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.

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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

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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”.

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SEC. 2. PROHIBITION ON ISSUING LICENSES TO CERTAIN PERSONS AS A RESULT OF LICENSE REVOCATION.

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

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

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

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

(b) PROHIBITION ON ISSUING LICENSES TO CERTAIN PERSONS AS A RESULT OF LICENSE REVOCATION.—Section 3 of the Animal Welfare Act (7 U.S.C. 2133) is amended—

(1) by striking “The Secretary shall” and inserting “(a) IN GENERAL.—The Secretary shall”;

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

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

(4) by adding at the end the following:

“(b) PROHIBITION ON ISSUING LICENSES TO CERTAIN PERSONS AS A RESULT OF LICENSE SUSPENSION OR REVOCATION.—(1) The Secretary shall not issue or
renew a license for the purpose of being a dealer of dogs
to a person who is an immediate family member of, or
who resides at the same address of, a dealer of dogs if—

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

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

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

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

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

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

“(c) Prohibition on Issuing Licenses to Cer-
tain Legal Entities as a Result of License Sus-
pension or Revocation.—(1) The Secretary shall not
issue or renew a license for the purpose of being a dealer
of dogs to any person (including a partnership, firm, joint
stock company, corporation, association, trust, estate, or other legal entity) if any person who holds an ownership interest in the partnership, firm, joint stock company, corporation, association, trust, estate, or other legal entity—

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

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

“(2) Paragraph (1) shall not apply to a person seeking the issuance or renewal of a license described in such paragraph if such person shows by clear and convincing evidence that a person who previously held a license for purposes of operating a facility for dogs described in subparagraph (A) of such paragraph—

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

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

“(d) Ten-Year Bar for Suspension or Revocation of a License of a Dealer of Dogs.—The Secretary shall not issue or renew a license for the purpose of being a dealer of dogs to a person if—
“(1) within the last 10 years, a license for the purpose of being a dealer of dogs of such person has been suspended after notice and opportunity for hearing or revoked pursuant to section 19(a) of this Act; and

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

(e) Revocation of Improperly Granted Licenses.—Section 19 of the Animal Welfare Act (7 U.S.C. 2149) is amended by adding at the end the following:

“(e) Revocation of Improperly Granted Licenses.—The Secretary shall revoke a license issued after the date of the enactment of this subsection if the Secretary subsequently determines that, at the time of issuance, the issuance of the license violated section 3 of this Act.”.

SEC. 3. REGULATIONS.

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