

MEMORANDUM

TO: All House Members

FROM: Representative Elizabeth Hanbidge

DATE: June 25, 2019

SUBJECT: Legislation Requiring Horse Auctions to Disclose Identifying Information

Each year, hundreds of thousands of horses are sold at auctions around the nation. Some auctions are known for the high caliber of horses that they sell. Unfortunately, many horses are sold at “slaughter auctions,” where they are sold by a per-pound price like cattle, loaded onto trucks and taken across the border to Mexico or Canada to be slaughtered for human consumption.

While most horses that are brought to auctions are simply no longer wanted by their owners, some horses come to these auctions through illegitimate means. Many horses have been lost by, or stolen from, owners who want them back, and many of them have identifying markings or microchip implants in them.

In an effort to cut down on the number of horses sold at “slaughter auctions,” I will be introducing legislation that would require horse auctions within the Commonwealth to determine if a horse has a tattoo, brand marking, or implanted microchip. The auction company would be required to place this information, with pictures, on its publicly accessible website at least 72 hours before the horse may be sold at an auction. The auction company would also be required to keep records of all horse markings for one year after the sale.

Please join me in sponsoring this important legislation.



AT THE FOREFRONT OF PUBLIC POLICY RESEARCH & DEVELOPMENT

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House of Representatives
COMMONWEALTH OF PENNSYLVANIA
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To: Representative Elizabeth Hanbidge

CC: Greg Wagner
Laura Morton

From: Patrick Grill, *Research Analyst*
Natural Resource Unit
Legislative Policy & Research Office
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Date: June 25, 2019

RE: Legislation Requiring Horse Auctions to Disclose Identifying Information

In addition to the attached blue-backs and co-sponsor memo, our office assembled the following information in an effort to assist you with the introduction of your legislation. As always, if you have any questions, please do not hesitate to contact us.

Original Request: This memorandum has been prepared in response to your request to have legislation drafted to require horse auctions to disclose identifying information, such as tattoos, branding marks, or microchips, prior to sale.

Description: This legislation would amend the Auctioneer Licensing and Trading Assistant Registration Act of 1983 to require auction companies to post identifying information of horses on their website at least 72 hours prior to sale. Penalties for violating these provisions would be the same as any violation of the Act, which include fines and the possibility of forfeiture of the auctioneer's license.

Purpose: To decrease the number of horses sold at "slaughter auctions" and to assist horse owners in recovering horses that may have been lost or stolen before they are sold at an auction.

Fiscal Impact: N/A.

Related Legislation: This legislation is based on legislation that was introduced in New Jersey, Senate Bill 455 of the 2018 Legislative Session.

Relevant Committee: This legislation is likely to be referred to either the House Agriculture and Rural Affairs Committee or the House Professional Licensure Committee.

Legislative Action: N/A

External Support/Opposition: N/A

Additional Information: N/A

Bibliography: N/A

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LEGISLATIVE REFERENCE BUREAU

L.R.B. Form No. 4 (Rev. 1/11/17)

2019D06171BIL:NLG

No. _____

LEGISLATIVE REFERENCE BUREAU

AN ACT

Amending the act of December 22, 1983 (P.L.327, No.85), known as the Auctioneer Licensing and Trading Assistant Registration Act, providing for horses sold at auction.

INTRODUCED _____ 20 _____

By _____ District NO. _____

By _____ District NO. _____

By _____ District NO. _____

By _____ District NO. _____

See next page for additional co-sponsors.

Prior Session _____

Referred to Committee on	
Date _____	20 _____
Reported _____	20 _____
As Committed-Amended	
Recommendation	

By Hon. _____	

AN ACT

1 Amending the act of December 22, 1983 (P.L.327, No.85), entitled
2 "An act imposing regulations and licensing requirements on
3 auctioneers, apprentice auctioneers, auction companies,
4 trading assistants and trading assistant companies; imposing
5 powers and duties on the State Board of Auctioneer Examiners;
6 and making repeals," providing for horses sold at auction.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. The act of December 22, 1983 (P.L.327, No.85),
10 known as the Auctioneer Licensing and Trading Assistant
11 Registration Act, is amended by adding a section to read:
12 Section 17.1. Horses sold at auction.

13 (a) Duty of auction company.--Before any horse may be sold
14 at auction, the auction company shall determine whether the
15 horse has an implanted microchip or has been tattooed or branded
16 with any identifying mark. If the horse has an implanted
17 microchip, tattoo or brand, the auction company shall post, on
18 its publicly accessible Internet website, all identifying
19 information, including any identification number contained in

1 the microchip and a detailed description or photograph of any
2 tattoo or brand found on the horse.

3 (b) Limitation.--No horse shall be offered for sale at
4 auction before 72 hours have elapsed following posting of the
5 horse's identifying information on the auction company's
6 publicly accessible Internet website.

7 (c) Required recordkeeping.--For a minimum of one year
8 following the date of sale, for each horse sold at auction, an
9 auction company shall maintain appropriate records which
10 accurately document compliance with this section, including:

11 (1) The presence or absence of a microchip, tattoo or
12 brand.

13 (2) The date and time of the posting of the information
14 required by this section.

15 (3) The date and time each horse was sold at auction.

16 Section 2. This act shall take effect in one year.