

CHAPTER NO. 774

SENATE BILL NO. 2929

By Person, Cohen

Substituted for: House Bill No. 2882

By McMillan, Pinion, Kent, Ralph Cole

AN ACT To amend Title 44, Chapter 17, Part 1; and Title 55, Chapter 4, Part 2, relative to the breeding of dogs for commercial purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 44-17-104(b), is amended by deleting the language "of twenty-five dollars (\$25.00)" and substituting instead the following language:

"based upon the following:

Dealer license fee to sell dogs or cats to research facilities: two hundred and fifty dollars (\$250.00)

Dealer license fee (wholesale) to sell dogs or cats for resale: one hundred and twenty-five dollars (\$125.00)

Dealer license fee (retail) to buy dogs or cats for resale to be assessed as follows:

Transactions of up to 50 animals per year: one hundred and twenty-five dollars (\$125.00)

Transactions of 51 to 150 animals per year: two hundred and fifty dollars (\$250.00)

Transactions of 151 to 300 animals per year: five hundred dollars (\$500.00)

Transactions of 301 to 500 animals per year: seven hundred and fifty dollars (\$750.00)

Transactions of more than 500 animals per year: one thousand dollars (\$1,000.00)

Dealer license fee to transport dogs or cats in commerce: one hundred and twenty-five dollars (\$125.00)"

SECTION 2. Tennessee Code Annotated, Section 44-17-106, is amended by deleting the language "twenty-five dollars (\$25.00)" and substituting instead the following language:

"based upon the following:

Dealer license fee to sell dogs or cats to research facilities: one hundred and twenty-five dollars (\$125.00)

Dealer license fee (wholesale) to sell dogs or cats for resale: one hundred and twenty-five dollars (\$125.00)

Dealer license fee (retail) to buy dogs or cats for resale to be assessed as follows:

Transactions of up to 50 animals per year: one hundred and twenty-five dollars (\$125.00)

Transactions of 51 to 150 animals per year: two hundred and fifty dollars (\$250.00)

Transactions of 151 to 300 animals per year: five hundred dollars (\$500.00)

Transactions of 301 to 500 animals per year: seven hundred and fifty dollars (\$750.00)

Transactions of more than 500 animals per year: one thousand dollars (\$1,000.00)

Dealer license fee to transport dogs or cats in commerce: one hundred and twenty-five dollars (\$125.00)

SECTION 3. Tennessee Code Annotated, Section 44-17-115(b), is amended by adding the phrase “and compliance with licensing requirements of this part” between the word “animals” and the word “or”.

SECTION 4. Title 44, Chapter 17, Part 1, is amended by adding the following as a new section:

Confiscation of animals. Subject to the provisions of this part, the commissioner has the authority to confiscate animals as may be necessary to provide for the humane treatment of such animals.

SECTION 5. Title 44, Chapter 17, Part 1, is amended by adding the following as a new section:

Cooperation with local and federal authorities. The commissioner may enter into cooperative agreements with local and/or federal agencies for purposes of implementing this part. When implementing the provisions for issuance of dealer licenses, the commissioner shall take into consideration other federal and/or local licensing regulations that may apply, it being the intent of the legislature not to impose duplicative licensing requirements and costs for dealers.

SECTION 6. Tennessee Code Annotated, Section 44-17-118, is amended by deleting the words “44-17-101-- 44-17-107” and substituting instead the words “this part”.

SECTION 7. Tennessee Code Annotated, Section 55-4-290(c)(1), is amended by deleting from the first sentence the words and punctuation “reduce animal overpopulation.” and by substituting instead the following:

reduce animal overpopulation as well as funding to defray costs incurred by the Department of Agriculture associated with the licensing of dog and cat dealers pursuant to Title 44, Chapter 17, Part 1, not to exceed eighty thousand dollars (\$80,000) per year

and not to be available to the department for such purposes after July 1, 2004. It is the intent of the General Assembly that the department sustain a grant program to spay and neuter clinics in fiscal years 2003 and 2004 that at least approximates the level of grant allocations in fiscal year 2002 subject to satisfactory qualifications of the respective applicants.

During the first fiscal year in which revenues derived from the fees collected pursuant to Title 44, Chapter 17, Part 1, exceed one hundred thirty thousand dollars (\$130,000), the Department of Agriculture shall allocate all such revenues in excess of one hundred thirty thousand dollars (\$130,000) to the animal population control endowment fund. The Department of Agriculture shall continue the procedure outlined in the preceding sentence during subsequent fiscal years until such time as the department has made reimbursements to the animal population control endowment fund in a total amount of one hundred sixty thousand dollars (\$160,000).

SECTION 8. The last sentence of Tennessee Code Annotated, Section 55-4-290(c)(1), is amended by deleting the word "health" and substituting instead the word "agriculture" and deleting the word "shall" and substituting instead the phrase "is authorized to".

SECTION 9. This act shall take effect upon becoming law, the public welfare requiring it.

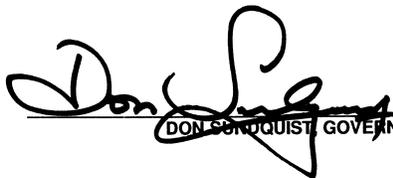
**PASSED:**

**May 15, 2002**

  
JOHN S. WILDER  
SPEAKER OF THE SENATE

  
JIMMY NAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

**APPROVED this 22<sup>nd</sup> day of May 2002**

  
DON SUNDQUIST, GOVERNOR