

Side by Side Comparison Between House Bill 2437 (introduced in 2023) and House Bill 2542 (current bill under consideration)

Statute	Subject	HB 2437	HB 2542	Notes
K.S.A. 47-1701	Updated Definition: "Adequate Watering"	"Adequate watering" means a supply of clean, fresh, potable water, supplied in a sanitary manner and either, when species appropriate, continuously accessible to each animal or supplied at intervals suitable for the animal species, not to exceed intervals of 12 hours during all times that the animal is maintained on the licensed premises unless the attending veterinarian has approved the animal not having continual access to water for a medical reason.	"Adequate watering" for dogs and cats means a supply of clean, fresh, and potable water, supplied in a sanitary manner and either continuously accessible to each animal or supplied at intervals suitable for the animal species, not to exceed intervals of 12 hours and made continuously available unless the licensee's or permittee's documented program of routine veterinary care specifies a medical reason otherwise, or unless the dog or cat is being transported. For all other animals, "adequate watering" means a supply of clean, fresh, potable water, supplied in a sanitary manner and either continuously accessible to each animal or supplied at intervals suitable for the animal species.	This language reflects language agreed to in conversations with stakeholders.
K.S.A. 47-1701	Updated definition: "Adequate veterinary medical care."	Adequate veterinary medical care shall not apply to United States department of agriculture licensed animal breeders or animal distributors.	Included.	Ensures the agency can regulate "Adequate veterinary medical care" at all facilities.

Statute	Subject	HB 2437	HB 2542	Notes
K.S.A. 47-1706	Authorizing in-home facilities if such facilities comply with the requirements of the Kansas Pet Animal Act.	"the housing facility or the primary enclosure is inadequate. <i>Nothing in this act shall be construed as preventing any licensee from operating in such licensee's private home or residence if such home or residence complies with the requirements of this act and rules and regulations adopted hereunder;</i> "	Included.	This is intended to clarify that licensees may operate in their private home if the facility complies with the requirements of the act.
K.S.A. 47-1709 and K.S.A. 47-1732	Closing inspections and temporary licensees	<p><i>Any licensee, other than a temporary pet shop, who ceases to engage in activity requiring licensure pursuant to this act, at any premises for which such licensee holds a license shall notify the commissioner at least 30 days prior to the date of ceasing such activity. The licensee shall file disposition records for each pet animal on the premises disposed of in the 12 months prior to ceasing such activity.</i></p> <p><i>The commissioner shall conduct a closing inspection within 60 days of the closing date provided by the licensee to the commissioner[...]</i></p> <p><i>A licensee who is in the process of closing a licensed premises on September 30 may be issued a temporary closing license at the discretion of the commissioner. A temporary closing license shall be valid for 30 days[...]</i></p> <p><i>A licensee shall be considered in violation of this section if the commissioner is unable to perform a closing inspection because a licensee has vacated the licensed premises.</i></p>	<p><i>Except a temporary pet shop, any licensee who ceases or plans to cease to engage in activity requiring licensure pursuant to this act shall notify the commissioner at least 10 days prior to the date of ceasing such activity, unless advance notice is not possible due to extenuating circumstances, then a licensee shall notify the commissioner no later than the date licensed activity ceases.</i></p> <p><i>Upon notification to the commissioner by a licensee of the date such licensee ceases or plans to cease to engage in activity requiring licensure pursuant to this act, the commissioner or the commissioner's authorized representatives shall conduct a closing inspection to confirm such activity has ceased prior to expiration of the license period.</i></p>	<p>Through discussions with stakeholders, the agency has determined that this language can be streamlined.</p> <p>For temporary licensees, the language is updated in K.S.A. 47-1732 to align with the end of the license/permit period on September 30.</p>

