

California Assembly Amends Spay/Neuter Bill

American Kennel Club, pet industry trade group still oppose the proposal.

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Outdoor cats would have to be sterilized by 6 months of age.

California Senate Bill 250, which would require spay or neuter surgery for most of the state's dogs and cats, was amended on the Assembly floor Aug. 31 and is now on its second reading.

SB 250, sponsored by Senate Majority Leader Dean Florez, calls on cat owners to spay or neuter their cats by 6 months of age if the cats are allowed to roam at large. The bill also requires the sterilization of all dogs by 6 months old unless the owner gets an unaltered dog license.

The bill has been amended to require that anyone who sells or adopts out an intact dog, regardless of the dog's age, provide the licensing agency with the name and address of the new owner within 10 days. The license number and microchip number for any existing unaltered dog must appear on the document transferring ownership to the new owner.

The bill now provides that an intact dog with a current intact license will not be required to be sterilized on a first offense: "In any case in which the owner or custodian of a dog with an unaltered dog license is cited for permitting the dog to roam at large, the license of the dog shall not be subject to revocation for a first violation, if at the time the dog roams at large the dog possesses a current license," it reads.

In addition, the amendment provides exemptions "to any owner or breeder of a dog used in the business of shepherding, herding or guarding livestock, or cultivating agricultural products, to any owner or breeder of a dog used for hunting or for the purposes of field trials, or to any owner or trainer of a guide dog, signal dog, service dog, peace officer's dog or firefighter's dog, as defined, provided the dog is licensed, as specified, and the owner or breeder has purchased any required hunting license."

The American Kennel Club and the Pet Industry Joint Advisory Council still oppose the bill.

The AKC maintains that SB 250 uses sterilization as a punishment for any violation of the animal control ordinance and for failure to license.

"This legislation will not improve the lives of cats and dogs, will negatively impact responsible owners and breeders," an AKC statement contends. "Additionally, by placing additional burdens on owners of intact animals, this measure may lead to an increase of animals in shelters. Concentrating animal control efforts on dogs whose behavior demonstrates that they are a problem for the community, regardless of their reproductive status, would be a much better use of taxpayer funds."

The organization also takes issue with the specific amendments, such as the first offense rule. The AKC said that two violations may occur years apart and not be a true reflection of a habitually irresponsible owner. For instance, if a dog gets loose one time as a 6-month-old puppy and is then accidentally released by a gardener five years later, that does not signify a problem animal, according to the AKC.

A PIJAC representative said the group feels that the bill is overbroad because it puts the issue of spay/neuter in the hands of local governments with free discretion to set licensing fees and penalties.

"Because California already has laws in place that require owners of intact animals to pay a license fee and provides fines for owners whose intact dogs are impounded, this legislation is unnecessary," according to PIJAC.

The bill is currently on the Assembly floor and will probably be voted on in the next few days, although an exact date has not been announced. If it passes the Assembly, the bill will return to the Senate, where senators will vote for or against the changes made in the Assembly.