

## Act 119 (formerly HB2525)

**Act 119** of 2008, signed into law by Governor Rendell on October 9, 2008, was the direct result of determination and efforts of: animal advocates, dedicated politicians and the informed general public. Act 119 brings many changes to various aspects of the dog law. We will briefly breakdown the sections of this new act as it relates to definitions, licensing and the living conditions of the kenneled dog. To read the Act in its entirety please *click here*.

Act 119 redefines kennels that are licensed to breed or sell dogs into two groups: “commercial kennels” and “kennels”. Commercial kennels sell to dealers or pet stores, or sell or transfer more than 60 dogs per year. There are approximately 290 commercial kennels licensed in Pennsylvania.

Kennels are establishments in or through which at least 26 dogs are kept or transferred in a calendar year. The total number of kennels licensed in Pennsylvania is 913.

Act 119 increases the minimal living standards for Commercial Kennels only. In doing so, two sets of kennel regulations were created. Commercial kennels were given 1 year before many of the provisions of Act 119 became effective. These kennels will also have the opportunity to apply for waivers and exceptions to extend implementing the revised regulations even further.

### Commercial Kennel Regulations:

- double current floor space requirement\*
- no stacking of cages\*
- no metal strand flooring\*
- primary enclosures shall have unfettered clearance to an outdoor exercise area\*\*
- dog shall be examined by a veterinarian at least once every 6 months\*
- only a veterinarian can euthanize a dog
- not more than 6 compatible dogs can be housed in the same enclosure\*
- dogs must be removed while primary enclosure is being cleaned\*
- provide potable water at all times\*
- No resting period between litters and no limit on the number of litters a female can produce
- No minimum age before a dog starts producing
- No requirement for disposal of dog waste
- No prenatal feeding requirements
- No human socialization for the kenneled dog or their puppies
- No monitoring of genetic defects

\*Waivers (these items will not apply if a waiver is granted)

Waiver type I grants an extension of conformity to the regulations of up to 3 years:

- If kennel owner has not been convicted of a violation within 3 yrs preceding this act and has made substantial structural improvements to the housing facility.

Waiver type II grants an extension of the kennel regulations up to a time period designated by the secretary of agriculture if:

- A kennel owner has not been convicted of a violation within 3 yrs preceding this act and has made a good faith effort to comply with the regulations but there is circumstances beyond his control and makes a showing of reasonable expectation that compliance can be achieved by granting an extension.

\*\*Exceptions: An Exception can be granted to the outdoor exercise requirement if local zoning hearing board prohibits the kennel expansion for an outdoor exercise area.

A Canine Health Board was also created by Act 119 to make recommendations on the following: Ventilation, humidity, ammonia levels, lighting, alternate exercise and alternate cage floor materials and temperature controls over 85. To date, these recommendations created in January 2009 have not been published in the Pa Bulletin as a final ruling and therefore have not been implemented.

“Kennel” Regulations:

- No human socialization for kennel dogs or their puppies
- No resting periods between litters; there are no limitations on the number of litters a female can produce
- No minimum age before a dog starts breeding
- No running water
- No heat or other environmental temperature controls
- No solid surfaces or solid resting areas in the cage. Cages can have open mesh/wire floors where dogs spend their entire lives.
- Cages can be stacked, exposing dogs below to excrement from those above.
- No prenatal feeding requirements
- No physical examination of dogs required during official kennel inspections
- No monitoring of genetic defects
- No requirements for disposal of dog waste
- Cages to be cleaned while occupied by the dogs
- No acceptable form of euthanasia
- A dog to live its entire life tethered by a chain
- No Veterinarian check required
- Must develop and follow an appropriate exercise plan approved by a veterinarian
- Must have smoke alarms or fire extinguishers

Kennels shall be classified by type and the fee for the license shall be determined by the kennel type, the number of dogs housed, kept, harbored, boarded, sheltered, sold, given away or transferred in or by the kennel. To view the kennel license cost for each class please [click here](#).

All Data and information was derived from the Bureau of Dog Law website and data base.