
UNFINISHED BUSINESS

Bill No: SB 945
Author: Monning (D)
Amended: 8/1/16
Vote: 21

SENATE BUS., PROF. & ECON. DEV. COMMITTEE: 9-0, 4/4/16
AYES: Hill, Bates, Berryhill, Block, Galgiani, Hernandez, Jackson, Mendoza,
Wieckowski

SENATE APPROPRIATIONS COMMITTEE: Senate Rule 28.8

SENATE FLOOR: 32-0, 5/23/16
AYES: Allen, Anderson, Bates, Berryhill, Block, Cannella, De León, Fuller,
Galgiani, Glazer, Hall, Hancock, Hernandez, Hertzberg, Hill, Hueso, Huff,
Jackson, Leno, Leyva, Liu, McGuire, Mendoza, Mitchell, Monning, Nguyen,
Nielsen, Pan, Roth, Stone, Vidak, Wieckowski
NO VOTE RECORDED: Beall, Gaines, Lara, Moorlach, Morrell, Pavley, Runner,
Wolk

ASSEMBLY FLOOR: 77-0, 8/18/16 - See last page for vote

SUBJECT: Pet boarding facilities

SOURCE: State Humane Association of California

DIGEST: This bill creates a statewide standard for the operational requirements of pet boarding facilities and facility operators.

Assembly Amendments clarify language throughout the bill, required that facilities have either a fire alarm or fire sprinkler system, and modify the penalty structure for violation of the chapter by requiring a “notice to correct” prior to the issuance of a fine.

ANALYSIS:

Existing law:

- 1) Enacts the Pet Store Animal Care Act (Act) that establishes procedures for the care and maintenance of animals in the custody of a pet store. (Health and Safety Code § 122350 et seq.)
- 2) Establishes that an act of malicious and intentional maiming, mutilating, torturing, wounding, or killing of an animal is punishable as a misdemeanor or felony and fine of not more than \$20,000. (Penal Code § 597)

This bill:

- 1) Outlines the responsibilities of a pet boarding facility operator, including:
 - a) Ensuring that pests do not inhabit any part of the pet boarding facility in a number large enough to be harmful, threatening, or annoying to the pets;
 - b) Ensuring the containment of pets within the pet boarding facility, and in the event the pet escapes, being responsible for reporting this fact immediately to the local agency responsible for animal control and to the owner and making reasonable efforts to immediately capture the escaped pet;
 - c) Ensuring that the pet boarding facility's interior building surfaces, including walls and floors, are constructed in a manner that permits them to be readily cleaned and sanitized;
 - d) If grooming services are offered by a pet boarding facility, separating the grooming work area from the pet boarding facility's permanent or fixed or temporary enclosures and ensuring that the grooming area is cleaned and sanitized at least once daily;
 - e) Maintaining an area for isolating sick pets from healthy pets.
- 2) Requires each permanent and fixed enclosure and temporary enclosure to be structurally sound and maintained in a comfortable and sanitary manner.
- 3) Requires cat enclosures to include an elevated platform.
- 4) Specifies the length of time a pet may be contained in a temporary enclosure.

- 5) Requires a pet boarding facility operator to comply with animal care requirements, including:
 - a) Observe each pet as necessary, but no less than once every 24 hours;
 - b) Provide each pet with food, water, and enrichment in quantities and at the intervals suitable for that pet;
 - c) Isolate each sick or injured pet and ensure the pet is immediately provided with veterinary treatment and that the owner of the pet is notified immediately of the pet's condition; and,
 - d) In the event of a natural disaster, an emergency evacuation or other similar occurrence; ensure that the humane care and treatment of each animal is provided for, as specified, to the extent access to the pet is reasonably available.
- 6) Requires a pet boarding facility operator to provide each owner with written disclosures including deviation from customary practices.
- 7) Requires a pet boarding facility to maintain either a fire alarm system that is connected to a central reporting station that alerts the local fire department in case of a fire, or a fire sprinkler suppression sprinkler system.
- 8) Requires an animal control officer, a humane officer, or a peace officer to issue a single notice to correct and conduct a subsequent investigation of the pet boarding facility within a reasonable period of time.
- 9) Relieves a pet boarding facility operator who is verified to have complied with a notice to correct from specified fines.
- 10) States that a pet boarding facility operator who violates the same provision on more than one occasion within a five-year period is not eligible to receive a notice to correct and is guilty of an infraction on the second violation, and is guilty of a misdemeanor on the third or subsequent violation.
- 11) States that a pet boarding facility operator that causes or allows harm or injury to an animal, or allows an animal to be subject to an unreasonable risk of harm or injury is guilty of a misdemeanor.
- 12) States that a pet boarding facility operator, who violates any provision of the pet boarding requirements, unless specified above, is guilty of an infraction,

punishable by a fine not to exceed \$250 for the first violation and by a fine not to exceed \$1,000 for each subsequent violation, as specified.

- 13) Specifies that a city, county, or city and county may adopt ordinances that establish additional standards and requirements for a pet boarding facility.

Background

This bill is sponsored by the State Humane Association of California. 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."

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: Yes

According to an Assembly Appropriations analysis dated August 3, 2016, "Negligible state fiscal impact. Any local costs are not reimbursable."

SUPPORT: (Verified 8/18/16)

State Humane Association of California (source)
Beagle Freedom Project
Central California Society for Prevention of Cruelty to Animals
Citizens for Safe Boarding Facilities
City of Monterey
Peace of Mind Dog Rescue
Pets in Need
Rover.Com
Social Compassion in Legislation
SPCA for Monterey County

OPPOSITION: (Verified 8/18/16)

California Animal Control Directors Association
Folsom Dog Resort & Training Center
International Boarding & Pet Services Association

The Animal Council
5 individuals

ARGUMENTS IN SUPPORT: Supporters of this measure that the procedures and requirements for pet boarding facilities will provide important improvements to the overall health and safety of pets.

ARGUMENTS IN OPPOSITION: Opponents, such as the Animal Council, are concerned that the standards and requirements for pet boarding facilities would be confusing and disruptive to the businesses which provide such care to animals since pet boarding is highly fragmented, poorly organized and involves radically different business models, setting and locations. Some involve extensive capital investment in high value land, permitting and construction while others might be caring for one other person's pets in the caretaker's home with no extra investment or accommodations.

ASSEMBLY FLOOR: 77-0, 8/18/16

AYES: Achadjian, Alejo, Travis Allen, Arambula, Atkins, Baker, Bigelow, Bloom, Bonilla, Bonta, Brough, Brown, Burke, Calderon, Campos, Chang, Chau, Chávez, Chiu, Chu, Cooley, Cooper, Dababneh, Dahle, Daly, Dodd, Eggman, Frazier, Gallagher, Cristina Garcia, Eduardo Garcia, Gatto, Gipson, Gomez, Gonzalez, Gordon, Gray, Grove, Hadley, Harper, Holden, Irwin, Jones, Jones-Sawyer, Kim, Lackey, Levine, Linder, Lopez, Low, Maienschein, Mathis, Mayes, McCarty, Medina, Melendez, Mullin, Nazarian, O'Donnell, Olsen, Patterson, Quirk, Ridley-Thomas, Rodriguez, Salas, Santiago, Steinorth, Mark Stone, Thurmond, Ting, Wagner, Waldron, Weber, Wilk, Williams, Wood, Rendon

NO VOTE RECORDED: Beth Gaines, Roger Hernández, Obernolte

Prepared by: Nicole Billington / B., P. & E.D. / (916) 651-4104
8/19/16 19:21:40

**** END ****