

AMENDED IN SENATE JUNE 9, 2014
AMENDED IN ASSEMBLY APRIL 23, 2014
AMENDED IN ASSEMBLY APRIL 10, 2014
AMENDED IN ASSEMBLY MARCH 28, 2014
CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 1809

Introduced by Assembly Member Maienschein

February 18, 2014

An act to add Chapter 1.5 (commencing with Section 121720) to Part 6 of Division 105 of the Health and Safety Code, relating to veterinary public health.

LEGISLATIVE COUNSEL'S DIGEST

AB 1809, as amended, Maienschein. Dogs: health certificates.

Existing law imposes specified requirements on animal owners in order to prevent or control the transmission of zoonotic diseases, such as rabies, and communicable diseases amongst animals. Existing law also provides for the licensing and registration of dogs, as specified.

This bill would require a person seeking to bring a dog into this state, or importing dogs into this state for the purpose of resale or change of ownership, to obtain a health certificate with respect to that dog that has been completed by a licensed veterinarian and is dated within 10 days prior to the date on which the dog is brought into the state. The bill would require the person to submit the health certificate to the county health department, as specified. The bill would exempt from these requirements a person who brings a dog into the state that will not be offered for resale or if the ownership of the dog is not expected

to change. The bill also would exempt from these requirements the import of a dog used for law enforcement or military work, a guide dog, as defined, or a dog imported as a result of a declared emergency or an investigation by law enforcement of an alleged violation of state or federal animal fighting or animal cruelty laws. The bill would authorize the agency receiving the health certificate to use the information on the health certificate as it deems appropriate, and to charge a fee in a reasonable amount sufficient to cover the costs associated with receiving and processing a health certificate submitted to the county health department pursuant to these provisions. By imposing a higher level of service on county health agencies, the bill would impose a state-mandated local program.

This bill would make a violation of its provisions an infraction punishable by a fine not to exceed \$250 for each dog for which a violation has occurred, and would authorize animal control personnel to issue a correction warning in lieu of the fine, subject to specified exceptions. By creating a new crime, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason reasons.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Chapter 1.5 (commencing with Section 121720)
2 is added to Part 6 of Division 105 of the Health and Safety Code,
3 to read:
4
5 CHAPTER 1.5. DOG IMPORTATION: HEALTH CERTIFICATES
6
7 121720. (a) (1) A person seeking to bring a dog into this state
8 or importing dogs into this state for the purpose of resale or change
9 of ownership shall obtain a health certificate with respect to that
10 dog that has been completed by a licensed veterinarian and is dated
11 within 10 days prior to the date on which the dog is brought into
12 the state.

1 (2) Except as provided in subdivision (c), the person described
2 in paragraph (1) shall submit the health certificate to the county
3 health department. The person may submit the health certificate
4 to the county health department by electronic transmission,
5 facsimile, or any other method accepted by the receiving agency.

6 (b) Completion of a United States Department of Agriculture
7 Animal and Plant Health Inspection Service Form 7001, known
8 as the United States Interstate and International Certificate of
9 Health Examination for Small Animals, shall satisfy the
10 requirement of subdivision (a). A different form of canine health
11 certificate acceptable to the receiving agency shall also satisfy the
12 requirement of subdivision (a).

13 (c) It shall be the responsibility of persons importing dogs into
14 this state for the purpose of resale or change of ownership to send
15 the health certificate to the county health department where the
16 dog is to be offered for sale or to the county of residence of the
17 individual purchasing or receiving a dog directly from a source
18 outside of California.

19 (d) The receiving agency may use the information on the health
20 certificate as it deems appropriate.

21 121721. (a) This chapter does not apply to a person who brings
22 a dog into the state that will not be offered for resale or if the
23 ownership of the dog is not expected to change.

24 (b) This chapter does not apply to the import of a dog used for
25 law enforcement or military work, a guide dog, as defined by
26 subdivision (d) of Section 365.5 of the Penal Code, or a dog
27 imported as a result of a declared emergency as described by
28 Section 8558 of the Government Code or an investigation by law
29 enforcement of an alleged violation of state or federal animal
30 fighting or animal cruelty laws.

31 121722. The agency that receives a form pursuant to Section
32 121720 may charge a fee in a reasonable amount sufficient to cover
33 the costs associated with receiving and processing a health
34 certificate submitted to the agency pursuant to this chapter.

35 121723. (a) *A person who violates a provision of this chapter*
36 *is guilty of an infraction, punishable by a fine not to exceed two*
37 *hundred fifty dollars (\$250) for each dog for which a violation*
38 *has occurred.*

39 (b) *In lieu of punishment pursuant to subdivision (a), authorized*
40 *animal control personnel may issue a correction warning to a*

1 *person who violates a provision of this chapter, unless the violation*
2 *endangers the health or safety of the animal, the animal has been*
3 *wounded as a result of the violation, or a correction warning has*
4 *previously been issued to the individual. The correction warning*
5 *shall require the person to correct the violation.*

6 ~~SEC. 2. No reimbursement is required by this act pursuant to~~
7 ~~Section 6 of Article XIII B of the California Constitution because~~
8 ~~a local agency or school district has the authority to levy service~~
9 ~~charges, fees, or assessments sufficient to pay for the program or~~
10 ~~level of service mandated by this act, within the meaning of Section~~
11 ~~17556 of the Government Code.~~

12 *SEC. 2. No reimbursement is required by this act pursuant to*
13 *Section 6 of Article XIII B of the California Constitution because*
14 *of both of the following:*

15 *(a) A local agency or school district has the authority to levy*
16 *service charges, fees, or assessments sufficient to pay for the*
17 *program or level of service mandated by this act, within the*
18 *meaning of Section 17556 of the Government Code.*

19 *(b) This act creates a new crime or infraction, eliminates a*
20 *crime or infraction, or changes the penalty for a crime or*
21 *infraction, within the meaning of Section 17556 of the Government*
22 *Code, or changes the definition of a crime within the meaning of*
23 *Section 6 of Article XIII B of the California Constitution.*