

115TH CONGRESS
1ST SESSION

H. R. 4693

To amend the Animal Welfare Act to provide for the humane treatment of dogs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 20, 2017

Mr. FITZPATRICK (for himself and Mr. CRIST) introduced the following bill;
which was referred to the Committee on Agriculture

A BILL

To amend the Animal Welfare Act to provide for the humane treatment of dogs, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Puppy Protection Act
5 of 2017”.

6 **SEC. 2. ADDITIONAL REQUIREMENTS FOR DOGS IN DEALER**
7 **FACILITIES.**

8 (a) **HUMANE TREATMENT OF DOGS IN DEALER FA-**
9 **CILITIES.**—Section 13(a) of The Animal Welfare Act (7

1 U.S.C. 2143(a)) is amended by adding at the end the fol-
2 lowing new paragraph:

3 “(9) In addition to the requirements under paragraph
4 (2), the standards described in paragraph (1) shall, with
5 respect to dogs in a dealer facility, include requirements—

6 “(A) that such dealer facility provide adequate
7 housing for dogs that includes—

8 “(i) completely solid flooring;

9 “(ii) sufficient indoor space to allow the
10 tallest dog in an enclosure to stand on his or
11 her hind legs without touching the roof of the
12 enclosure;

13 “(iii) with respect to dogs over 8 weeks in
14 age, primary enclosures that, with the length of
15 the dog measured from the tip of the nose to
16 the base of the tail, provide at least—

17 “(I) 12 square feet of indoor floor
18 space per each dog up to 25 inches long;

19 “(II) 20 square feet of indoor floor
20 space per each dog between 25 and 35
21 inches long; and

22 “(III) 30 square feet of indoor floor
23 space per each dog 35 inches and longer;

1 “(iv) enclosures that are not stacked or
2 otherwise placed on top of or below another en-
3 closure; and

4 “(v) temperature control that—

5 “(I) is appropriate for the age, breed,
6 and condition of the dogs in the enclosure;
7 and

8 “(II) is between 45 and 85 degrees
9 Fahrenheit, when dogs are present in the
10 enclosure;

11 “(B) that appropriate and nutritious food be
12 fed at least twice per day, in an amount sufficient
13 to maintain the good health and physical condition
14 of each dog;

15 “(C) for continuous access to potable water
16 that is not frozen and is free of feces, algae, and
17 other contaminants be available;

18 “(D) for adequate exercise, including—

19 “(i) for dogs over the age of 12 weeks, un-
20 fettered access from their primary enclosures
21 during daylight hours to an outdoor exercise
22 area that is—

23 “(I) at ground-level;

24 “(II) a solid surface;

1 “(III) enclosed (by a fence or other
2 structure);

3 “(IV) properly controlled for the safe-
4 ty of the dogs; and

5 “(V) at least two times the space re-
6 quired for a dog under subparagraph
7 (A)(iii); or

8 “(ii) if the dealer obtains a certification
9 from the attending veterinarian stating that the
10 dog should not have unfettered access to an
11 outdoor exercise area for a specific medical rea-
12 son, an alternative and appropriate exercise
13 plan prescribed by the veterinarian for the dog
14 that meets the requirements under section 3.8a
15 of title 9, Code of Federal Regulations;

16 “(E) for at least 30 minutes each day of mean-
17 ingful socialization with humans and compatible
18 dogs that—

19 “(i) includes positive interaction with a
20 human such as petting, stroking, grooming,
21 feeding, playing with, exercising, or other
22 touching of the dog that is beneficial to the
23 well-being of the dog; and

24 “(ii) does not include time spent in veteri-
25 nary care;

1 “(F) that each dog receive adequate veterinary
2 care, including—

3 “(i) a hands-on examination by a licensed
4 veterinarian at least once each year;

5 “(ii) core vaccinations recommended by the
6 current version of the American Animal Hos-
7 pital Association Canine Vaccination Guidelines;
8 and

9 “(iii) medications to prevent intestinal
10 parasites, heartworm disease, fleas, and ticks
11 that are approved by a licensed veterinarian for
12 canine use;

13 “(G) for safe breeding practices, including—

14 “(i) a screening program for known preva-
15 lent inheritable diseases that may be disabling
16 or likely to significantly affect the lifespan or
17 quality of life of the offspring;

18 “(ii) prohibiting breeding, unless each dog
19 bred is free from health conditions that may be
20 disabling to, or likely to significantly affect the
21 lifespan or quality of life of, the offspring (as
22 documented by a licensed veterinarian upon ex-
23 amination);

24 “(iii) prohibiting the breeding of a female
25 dog—

1 “(I) to produce more than two litters
2 in any 18-month period; or

3 “(II) more than 6 litters in that dog’s
4 lifetime;

5 “(iv) that female dogs of small breeds
6 (weighing less than 40 pounds when fully ma-
7 ture) not be bred—

8 “(I) before reaching the age of 18
9 months; or

10 “(II) after reaching the age of 9
11 years;

12 “(v) that female dogs of large breeds
13 (weighing 40 pounds or more when fully ma-
14 ture) not be bred—

15 “(I) before reaching the age of 2
16 years; or

17 “(II) after reaching the age of 7
18 years; and

19 “(vi) that any canine caesarian section be
20 performed by a licensed veterinarian; and

21 “(H) to make all reasonable efforts to find hu-
22 mane placement for retired breeding dogs (such as
23 with an adoptive family, rescue organization, or
24 other appropriate owner for that dog, and not in-
25 cluding selling at auction or otherwise placing a re-

1 tired breeding dog with another breeder for breeding
2 purposes).”.

3 (b) DEALER FACILITY DEFINED.—Section 2 of the
4 Animal Welfare Act (7 U.S.C. 2132) is amended by add-
5 ing at the end the following new subsection:

6 “(p) The term ‘dealer facility’ means any facility used
7 by a dealer in commerce to, for compensation or profit,
8 deliver for transportation, transport (except as a carrier),
9 buy, sell, or negotiate the purchase or sale of, any dog.”.

10 (c) CONFORMING AMENDMENT.—Section
11 13(a)(2)(B) of the Animal Welfare Act (7 U.S.C.
12 2143(a)(2)(B)) is amended by inserting “subject to para-
13 graph (9),” before “for exercise of dogs”.

14 **SEC. 3. REGULATIONS.**

15 Not later than 18 months after the date of the enact-
16 ment of this Act, the Secretary shall issue final regulations
17 establishing the standards for the care of dogs in dealer
18 facilities, as required by this Act.

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