

From: [Elizabeth Jones](#)
To: [Trisha Linebarger](#)
Subject: FW: Public Input Form for Agencies Under Review (Public/After Publication)
Date: Wednesday, June 24, 2020 3:23:45 PM

From: sunset@sunset.texas.gov On Behalf Of Texas Sunset Commission
Sent: Wednesday, June 24, 2020 3:18:52 PM (UTC-06:00) Central Time (US & Canada)
To: Sunset Advisory Commission
Subject: Public Input Form for Agencies Under Review (Public/After Publication)

Agency: TEXAS DEPARTMENT LICENSING AND REGULATION

First Name: Robert

Last Name: Fisher

Title: Founding Member

Organization you are affiliated with: Harris County Animal Cruelty Taskforce

Email:

City: Houston

State: Texas

Your Comments About the Staff Report, Including Recommendations Supported or Opposed:

The staff report states: Statute only contemplates dogs and cats, and does not apply to any animal used for racing or field competitions, personal use, herding, or hunting. Oklahoma is the only other state that establishes a threshold as high as 11 or more adult intact female dogs or cats for licensure to apply. Considering the average dog litter is five puppies, a breeder with less than 11 breeding females could legally house and sell a significant number of animals without a license.²⁸ The data reflect the limiting effect of these narrow criteria, suggesting only a small share of Texas breeders fall under TDLR's jurisdiction. Sunset staff found through internet searches more than 400 dog breeders operating in Texas, but more than 350 of these breeders had neither a current state nor federal license. Meanwhile, the current number of state licensed breeders is only 154, and the population has been declining since a peak of 177 in 2016.

IF, as stated, only including dogs and cats is a "flaw" as per the report, then the report fails to realize we do not have tons of stray racing horses running loose in Texas. By virtue of that one sentence the entire recommendation is based on that logic is HIGHLY flawed. We have a tremendous stray dog and cat population in Texas. We do not have a tremendous stray equestrian or field trial dog population.

The committee has failed to look at the costs of current stray cats and dogs on Texas communities. One would think this problem is not caused by so called responsible breeders but they are just as responsible as stray unaltered animals breeding. Visit Harris County Animal Shelter or Houston's BARC and one sees innumerable full breed animals. At some point, alleviating a law should not be based solely on the cost vs. fines brought in but rather the cost vs all other costs if there is no law in place.

Unfortunately, the fact the agency has failed to enforce does not mean the law should be ended. If that is the case, any laws regarding cannabis should have been abolished due to the lack of the vast majority of DA's to prosecute small possession amounts.

Currently in Houston there are innumerable "small" breeders who get away with selling animals

Any Alternative or New Recommendations on This Agency:

If it is within the purview of the agency I would recommend as would anyone on the Harris County Animal Cruelty Taskforce that the number of intact of adult female dogs or cats be REDUCED to 5 for licensure to be required. If the income from enforcement is not sufficient to justify the agency as it is now I would suggest that more enforcement is needed rather than less and that fines should be tripled or based on the number of intact females, such that the penalties are greater and the enforcement of the law can be balanced with fines. Beyond that the agency MUST consider the other concomitant costs that are placed on the state, counties and cities due to the massive over population of stray dogs and cats.

Yes, there are loopholes in the law and they must be closed. That is not a reason to eliminate the law as it is the only bulwark we have against full fledged breeding in Texas. The Sunset staff MUST reconsider this and either make the current law more enforceable OR leave it as it is and leave it to others to continue to work to change Texas to a state we can be proud of when it comes to the treatment of animals.

My Comment Will Be Made Public: I agree