

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2017

H

1

HOUSE BILL 179

Short Title: Dog Breeding Stds./Law Enforcement Tools. (Public)

Sponsors: Representatives Saine, Jordan, Bradford, and Harrison (Primary Sponsors).  
*For a complete list of sponsors, refer to the North Carolina General Assembly web site.*

Referred to: Judiciary II

February 23, 2017

1 A BILL TO BE ENTITLED  
2 AN ACT TO ESTABLISH STANDARDS OF CARE FOR LARGE COMMERCIAL DOG  
3 BREEDING FACILITIES AND TO PROVIDE LAW ENFORCEMENT WITH TOOLS TO  
4 ENSURE THAT DOGS AT THOSE FACILITIES ARE TREATED HUMANELY.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** Article 47 of Chapter 14 of the General Statutes is amended by adding a  
7 new section to read:

8 **"§ 14-362.4. Standards of care for large commercial dog breeders.**

9 (a) Any person who owns, has custody of, or maintains 10 or more female dogs over the  
10 age of six months that are capable of reproduction and kept primarily for the purpose of breeding  
11 and selling the offspring as pets shall provide the following for each dog owned, kept, or  
12 maintained by that person:

13 (1) Access to exercise on a daily basis.

14 (2) Access to fresh food and water.

15 (3) Access to fresh food provided at appropriate intervals to maintain a healthy  
16 weight.

17 (4) Appropriate veterinary care, including routine and preventative care.

18 (5) Daily assessment of each dog's overall health and behavior.

19 (6) Appropriate and prompt treatment or attention to any deviation in health.

20 (7) Preventative care sufficient to keep dogs free from internal and external  
21 parasites.

22 (8) When necessary, euthanasia performed humanely.

23 (9) A primary enclosure that (i) is constructed and maintained so that dogs are  
24 securely confined, (ii) does not cause injury to the dogs, (iii) protects the dogs  
25 from extreme weather conditions, (iv) is maintained in a sanitary manner, and  
26 (v) is large enough that each dog can sit, stand, lie down, or turn around  
27 comfortably with no overcrowding.

28 (10) Protection from adverse or extreme weather conditions.

29 (11) Flooring that provides solid footing. If wire is used as flooring of a primary  
30 enclosure, it should be comprised of a material featuring a protective coating,  
31 be of an appropriate size to prevent injury, particularly to the dogs' feet, and  
32 must be kept in good repair. If wire is used, a solid platform of sufficient size  
33 should be provided to allow the dogs to attain solid footing and to offer a space  
34 for resting.

35 (12) Lighting that provides a regular lighting cycle for the dogs.



1 In addition, any bedding material made available to dogs shall be clean and not pose a risk to  
2 the dogs.

3 (b) Any person who owns, has custody of, or maintains 10 or more female dogs over the  
4 age of six months that are capable of reproduction and kept primarily for the purpose of breeding  
5 and selling the offspring as pets shall keep the facility and primary enclosures clean and free from  
6 debris and odor and shall remove feces and dispose of them as frequently as necessary so as not to  
7 pose a threat to the health of the dogs.

8 (c) Failure to comply with the standards established under subsections (a) and (b) of this  
9 section constitutes a Class 3 misdemeanor punishable by a fine of not less than twenty-five dollars  
10 (\$25.00) per animal nor more than a total of one thousand dollars (\$1,000), unless the person has  
11 previously pled guilty or nolo contendere to, or been found guilty of, a violation of this section, in  
12 which case each such violation is a Class 1 misdemeanor. Each violation shall constitute a separate  
13 offense.

14 (d) The provisions of this section are in addition to, and not in lieu of, any other State or  
15 federal laws protecting animal welfare. This section shall not be construed to limit any State law  
16 or regulation protecting the welfare of animals, nor shall anything in this section prevent a local  
17 governing body from adopting and enforcing its own animal welfare laws and regulations in  
18 addition to this section. This section shall not be construed to place any numerical limits on the  
19 number of dogs a person may own or control or to regulate persons' ownership of dogs when those  
20 dogs are not used for breeding and selling any offspring for use as a pet. Nothing in this section  
21 shall be construed to limit hunting or the ability to breed, raise, sell, control, train, or possess dogs  
22 with the intention to use those dogs for hunting or other sporting purposes.

23 (e) This section does not apply to any of the following:

24 (1) Kennels or boarding facilities in which the majority of the dogs are:

25 a. Being bred or trained primarily for hunting, sporting, field trials, or  
26 show;

27 b. Being maintained primarily for hunting, sporting, field trials, or show;  
28 or

29 c. Kept primarily for purposes other than the sale of offspring as pets.

30 (2) Veterinary hospitals, veterinary clinics, veterinary practices, veterinarians, and  
31 persons employed by those entities or facilities that, in the ordinary course of  
32 the provision of veterinary care or veterinary services, have custody of 10 or  
33 more female dogs over the age of six months that are capable of reproduction  
34 and that do not have custody of the dogs for the purpose of breeding and selling  
35 the offspring as pets."

36 **SECTION 2.** If any provision of this act, or the application of this act to any person or  
37 circumstances, is held invalid or unconstitutional, that invalidity or unconstitutionality shall not  
38 affect other provisions or applications of this act that can be given effect without the invalid or  
39 unconstitutional provision or application, and to this end, the provisions of this act are severable.

40 **SECTION 3.** This act becomes effective December 1, 2017, and applies to offenses  
41 committed on or after that date.