

## H.B. 573: PROHIBITION ON THE OUTDOOR SALES OF DOGS, CATS, AND PET RABBITS

HB 573 would make it unlawful for any person to transfer (i.e., sell, lease, or display for a commercial purpose) any dog, cat or pet rabbit on any roadside, park, other recreation area, flea market or other outdoor market, or commercial parking lot. It would exempt the adoption of pets by an animal shelter or animal rescue organization and the transfer of pets as part of a sanctioned event or fair show, 4-H program, or similar agricultural exhibition.

The passage of HB 573 would accomplish three things: **1) Remove opportunities for illegal pet sales** by unlicensed, transient “roadside” sellers who evade licensing and tax regulations, **2) Diminish the cost-shift to local government** for pet overpopulation caused by reckless breeding, and **3) Protect consumers** from unscrupulous individuals who sell sick animals to unwitting families.

### Why Georgia Needs This Bill

#### **Pet sales at outdoor locations lack state and federal regulatory oversight:**

Parking lots, roadsides, and flea markets are attractive locations for illegal pet sales because they lack oversight by state and federal agencies. The USDA does not monitor breeders who sell via face-to-face transactions and the Georgia Department of Agriculture (GDA) does not license or monitor breeders claiming to produce and sell only one litter per year. The cash sales and lack of record-keeping common at these venues allow sellers to hide under the unenforceable GDA one-litter exemption.

#### **Reduces the economic burden on local governments for pet overpopulation:**

Local governments and taxpayers are responsible for the impoundment, care, and euthanasia of excess animals produced by commercial pet sales and unintentional litters. However, Georgia’s pet overpopulation has reached crisis proportions and relies heavily on support from nonprofit shelters and rescues. The total financial burden for managing Georgia’s pet surplus by municipal/county animal control and 600+ nonprofits is estimated to be \$135,000,000 annually.

#### **Protects consumers from purchasing sick animals:**

Breeders selling in outdoor venues typically do not provide health records, vaccinations, or guarantees for the animals sold. Consumers have no statutory recourse in the event of purchasing a sick animal. Serious diseases like parvovirus are frequent and naïve consumers get stuck with exorbitant vet bills.

#### **Protects responsible breeders who comply with laws:**

This bill will still permit responsible hobby breeders and breeders of hunting dogs to sell from their residential or business properties or through online sales. If a breeder is uncomfortable with a potential buyer coming to his home or business, they would be permitted to meet at a police department or sheriff's office to complete a prearranged sale. Alternatively, an arrangement can easily be made to meet at a veterinarian’s office where the pet could be examined at the time of purchase. It does NOT affect the transfer of pets at sanctioned events, fair shows, or other agricultural exhibitions, nor a family giving away an accidental litter of puppies/kittens.

#### **Gives law enforcement and animal control an easy tool to combat illegal activity:**

An outright ban on the outdoor sales of dogs, cats, and pet rabbits alleviates the need for law enforcement to determine violations of licensing and breeding laws, a resource-consuming process. **Importantly, this bill does NOT require additional state or local funding and does not involve GDA oversight or enforcement.**

#### **Local and State Precedents:**

Seven local ordinances have been passed in Georgia: Athens-Clarke County, Forsyth County, Lowndes County, Douglasville, Douglas County, Jackson County, and Whitfield County; however, the latter four jurisdictions have weaker language with loopholes. **Ultimately, the most effective strategy will be a uniform statewide law that prevents illegal pet sellers from simply crossing county lines to evade local laws.** Louisiana and Virginia have such statutes.