

State of South Dakota

NINETY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 2017

480Y0562

HOUSE AGRICULTURE AND NATURAL RESOURCES

ENGROSSED NO. **HB 1159** - 2/9/2017

This bill has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsor.

Introduced by: Representatives Howard, Bartels, Conzet, Frye-Mueller, Hawley, Heinemann, Johnson, Kettwig, Rasmussen, Rozum, Schoenfish, Tieszen, and Wismer and Senators Monroe, Haverly, Partridge, and White

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the regulation of
2 commercial breeding operations.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 40-1-41 be repealed.

5 ~~—40-1-41. A veterinarian licensed in the State of South Dakota shall be in attendance during~~
6 ~~any portion of an investigation of a commercial breeding operation that is conducted on the~~
7 ~~premises of the commercial breeding operation. For purposes of this section the term,~~
8 ~~commercial breeding operation, means any person engaged in the business of breeding dogs or~~
9 ~~cats who sells, exchanges, or leases dogs or cats in return for consideration or who offers to do~~
10 ~~so, whether or not the dogs or cats are bred, raised, trained, groomed, or boarded by the person.~~
11 ~~Any person who owns or harbors three or fewer unaltered dogs or cats for breeding purposes~~
12 ~~that are at least six months of age is not a commercial breeding operation. Any person who sells,~~
13 ~~exchanges, or leases thirty or fewer dogs or cats in a twelve-month period is not a commercial~~



1 ~~breeding operation if all such dogs or cats are sold, exchanged, or leased to a final owner rather~~
2 ~~than for later retail sale or brokered trading. Any person knowingly selling, exchanging, or~~
3 ~~leasing any dogs or cats for later retail sale or for brokered trading is a commercial breeding~~
4 ~~operation.~~