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K.S.A. 47-1709	Standardizing Record Retention practices	Records of inspections pursuant to this section shall be maintained in the office of the Kansas department of agriculture division of animal health. Records of a deficiency or violation shall not be maintained for longer than three years - after the deficiency or violation is remedied. <i>not less than three five years - after the deficiency or violation is remedied.</i>	Included.	The agency has requested this to keep record retention policies consistent across programs.
K.S.A. 47-1709	Training procedures for inspectors	Continue <i>Develop and provide</i> procedures to provide for pet animal training or updated training for authorized trained representatives who inspect premises under the pet animal act and to <i>on pet animal care practices, including, but not limited to:</i> <i>(A) Best management practices for the well-being of animals;</i> <i>(B) disease prevention and management;</i> <i>(C) operation biosecurity measures;</i> <i>(D) generally accepted medical recommendations established by the American veterinary medical association; and</i> <i>(E) identification of neglect and cruelty to animals</i>	Included.	These are important areas of training for those who will be performing inspections.
K.S.A. 47-1712	Subjects over which the agency shall develop rules and regulations	<i>(11) exercise and socialization;</i> <i>(12) disease prevention;</i> <i>(13) biosecurity;</i> <i>(14) adequate veterinary medical care;</i> (12) <i>(15) inspections of licensed or permitted premises, including closing inspections;</i>	Included.	These are all important factors for the agency to consider in order to ensure pet animal health and safety.

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K.S.A. 47-1712	Standardizing rules and regulations for all facilities	<p>In adopting rules and regulations, the commissioner shall only adopt as rules and regulations for United States department of agriculture licensed animal distributors and animal breeders, and animal distributor and animal breeder premises the rules and regulations promulgated by the secretary of the United States department of agriculture, cited at 9 C.F.R. 3.1 through 3.12, pursuant to the provisions of the United States public law 91-579 (7 U.S.C. § 2131 et seq.), commonly known as the animal welfare act consider:</p> <p><i>(1) Best management practices for the care and well-being of dogs and cats;</i></p> <p><i>(2) disease prevention;</i></p> <p><i>(3) morbidity and mortality data to the extent such data is available; and</i></p> <p><i>(4) generally accepted veterinary medical standards and ethical standards established by the American veterinary medical association.</i></p>	Included.	These are all important factors for the agency to consider in order to ensure pet animal health and safety.

Sections Removed from HB 2437

Statute	Brief Description	Reason for Excluding in HB 2542
K.S.A. 47-1701	Updated Definition: "Animal Distributor Premises"	The agency determined it would be better to leave current language in order to ensure licensee categories are separate and distinct.
K.S.A. 47-1701	Updated Definition: "Out-of-state distributor premises"	The agency determined it would be better to leave current language in order to ensure licensee categories are separate and distinct.
K.S.A. 47-1706	Language authorizing the Commissioner to contract with shelters or rescues to seize, transport, house and provide care for seized pet animals and to recover costs from the owner.	The language from HB 2437 unintentionally created the perception that the decision to seize or impound animals and recover costs for seizure would be ceded to partner organizations.
K.S.A. 47-1715	Contracts with shelters and rescues for the purpose of providing care for animals in the event of a conviction under the Kansas Pet Animal Act.	Similar to a previous section, this led to the unintentional perception that the agency would be ceding its authority when partnering with shelters and rescues.
K.S.A. 47-1721	Language requiring consultation between the Director of the AFI program and Animal Health Commissioner	Consultation between the Commissioner and the program director occurs on a regular basis as a part of normal business operations.
K.S.A. 47-1721	Adding unlicensed facilities and penalties in statute	Upon further review, the agency would like to continue to pursue action against unlicensed facilities under current law and rules and regulations.

Sections Added to HB 2542

Statute	Brief Description	Reason for Including in HB 2542
K.S.A. 47-1701	Allowing the Commissioner to <i>modify</i> or <i>limit</i> a license or permit.	This provides the Commissioner with greater flexibility when responding to violations.
K.S.A. 47-1706	Language allowing the Commissioner to prevent licensees from acquiring more animals until violation(s) are remedied or resolution is reached.	This language provides the Commissioner with additional flexibility for situations in which licensees have continued to acquire or breed additional animals they are unable to provide adequate care for.
K.S.A. 47-1706	Clarifying the process for licensees to post cash or security bond to prevent sale, placement or euthanasia of animals pending final adjudication.	This language is intended to provide clarity for the process.
K.S.A. 47-1706, K.S.A. 47-1707, and K.S.A. 47-1715	Striking language requiring the agency to reimburse licensees for the cost of care of seized and impounded animals in the event of a wrongful seizure.	The agency believes that licensees would be able to seek reimbursement under other procedures. However, in order to alleviate confusion, this language could be retained in the statute.
K.S.A. 47-1721	Annual financial report to the Pet Animal Advisory Board.	The agency would be willing to continue this practice and have it reflected in statute to ensure transparency in the program.