AN ACT

1 Establishing the Pennsylvania Good Canine Care Program;
2 providing for duties of the Department of Agriculture.
3 The General Assembly of the Commonwealth of Pennsylvania
4 hereby enacts as follows:
5 Section 1. Short Title.
6 This act shall be known and may be cited as the "Pennsylvania
7 Good Canine Care Program Act."
8 Section 2. Definitions.
9 The following words and phrases when used in this act shall
10 have the meanings given to them in this section unless context
11 clearly indicates otherwise:
12 "Association of Shelter Veterinarians" or "ASV." A
13 professional organization for shelter veterinarians.
14 "Bureau." The Bureau of Dog Law Enforcement under the
15 Department of Agriculture of the Commonwealth.
16 "Department." The Department of Agriculture of the
17 Commonwealth.
"Offer for sale." To sell, offer for sale or adoption, barter, auction, give away or otherwise transfer.

"Program." The Pennsylvania Good Canine Care Program.

"Seller." A person that offers for sale dogs.

Section 3. Program.

The "Pennsylvania Good Canine Care Program" is established in the department to provide for registration of sellers. The program shall be administered by the bureau.

Section 4. Canine health and welfare standards.

The department, in consultation with the Association of Shelter Veterinarians, shall develop standards and benchmarks for self-assessment and improvement aimed at optimizing the health and welfare of dogs based on the minimum standards contained in the ASV Guidelines for Standards of Care and the associated Shelter Care Checklist, for the program. The standards and benchmarks for the program shall be revised, as determined by the department, to reflect any future revisions of the ASV Guidelines.

Section 5. Registration.

(a) General rule.--A seller who meets the applicable standards established under section 4 may apply to the bureau for registration under this act. The department shall develop an application form for registration. A seller shall complete the application form in writing or electronically if permitted by the bureau.

(b) Contents of application form.--The application form shall include all of the following:

(1) For an individual:

   (i) Name.

   (ii) Date of birth.
(iii) Home address and telephone number.
(iv) Driver's license number, a copy of an identification card issued by the state in which the individual resides or other form of identification as permitted by the bureau.
(v) Business name, address and telephone number.
(vi) Federal employer identification number, if applicable.
(vii) Social Security number.
(vii) All prior business names and addresses of offering for sale dogs by the individual.
(2) For a general partnership:
(i) Name of each partner.
(ii) Date of birth of each partner.
(iii) Home address and telephone number of each partner.
(iv) Driver's license number, a copy of an identification card issued by the state in which the partner resides for each partner or other form of identification as permitted by the bureau.
(v) Partnership name, address and telephone number.
(vi) Federal employer identification number, if applicable.
(vii) Social Security number of each partner.
(viii) All prior business names and addresses of offering for sale dogs by the applicant and each partner.
(3) For a corporation, limited liability company or limited partnership:
(i) Name of each officer, manager and general partner.
(ii) Date of birth of each officer, manager and
general partner.

(iii) Home address and home telephone number of each
officer, manager and general partner.

(iv) Driver's license number or a copy of an
identification card issued by the state in which the
individual resides, of each officer, manager and general
partner or other form of identification as permitted by
the bureau.

(v) Entity's name, address and telephone number.

(vi) Federal employer identification number, if
applicable.

(vii) Social Security number of each officer,
manager and general partner.

(viii) Name of each director or each individual
holding greater than a 5% equity interest in the entity.

(ix) All prior business names and addresses of
businesses offering for sale dogs operated by each
officer, manager and general partner.

(4) For an out-of-State corporation, limited liability
company or limited partnership:

(i) Name and address of the entity's resident agent
or registered office provider within this Commonwealth.

(ii) Registration number or license number, if any,
issued to the entity by its home state or political
subdivision of such other state.

(5) For a joint venture:

(i) Name, address and telephone number of the joint
venture.

(ii) Name, address and telephone number of each
party to the joint venture.

