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# IN THE CONGRESS OF THE UNITED STATES

MAY 6, 2020

Mr. JAMES (for himself) introduced the following bill;

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## A BILL

*To encourage the lawful adoption of pets through the establishment of a tax credit and regulation of the breeding of domesticated animals.*

*Be it enacted by the Senate of the United States of America in Congress Assembled,*

### **SECTION 1. SHORT TITLE.**

This bill may be cited as the “Animal Adoption Encouragement Act”

### **SECTION 2. DEFINITIONS.**

In this Act—

- (1) “Pet” - refers to any animal that has commonly been kept as a pet in family households in the United States, such as dogs, cats, guinea pigs, rabbits, and hamsters.
- (2) “Domesticated animal” - refers to an animal that is sufficiently tame to live with a family, such as a dog or cat, or one that can be used to contribute to a family's support, such as a cow, chicken, or horse.
- (3) “Commercial breeder” - refers to a person, engaged in the business of breeding dogs or cats, who sells, exchanges, or leases dogs or cats in return for consideration, or who offers to do so, whether or not the animals are raised, trained, groomed, or boarded by the person.

### **SECTION 3. CREATING A TAX CREDIT FOR LAWFUL ADOPTION OF PETS**

With the enactment of this Act—

1. A tax credit equal to the cost of any adoption fee(s) paid for the lawful adoption of a domesticated animal or pet shall be made available.
2. A tax credit equal to the cost of any immunizations for a domesticated animal or pet adopted no more than six (6) months prior shall be made available.

## **SECTION 4. REGULATION AND OVERSIGHT OF COMMERCIAL BREEDING**

With the enactment of this Act-

1. Commercial breeders, as defined in section 2 of this Act, shall be required to submit documentation of all transactions involving the buying, selling, leasing or in any form transferring the ownership of a domestic animal or pet to the United States Department of Agriculture along with a \$25 filing fee per transaction.
  - a. Failure to file documentation invokes an automatic fine of \$250 for the first offense. Subsequent offenses may result in fines between \$250 and \$5,000.
  - b. Knowingly filing false or fraudulent documentation invokes an automatic fine of \$1,000 for the first offense. Subsequent offenses may result in fines between \$1,000 and \$10,000 and/or up to a year imprisonment.
2. Commercial dog breeders licensed through the United States Department of Agriculture shall be required to meet the minimal animal care standards found in the Animal Welfare Act.
  - a. An annual inspection is to be carried out by the United States Department of Agriculture on all USDA-licensed breeders in which violations of the AWA are inspected for. The inspection is to be carried out randomly and without prior warning. All USDA-licensed breeders are hereby subject to the search of breeding facilities at any time and for any reason by the United States Department of Agriculture.
  - b. Upon violation of the Animal Welfare Act, a minimum fine of \$1,000 shall be charged to the operator of the facility in which the violation has occurred, and an investigation is to be carried out by the United States Department of Agriculture into the breeder. If further violations are found, the breeder is subject to loss of license and closure along with fines between \$1,000 and \$10,000.
3. Commercial breeders operating across state lines shall be required to submit proper documentation of any transaction involving the buying, selling, leasing or in any form transferring the ownership of a domestic animal or pet to both the state of the vendor and that of the buyer.
  - a. Penalties for violating this provision shall be decided by the states.

## **SECTION 5. CREATING A TAX ON COMMERCIAL BREEDING**

With the enactment of this Act-

1. All transactions involving the buying, selling, leasing or in any form transferring the ownership of a domestic animal or pet by a commercial breeder (as defined in section 2 of this Act) shall be made subject to a tax of 10%.
  - a. The revenue created by this tax shall be allocated to the United States Department of Agriculture for the purpose of enforcing all previously noted provisions in this Act.

**SECTION 6. ENACTMENT**

This Act shall be enacted upon the beginning of the fiscal year 2021.

(Senate)