

From: [Sunset Advisory Commission](#)
To: [Trisha Linebarger](#)
Subject: FW: Public Input Form for Agencies Under Review (Public/After Publication)
Date: Thursday, September 3, 2020 8:24:42 AM

From: sunset@sunset.texas.gov [<mailto:sunset@sunset.texas.gov>] On Behalf Of Texas Sunset Commission
Sent: Wednesday, September 2, 2020 5:35 PM
To: Sunset Advisory Commission <Sunset@sunset.texas.gov>
Subject: Public Input Form for Agencies Under Review (Public/After Publication)

Agency: TEXAS DEPARTMENT LICENSING AND REGULATION

First Name: Joseph

Last Name: Levine

Title: Licensed Breeder

Organization you are affiliated with: TDLR Breeder Advisory Committee Member since August 2014

Email:

City: Burleson

State: Texas

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

- The Licensed Breeder Program is unnecessary and should be abolished, as other state and federal laws regulate a larger number of breeders and owners.
"State law [already] makes cruelty to animals - including failing to provide necessary food, water, care, or shelter - a criminal offense punishable up to a state jail felony, which is appropriate for law enforcement, not a regulatory agency to address." (Staff report, page 25.) Moreover, the program, duplicates USDA federal standards for breeding animals for sale.
- The Licensed Breeder Program fails to meet expectations. In 2011, when the legislature considered creating the Dog and Cat Breeders Act, proponents of the legislation indicated that more than 1,000 breeders in Texas would be subject to the Act. Throughout its implementation, the actual number of licensees has averaged between 150-170, and currently sits at 152
- The Licensed Breeder Program's revenues do not cover administrative costs, as required by law. "A 2018 agency fee study found the program had a 38% cost overrun. Enforcement cases took 307 days to resolve in fiscal year 2019, more than double the average across all TDLR programs."
- The Act's narrow focus boosts unlicensed activity. Many types of breeding animals are exempt from state regulation, including any animal used for racing or field competitions, personal use, herding, or hunting.
Additionally, because pet sales are often cash transactions and because a breeder can lawfully give away animals without keeping a record, it is almost impossible for TDLR to prove the sale of at least 20 animals per year.
- Little or no time/effort was spent in the attempt to uncover the existence of the so-called mega puppy mills or their operation.
- Little or no time was spent in the attempt to investigate the large numbers of puppies brought in from out of the state of Texas, and being sold at large area flea markets such as

Canton Trade Days. These puppies take sales away from hard working legitimate Texas breeders, and therefore undermine the value of a canine in the Texas puppy sales market all over the state.

Any Alternative or New Recommendations on This Agency: As an active 6-year member of the TDLR Breeder Advisory Committee, I recommend that the Licensed Breeder Program regulated by the TDLR be abolished for reasons cited above and in the newly released Sunset Advisory Commission Report dated June 2020.

My Comment Will Be Made Public: I agree