

REPORT OF THE CHIEF LEGISLATIVE ANALYST

DATE: June 14, 2021

TO: Honorable Members of the Rules, Elections, and Intergovernmental Relations Committee

FROM: Sharon M. Tso  for
Chief Legislative Analyst Council File No: 21-0002-S92
Assignment No: 21-04-0293

SUBJECT: AB 702, AB 1282, SB 376, and AB 534

CLA RECOMMENDATION: Adopt the attached revised Resolution (Blumenfield – Koretz) to include in the City’s 2021-2022 State Legislative Program SUPPORT for AB 1282 (Bloom – Wilk), SB 376 (Stern), and AB 534 (Bonta), which seek to protect domesticated and wildlife animals from inhumane conditions and practices; and SUPPORT for AB 702 (Santiago) if amended to have the State provide sufficient resources to aid local jurisdictions to meet the bill’s intent of implementing local breeder permitting programs.

SUMMARY

On March 31, 2021, the Resolution (Blumenfield – Koretz) was introduced in support of AB 702 (Santiago), AB 1282 (Bloom – Wilk), SB 376 (Stern), and AB 534 (Bonta), which seek to protect domesticated and wildlife animals from inhumane conditions and practices. The Resolution states that the City of Los Angeles has a record of standing in support of animal welfare issues. For example, in 2019, the City Council voted to support an ordinance that made it illegal to sell, manufacture, or trade furs or fur clothing and accessories such as coats, handbags, and key chains in the City. In 2020, the City Council voted to ban the use of exotic animals for entertainment purposes, effectively putting an end to traditional circuses and similar ventures within the City.

Therefore, the Resolution recommends support for four bills related to protecting domesticated and wildlife animals from inhumane conditions and practices, including AB 1282 (Bloom – Wilk), SB 376 (Stern), AB 534 (Bonta), and AB 702 (Santiago).

BACKGROUND

The City of Los Angeles has a record of standing in support of animal welfare issues. Currently pending before the State Legislature are several bills related to protecting animals from inhumane conditions and practices, including AB 702 (Santiago), AB 1282 (Bloom – Wilk), SB 376 (Stern), and AB 534 (Bonta).

AB 702 (Santiago)

According to the American Humane Society, many animals in shelters originate from the activities of dog and cat breeders who overbreed in unsafe conditions. Often, the conditions where the animals are kept are substandard, and proper care is not provided for the animals, including lack

of proper vaccinations and veterinary care. AB 702 (Santiago) seeks to improve cats and dogs' health and safety by prohibiting a person from establishing or maintaining a dog or cat kennel for breeding purposes without obtaining a breeder permit. The bill would require local jurisdictions to implement a breeder permitting program to issue breeder permits to owners who prove that various conditions are met. Additionally, AB 702 (Santiago) would also limit the number of litters per animal per year.

AB 1282 (Bloom – Wilk)

In California, closed colonies are the only legal way to obtain animal blood, limiting the supply by preventing blood collection from community-based banks. Currently, it is required that anyone producing animal blood and blood component products for retail sale and distribution be licensed by the California Department of Food and Agriculture. The Department's interpretation of current law requires that animals be held in these banks until they are no longer viable for blood collection purposes. AB 1282 (Bloom – Wilk) seeks to allow commercial blood banks to produce blood from community-sourced donor animals and eventually phase out the closed-colony production model, which has kept canine and feline blood donors captive at a facility where their sole purpose is to give blood. The bill would also require all community sourced blood banks to be maintained under a licensed veterinarian's supervision and introduce new blood borne pathogen testing requirements for all animal donors.

SB 376 (Stern)

Research shows that in SARS, MERS, and COVID-19, initial human infection arose from viral transmission between wildlife and humans. In California, the type of markets where wildlife is sold for human consumption, which led to SARS and COVID-19, do not exist in the same form. However, there is a potential risk to human health from importing wild animals carrying viruses or other diseases. According to the author of the bill, hundreds of permits authorizing the possession of live wild animals (“restricted species”) are issued by the Department of Fish and Wildlife (CDFW) each year. The COVID-19 pandemic has shown how important it is to fully evaluate the risks these animals pose to the State. SB 376 (Stern), also known as the Wildlife Trafficking and Trade Act, seeks to take several steps to address the multifaceted problem of zoonotic diseases and biodiversity loss by:

- limiting contact with wild animals that potentially carry novel zoonotic disease by immediately suspending the authorization to import these animals;
- allowing CDFW to develop regulations quickly using the emergency regulatory process to ban the importation of certain wild animals, as needed;
- limiting permits for zoonotic disease research in wild animals to entities that can demonstrate adequate biosafety equipment; and
- preventing the live sale for human consumption of certain frogs, turtles, or non-poultry birds determined to be invasive species or likely to be responsible for zoonotic transmission of a disease

AB 534 (Bonta)

Entanglements in commercial and recreational trap fishing gear are causing whales and sea turtles to suffer painful injuries or die when ropes wrap through their mouths or around their tails and flippers. In 2016, the federal government documented 71 reported entanglements off the U.S. West Coast. This number was the highest annual total for the U.S. West Coast since the federal

government started keeping records in 1982. However, it is believed that the actual number of entanglements is much higher since many entanglements go unnoticed. AB 534 (Bonta), also known as the Whale Entanglement Prevention Act of 2021, seeks to eliminate entanglements of endangered whales and sea turtles in California's trap fisheries by requiring the use of ropeless fishing gear when taking any species of fish for commercial or recreational purposes in any trap fishery. The measure would require trap fisheries to comply with these provisions by November 1, 2025. The bill also requires the California Department of Fish and Wildlife and the Fish and Wildlife Commission to issue implementing regulations, including a public process to certify gear as ropeless and specifies that ropeless gear is defined as gear in which there is no static buoy line.