(iii) When the parties to a joint venture include business entities, the information required from the entities pursuant to paragraphs (3) and (4) shall also be provided, if applicable.

(6) A complete description of the nature of the applicant's business offering for sale dogs.

(7) A statement whether:

(i) The applicant adheres to the standards established under section 4.

(ii) The individual making the application, even if doing so as part of a business entity application, has ever:

(A) been convicted of a criminal offense related to neglect, abuse, mismanagement, cruelty or other criminal offenses related to the care, ownership, sale or broker of a dog;

(B) been convicted of a criminal offense related to offer of sale of a dog transaction, fraud, theft, a crime of deception or a crime involving fraud; or

(C) filed a petition in bankruptcy or, within the last ten years, received a final civil judgment entered against the applicant or businesses in which the applicant held an interest that was related to offering for sale of a dog transaction.

(iii) The applicant's certificate or license issued by any other state or political subdivision thereof has ever been revoked or suspended pursuant to an order issued by a court, and, if so, the current status of the certificate or license. The statement required by this
clause shall include the same information with respect to
any other business in which the person making application
has or has ever had an interest.

(iv) Whether within the last ten years the applicant
has ever been suspended or debarred from participating in
any Federal, State, local or not-for-profit program
through which public funding or other assistance is
provided to owners for offering for sale a dog.

(c) Affidavit of compliance.--No applicant may knowingly and
with the intent to defraud, file an application for registration
containing any materially false information or conceal for the
purpose of misleading, information concerning any fact material
to the application. The application shall include a notarized
statement of the applicant verifying that:

(1) the applicant has read and signed the form for
application after its completion; and

(2) the applicant swears or affirms that the statements
made in the completed form for application are true and
correct, and that any statement made on or pursuant to the
form is subject to the penalties of 18 Pa.C.S. section
4903(a)(2) (relating to false swearing), which shall include
punishment of a fine not exceeding $5,000, or a term of
imprisonment of not more than two years, or both.

(d) Fees.--An application shall be accompanied by a fee of
$75. The bureau shall use the fees for the administration of the
program or any other general purpose the bureau deems
appropriate.

(e) Renewal of registration.--A registration may be renewed
on a triennial basis.

(f) Privacy policy.--The department shall create a policy
regarding the disclosure of a seller's personal information to
the public. The bureau may not disclose to the public a seller's
Social Security number, driver's license number or any
confidential information prohibited by law from being disclosed,
provided that a seller's home address and home telephone number
may be disclosed only if it is also used as the seller's
business address and business telephone number.

Section 6. Internet website.

(a) Duties of the bureau.--The bureau shall compile the
information from the forms received by the bureau under section
5 and shall publish the information as soon as possible on the
bureau's publicly accessible Internet website. The information
shall be segregated and searchable by county and by seller name.

(b) Internet website.--The Internet website containing the
published information under subsection (a) shall include
statements that:

(1) The information was provided by the seller on the
registration form pursuant to the requirements of the
program.

(2) Registration under the program is not an
endorsement, recommendation or approval by the bureau or the
department of the seller's care and competency with handling
dogs.

(3) The program permits sellers in compliance with the
standards under this act to register with the bureau. The
bureau and the department are not responsible for enforcement
of compliance with the standards.

(c) Removal of information.--The bureau shall remove the
information published if the seller requests cancellation of its
registration, fails to renew its registration or fails to meet
the standards of the program. The bureau shall be deemed to know
of a seller's failure to meet the standards of the program if:

(1) the seller submits rescission of its registration
based on its failure to comply with the standards of the act;
or

(2) a seller has been convicted of a crime against a dog
in a court of law in any state and notice of the conviction
was provided to the bureau; or

(3) a seller has been convicted of falsifying its
affidavit of compliance under section 5(c) and notice of the
conviction was provided to the bureau.

Section 7. Effective date.

This act shall take effect in 60 days.