



March 6, 2024

RE: Comments in Support of HB 2816 – Animal Facility Trespass Penalty

Dear Members of the Kansas House Agriculture & Natural Resources Committee:

On behalf of the responsible pet care community, we ask that you **support the passage of KS HB 2816**, which would prohibit and penalize individuals for entering or remaining on animal facilities while knowingly making false statements.

WHO WE ARE - As the advocacy voice of the responsible pet care community, the [Pet Advocacy Network](#) represents the interests and expertise of retailers, companion animal suppliers, manufacturers, distributors, pet owners, and others involved in the many aspects of pet care across the United States. Our association works to foster environmental stewardship, promote animal well-being and responsible pet ownership; and ensure the availability of healthy pets through our work at the state and federal levels—including with the United States Department of Agriculture, U.S. Fish and Wildlife Service, and the Centers for Disease Control and Prevention.

All of us in the responsible pet care community don't just care about animals, we provide care for them daily—and are dedicated to ensuring that appropriate care of animals is the primary focus of any law or regulation. As such, we offer an unmatched depth and breadth of experience regarding legislative efforts to verify and certify the health and well-being of pets from the time they are born all the way until they are taken home and made a part of a family.

THE PROBLEM THIS BILL ADDRESSES – We support this bill, as it is currently written, because it would prohibit and penalize individuals for entering or remaining on animal facilities while knowingly making false statements. These deceptive actions compromise the biosecurity of the facilities while also endangering the health and well-being of our beloved animals. This bill is crucial in both maintaining the integrity of operations of animal facilities and protecting the livelihoods of small business owners as well as the health of the animals in their care. By implementing strict penalties for those who deceive their way into animal facilities, we can safeguard against potential disease outbreaks and ensure the highest standards of animal welfare are upheld.

THE ECONOMICS - The care and companionship of pets is integral not only the emotional and physical well-being of many Americans, but also to the strength and stability of our economy. According to the 2021-2022 American Pet Products Association (APPA) National Pet Owners Survey, 70% of U.S. households own a pet, which equates to 90.5 million homes. **Kansas is an integral part of the American pet sector** that contributes \$260.5 billion directly and indirectly to the U.S. economy; 2.78 million U.S. jobs are directly and indirectly linked to pets, U.S. households spent \$93.95 billion on their pets and \$23.4 billion public revenues were generated by consumer expenditures on pets from local, state and federal taxes. *View an infographic on the economic impact of the Kansas pet sector [here](#).*

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IMPACT ON SMALL BUSINESSES - The past several years have been incredibly challenging, particularly for small business owners. These days, our representatives at all levels should be doing everything in their power to **support responsible small businesses, especially those that are highly regulated.** Various levels of government regulation occur to ensure America's pets are raised in good conditions. For example, dog breeders are highly regulated by the federal government and the state government while puppy distributors and pet stores are also regulated at these two same levels of government, in addition to local and city governments. That is up to six different layers of government regulation that a small pet retail business owner must navigate; to then possibly be faced with animal rights activists or other individuals who knowingly making false statements to gain access to their facilities with little to no repercussions for their actions.

HISTORY OF HARRASSMENT - Responsible pet care businesses across the state of Kansas are committed to the health, safety, and wellbeing of the animals they provide to families and establishing life-long quality relationships with pet owners is vital to sustain their businesses. However, some animal facilities in the pet industry have been unfairly targeted, harassed, and/or vandalized by animal rights activists who don't believe that their pet businesses should exist. These are often small, family-run businesses in rural America that want to be transparent with the public about their operations standards but must regularly be on guard for these vigilante operatives with motives to sabotage their operations.

To someone without direct experience in the pet industry, this may sound surprising and like a rare occurrence, however, this is such a prevalent issue, that the American Kennel Club (AKC) created the [Anti-Breeder Harassment and Retaliation Task Force](#) in 2021 to provide resources to breeders, dog enthusiasts and the general public about the problem of breeder harassment, how to prevent and avoid it, and what to do if you believe you are a victim of harassment or retaliation by anti-breeder groups or individuals because of your breeding or political activities.

Examples of typical harassment and retaliation include:

- Suspicious phone inquiries posed as regulators, employees at other businesses, etc.
- Showing up to the pet business owner's home, kennel, or business posing as authorities and demanding an inspection
- Suspicious timing of anonymous complaints
- Threatening communications or social media bullying
- Suspicious inspections resulting in confiscation of animals with significant legal repercussions
- Trespassing, theft, and/or property damage
- Actions that may be intended as intimidation or retaliation

PREVENTING DISEASE OUTBREAK – Any responsible animal facility has a comprehensive biosecurity plan to significantly reduce the risk of disease transmission and protect the health and welfare of their animals. One of the most important components of a biosecurity plan is controlled access to the facility (see more components below).

Some important components of a biosecurity plan include:

- **Controlled Access:** Restricting access to the facility and implementing protocols for visitors, staff, and vehicles can help minimize the introduction of pathogens.
- **Quarantine Procedures:** Isolating new or sick animals upon arrival and implementing quarantine protocols can prevent the spread of contagious diseases within the facility.
- **Hygiene Practices:** Enforcing strict hygiene practices such as hand washing, disinfection of equipment and surfaces, and proper waste management can reduce the risk of disease transmission.
- **Vaccination Programs:** Implementing a comprehensive vaccination program tailored to the specific diseases prevalent in the area can help protect animals from common pathogens.
- **Monitoring and Surveillance:** Regular monitoring for signs of illness, as well as surveillance for disease outbreaks in the region, can help detect and respond to potential threats early.
- **Disease Testing:** Regular testing for common infectious diseases, both in incoming animals and within the facility, can help identify and isolate carriers before they spread the disease.
- **Education and Training:** Providing education and training to staff and visitors about biosecurity protocols and the importance of disease prevention can help ensure compliance and effectiveness of the plan.

A trespasser on an animal facility, or someone falsifying their background, education, or experience with animals poses a significant threat to animal welfare at the facility; other than the example of an animal rights activist lying to gain access to a facility, what if someone lies about their background to gain employment and has a history of animal abuse? Animal abuse charges may not come up in a typical background check if the conviction occurred in another state.

Please support the passage of KS HB 2816 so we can better protect and support our animal facility business owners by enacting common sense legislation that will make sure pet owners across Kansas continue to have reliable access to healthy animals to love as pets now and in the future.

Sincerely,

Ashley Brinkman
Director of Government Affairs

