

**From:** [Elizabeth Jones](#)  
**To:** [Trisha Linebarger](#)  
**Subject:** FW: Public Input Form for Agencies Under Review (Public/After Publication)  
**Date:** Tuesday, September 29, 2020 10:07:54 AM

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From: sunset@sunset.texas.gov On Behalf Of Texas Sunset Commission  
Sent: Tuesday, September 29, 2020 10:01:35 AM (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: Theresa

Last Name: McMahan

Title: Board Secretary

Organization you are affiliated with: Protect The Harvest

Email: info@protecttheharvest.com

City: Brownsburg

State: Indiana

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

My name is Theresa McMahan and I am contacting you on behalf of Protect The Harvest.

Before I joined with Protect The Harvest I was a registered veterinary technician and a pet groomer. I have owned pets and livestock since I was a young child and my grandmother was a breeder of AKC champion shetland sheepdogs. I had also worked as a volunteer for many years with the Red Cross Therapy Dog program in Indiana.

As a firm believer in responsible breeding and animal ownership, our concern is in making sure breeders follow animal welfare standards.

HB1451 was reintroduced in 2011 (failed in 2009) and with the support of organizations such as Texas Humane Legislation Network (THLN), Humane Society of the U.S. (HSUS), and a number of other similar animal rights organizations.

Elected officials and their staffs who supported the Licensed breeder Program under HB1451 were misinformed. Initially proposed to 'regulate' 1000 kennels, the proposed estimate was reduced to 600 kennels when Rep. David Simpson questioned the estimate. Curiously, USDA and AKC numbers did not support even the 600 kennel estimate.

Having never achieved licensing of even half of 600 kennels, this "guaranteed revenue neutral" bill, has instead been a cost to taxpayers and has never been held accountable.

Shortly after the program was activated, Dr. Lori Teller, (past President of the Texas Veterinary Medical Association) resigned her position on the Licensed Breeder Advisory Committee as follows –

"I am resigning my position on the Advisory Committee. Unfortunately, I do not feel that we are going down the right road to improve animal welfare by stopping puppy mill breeders while encouraging the good breeders to continue.

I think we are driving the good breeders out of business and sending the bad breeders underground, where they will

continue to crank out unhealthy animals and continue the cycle of neglect and abuse. The breeders who do seriously care about the animals they raise and improving the breeds they are passionate about will either be out of business, or at the least, out of state. Certainly, we are not making life better for either the citizens or the animals of Texas.”

I am writing you today to support eliminating the dog and cat breeder law for the following reasons:

1. This law was never needed in the first place – Each of the 50 states, as well as the United States Code, already outlaw animal negligence and cruelty. Very few purebred dogs are homeless with the exception of a handful of breeds. Evidence of the enforceability of these prior existing laws is regularly splashed across local news channels and websites informing the public of animal seizures. USDA regulates breeders.

Some information about the federal Animal Welfare Act can be found at:

[https://www.aphis.usda.gov/animal\\_welfare/downloads/breeders/dogs/Dog-Breeder-Resource-Guide.pdf](https://www.aphis.usda.gov/animal_welfare/downloads/breeders/dogs/Dog-Breeder-Resource-Guide.pdf)

2. The Licensed Breeder Program has failed to meet expectations of eliminating unscrupulous breeders. Instead it has caused good breeders to move out of Texas or retire their lines unwilling to allow the government unfettered access to their living room and bedroom where they breed and care for puppies, made affording a purebred dog out of reach for the majority of Americans, and is diminishing some of the best breeding lines available.

3. The Licensed Breeder Program has never paid for itself and has cost Texas tax dollars for all these years in addition to not achieving its goal.

**WE STRONGLY SUPPORT YOUR RECOMMENDED ELIMINATION OF THE LICENSED BREEDERS PROGRAM.**

Sincerely,

Theresa McMahan  
Protect The Harvest  
Board Secretary, Project Manager

**Any Alternative or New Recommendations on This Agency: WE STRONGLY SUPPORT YOUR RECOMMENDED ELIMINATION OF THE LICENSED BREEDERS PROGRAM.**

My Comment Will Be Made Public: I agree