

116TH CONGRESS
1ST SESSION

H. R. 1002

To amend the Animal Welfare Act to prohibit the issuance of licenses to certain individuals connected to dealers of dogs who have had licenses revoked, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 6, 2019

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

A BILL

To amend the Animal Welfare Act to prohibit the issuance of licenses to certain individuals connected to dealers of dogs who have had licenses revoked, 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 “Welfare of Our Friends
5 Act of 2019” or the “WOOF! Act”.

1 **SEC. 2. PROHIBITION ON ISSUING LICENSES TO CERTAIN**
2 **PERSONS AS A RESULT OF LICENSE REVOCA-**
3 **TION.**

4 (a) DEFINITION.—Section 2 of the Animal Welfare
5 Act (7 U.S.C. 2132) is amended by adding at the end the
6 following:

7 “(p) The term ‘immediate family member’ means,
8 with respect to a dealer—

9 “(1) a spouse, domestic partner, child, parent,
10 brother, sister, grandparent, or grandchild; and

11 “(2) a spouse of a child, parent, brother, sister,
12 grandparent, or grandchild.”.

13 (b) PROHIBITION ON ISSUING LICENSES TO CERTAIN
14 PERSONS AS A RESULT OF LICENSE REVOCATION.—Sec-
15 tion 3 of the Animal Welfare Act (7 U.S.C. 2133) is
16 amended—

17 (1) by striking “The Secretary shall” and in-
18 serting “(a) IN GENERAL.—The Secretary shall”;

19 (2) by striking “issued” and inserting “issued
20 or renewed”;

21 (3) by striking “demonstrated” and inserting
22 “demonstrated through facility inspection”; and

23 (4) by adding at the end the following:

24 “(b) PROHIBITION ON ISSUING LICENSES TO CER-
25 TAIN PERSONS AS A RESULT OF LICENSE SUSPENSION
26 OR REVOCATION.—(1) The Secretary shall not issue or

1 renew a license for the purpose of being a dealer of dogs
2 to a person who is an immediate family member of, or
3 who resides at the same address of, a dealer of dogs if—

4 “(A) the license is for purposes of operating a
5 facility for dogs at a location that such dealer has
6 used as a facility for dogs; and

7 “(B) within the last 10 years, a license of such
8 dealer has been suspended after notice and oppor-
9 tunity for hearing or revoked pursuant to section
10 19(a) of this Act.

11 “(2) Paragraph (1) shall not apply to a person de-
12 scribed in such paragraph if such person shows by clear
13 and convincing evidence that a dealer described in para-
14 graph (1)—

15 “(A) will have no ownership interest in the fa-
16 cility for which such person seeks a license;

17 “(B) will play no role in the care of dogs at the
18 facility; and

19 “(C) will play no role in the management of the
20 facility.

21 “(c) PROHIBITION ON ISSUING LICENSES TO CER-
22 TAIN LEGAL ENTITIES AS A RESULT OF LICENSE SUS-
23 PENSION OR REVOCATION.—(1) The Secretary shall not
24 issue or renew a license for the purpose of being a dealer
25 of dogs to any person (including a partnership, firm, joint

1 stock company, corporation, association, trust, estate, or
2 other legal entity) if any person who holds an ownership
3 interest in the partnership, firm, joint stock company, cor-
4 poration, association, trust, estate, or other legal entity—

5 “(A) previously held a license for purposes of
6 operating a facility for dogs at the same address of
7 the facility for which the license is being sought; and

8 “(B) within the last 10 years, such license has
9 been suspended after notice and opportunity for
10 hearing or revoked pursuant to section 19(a) of this
11 Act.

12 “(2) Paragraph (1) shall not apply to a person seek-
13 ing the issuance or renewal of a license described in such
14 paragraph if such person shows by clear and convincing
15 evidence that a person who previously held a license for
16 purposes of operating a facility for dogs described in sub-
17 paragraph (A) of such paragraph—

18 “(A) will play no role in the care of dogs at the
19 facility; and

20 “(B) will play no role in the management of the
21 facility.

22 “(d) TEN-YEAR BAR FOR SUSPENSION OR REVOCA-
23 TION OF A LICENSE OF A DEALER OF DOGS.—The Sec-
24 retary shall not issue or renew a license for the purpose
25 of being a dealer of dogs to a person if—

1 “(1) within the last 10 years, a license for the
2 purpose of being a dealer of dogs of such person has
3 been suspended after notice and opportunity for
4 hearing or revoked pursuant to section 19(a) of this
5 Act; and

6 “(2) the license is for purposes of operating a
7 facility for dogs at a location that such person has
8 used as a facility for dogs.”.

9 (c) REVOCATION OF IMPROPERLY GRANTED LI-
10 CENSES.—Section 19 of the Animal Welfare Act (7 U.S.C.
11 2149) is amended by adding at the end the following:

12 “(e) REVOCATION OF IMPROPERLY GRANTED LI-
13 CENSES.—The Secretary shall revoke a license issued after
14 the date of the enactment of this subsection if the Sec-
15 retary subsequently determines that, at the time of
16 issuance, the issuance of the license violated section 3 of
17 this Act.”.

18 **SEC. 3. REGULATIONS.**

19 The Secretary of Agriculture may prescribe such reg-
20 ulations as the Secretary determines to be necessary to
21 implement the amendments made by this Act. Any such
22 regulations shall be prescribed not later than one year
23 after the date of the enactment of this Act.

○