DEPARTMENTS NOTIFIED

The Department of Animal Services recommends opposing AB 702 (Santiago) as it does not impact puppy mills, backyard breeders, or dogs sold on Craigslist. The Department also expressed concerns over the amount of work on the Department to track not only kennel records but health records on each individual male or female intact dog in the kennel. Furthermore, the Department said that the State has not offered support to municipal shelters to meet the needs of this Assembly Bill.

Our Office has reviewed the Department's concerns regarding the measure and the lack of sufficient support from the State. However, the objectives of the bill are consistent with the City's policy of protecting domesticated and wildlife animals from inhumane conditions and practices. Therefore, the revised Resolution recommends support for AB 702 (Santiago) if amended to have the State provide sufficient resources to aid local jurisdictions meet the bill's intent. The position on the other bills remains unchanged from the Resolution as introduced.

BILL STATUS – AB 702

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| 02/16/21 | Introduced |
| 02/25/21 | Referred to Committee on Business and Professions |
| 04/20/21 | Re-referred to Committee on Business and Professions |

BILL STATUS – AB 1282

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| 02/19/21 | Introduced |
| 03/04/21 | Referred to Committee on Business and Professions and Committee on Agriculture |
| 06/01/21 | Ordered to Senate |
| 06/02/21 | In Senate. To Committee on Rules for assignment. |

BILL STATUS – SB 376

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| 02/10/21 | Introduced |
| 02/17/21 | Referred to Committee on Rules |
| 03/04/21 | Re-referred to Committee on Rules |
| 03/18/21 | Re-referred to Committee on Natural Resources and Water and Committee on Public Safety |
| 05/04/21 | Re-referred to Committee on Appropriations |
| 05/20/21 | Held in committee and under submission. |

BILL STATUS – AB 534

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| 02/10/21 | Introduced |
| 02/18/21 | Referred to Committee on Water, Parks, and Wildlife |
| 04/20/21 | Re-referred to Committee on Water, Parks, and Wildlife |



Xochitl Ramirez
Analyst

SMT:xr

Attachment: 1. Revised Resolution (Blumenfield – Koretz)

RESOLUTION **RULES, ELECTIONS, INTERGOVERNMENTAL RELATIONS**

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations or policies proposed to or pending before a local, state or federal governmental body or agency must have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, the City of Los Angeles has a record of standing in support of animal welfare issues; and

WHEREAS, in 2019 the City Council voted to support an ordinance that made it illegal to sell, manufacture, or trade furs or fur clothing and accessories such as coats, handbags, and key chains in the City; and

WHEREAS, in 2020 the City Council voted to ban the use of exotic animals for entertainment purposes, effectively putting an end to traditional circuses and similar ventures within the City; and WHEREAS, pending before the State Legislature are several bills related to protecting animals from inhumane conditions and practices, including AB 702 (Santiago), AB 1282 (Bloom – Wilk), SB 376 (Stern), and AB 534 (Bonta); and

WHEREAS, AB 702 (Santiago) would prohibit a person from establishing or maintaining a dog or cat kennel for breeding purposes without a breeder permit by requiring local jurisdictions to implement a breeder permitting program; and

WHEREAS, AB 1282 (Bloom – Wilk) would allow commercial blood banks to produce blood from community-sourced donor animals and eventually phase out the closed-colony production model, which has kept canine and feline blood donors captive at a facility where their sole purpose is to give blood; and

WHEREAS, SB 376 (Stern) takes several steps to address the multifaceted problem of zoonotic diseases and biodiversity loss, including preventing the live sale for human consumption of certain frogs, turtles, or nonpoultry birds determined to be invasive species or likely to be responsible for zoonotic transmission of a disease; and

WHEREAS, AB 534 (Bonta) would seek to eliminate entanglements of endangered whales and sea turtles in California's trap fisheries by requiring the use of ropeless fishing gear when taking any species of fish for commercial or recreational purposes in any trap fishery by November 1, 2025;

NOW, THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by the adoption of this Resolution, the City of Los Angeles hereby includes in its 2021-2022 State Legislative Program SUPPORT for AB 702 (Santiago), AB 1282 (Bloom – Wilk), SB 376 (Stern), and AB 534 (Bonta), which seek to protect domesticated and wildlife animals from inhumane conditions and practices.



PRESENTED BY: _____
BOB BLUMENFIELD
Councilmember, 3rd District



SECONDED BY: _____

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