

Pet Animal Act; HB 2477

HB 2477 makes several changes to the Kansas Pet Animal Act (Act) pertaining to licensure of those providing temporary care of dogs or cats, maximum license fees, notice of inspections, requested inspections, no-contact inspections, failed inspections, and license renewal dates.

Temporary Care of Dogs and Cats

The bill prohibits the Kansas Department of Agriculture from requiring the license of any individual who has written and signed an agreement to provide temporary care for one or more dogs or cats owned by an animal shelter licensed pursuant to the Act.

The bill requires animal shelters to keep a current list of individuals who have written and signed an agreement to provide temporary care.

Fee Maximums

The bill adjusts the maximum fees that may be prescribed by the Commissioner of Animal Health (Commissioner) for the license categories found in the Act. The actual fees charged will be set under rules and regulations adopted by the Secretary of Agriculture, the authority for which is current law. The adjustments to fee maximums are as follows:

- Fee maximums for animal distributors and breeders licensed under federal law (U.S. Department of Agriculture) increase from \$200 to \$450; and
- Fee maximums for research facilities and pet shops increase from \$405 to \$600.

In addition, the bill removes the license fee for an animal shelter or a pound and creates three new license fee categories for shelters in cities of the first, second, and third class. The new license fee categories and registration fee amounts are:

- Animal shelter, city of the first class: an amount not to exceed \$400;
- Animal shelter, city of the second class: an amount not to exceed \$335;
- Animal shelter, city of the third class: an amount not to exceed \$285; and
- Hobby breeder: an amount not to exceed \$250.

For premises that require more than one license under the conditions of the Act, the bill requires the premises pay for the most expensive license and a \$50 fee for each additional license.

A late fee of \$70 is assessed when a permit or license is not renewed prior to October 1. Previously, a late fee of \$70 was assessed if a license or permit renewal was more than 45 days late.

Inspections

Notice of Inspections

The bill requires that no notice be given to any person prior to an inspection, changed from “need not be given prior to inspection.”

Requested Inspections

The bill allows the Commissioner to charge a fee of \$200 to cover the cost of an inspection requested by a licensee, permittee, or applicant for a license or permit of their premises.

No-contact Inspections

The bill also establishes fees for no-contact inspections. Each no-contact inspection results in a \$200 no-contact fee for the owner of the premises, the licensee, or other permittee. The Commissioner, or the Commissioner’s authorized representative, is required to make a second or subsequent attempt to inspect the premises.

A no-contact inspection is defined as the failure by the owner of the premises, a licensee or a permittee, or the designated representative to make a premises available for inspection within 30 minutes of the arrival of the inspector or the inspector’s authorized representative.

Failed Inspections

The bill requires a \$200 re-inspection fee for any subsequent re-inspection be paid by the premises’ owner, licensee, or permittee that has failed an inspection. The payment must be made prior to the re-inspection of the premises. Failure to pay the re-inspection fee results in the revocation of the licensee’s or permittee’s license or permit. The owner of the premises is then required to reapply for any revoked licenses or permits and complete the following:

- Pay the fee for the new permit or license application;
- Pass an initial inspection; and
- Pay any past due fees.

License Renewals

The bill changes the definition of “license or permit year” to mean the 12-month period ending on September 30. Previously, the license year ended on June 30. The following licensees’ license periods change to end on September 30:

- Animal breeder;
- Animal distributor;
- Boarding or training kennel;
- Hobby breeder;
- Pet shop operator;
- Pound or animal shelter;
- Out-of-state distributor;
- Research facility; and
- Retail breeder.