and modifies the definition of a pet store, as specified.
- d) AB 1347 (Caballero), Chapter 703, Statutes of 2007, enacted the Pet Store Animal Care Act (Act) that establishes procedures for the care and maintenance of animals in the custody of a pet store and details the responsibilities of the pet shop, the standards for enclosures, animal care requirements, record keeping, standards keeping the animals healthy including veterinary care, euthanasia standards and disclosures that must be made to a person who purchases a pet. Provides for a “notice to correct” and monetary misdemeanor penalties for specified violations of this Act.

**Analysis Prepared by:** Jennifer Swenson / APPR. / (916) 319-2081