

SENATE
STATE OF MINNESOTA
NINETY-THIRD SESSION

S.F. No. 3458

(SENATE AUTHORS: WESTLIN, Abeler and Housley)

DATE	D-PG	OFFICIAL STATUS
02/12/2024	11541	Introduction and first reading Referred to Agriculture, Broadband, and Rural Development
02/26/2024	11824	Author added Abeler
03/04/2024	11920	Author added Housley
03/11/2024		Comm report: To pass as amended and re-refer to Judiciary and Public Safety

1.1 A bill for an act

1.2 relating to state government; amending the classification of commercial dog and

1.3 cat breeder data collected and maintained by the Board of Animal Health; modifying

1.4 kennel and dealer advertising requirements; requiring the Board of Animal Health

1.5 to post certain kennel, dealer, and commercial breeder information; amending

1.6 Minnesota Statutes 2022, sections 347.36; 347.58, subdivisions 2, 5; Minnesota

1.7 Statutes 2023 Supplement, section 13.643, subdivision 6; proposing coding for

1.8 new law in Minnesota Statutes, chapter 347.

1.9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.10 Section 1. Minnesota Statutes 2023 Supplement, section 13.643, subdivision 6, is amended

1.11 to read:

1.12 Subd. 6. **Animal premises data.** (a) Except for farmed Cervidae premises location data

1.13 collected and maintained under section 35.155, the following data collected and maintained

1.14 by the Board of Animal Health related to registration and identification of premises and

1.15 animals under chapter 35, are classified as private or nonpublic:

- 1.16 (1) the names and addresses;
- 1.17 (2) the location of the premises where animals are kept; and
- 1.18 (3) the identification number of the premises or the animal.

1.19 ~~(b) Except as provided in section 347.58, subdivision 5, data collected and maintained~~

1.20 ~~by the Board of Animal Health under sections 347.57 to 347.64 are classified as private or~~

1.21 ~~nonpublic.~~

1.22 ~~(e)~~ (b) The Board of Animal Health may disclose data collected under paragraph (a) ~~or~~

1.23 ~~(b)~~ to any person, agency, or to the public if the board determines that the access will aid

1.24 in the law enforcement process or the protection of public or animal health or safety.

2.1 Sec. 2. Minnesota Statutes 2022, section 347.36, is amended to read:

2.2 **347.36 ADVERTISING.**

2.3 ~~All advertising by any person, firm, or corporation licensed hereunder shall include the~~
2.4 ~~number of the current license issued to such licensee.~~ A kennel's state license number or a
2.5 symbol approved by the board must be included in all of the kennel's advertisements or
2.6 promotions that pertain to animals being sold or traded, including but not limited to all
2.7 advertisements or promotions in newspapers or flyers or on the Internet or radio.

2.8 Sec. 3. **[347.385] POSTING OF INFORMATION.**

2.9 (a) The board must maintain and post in a timely manner on the board's public website
2.10 a list of kennels and dealers licensed and in good standing under sections 347.31 to 347.40,
2.11 including all business names that the licensee uses in connection with the sale of dogs or
2.12 cats and the total number of animals kept, congregated, or confined in the previous calendar
2.13 year.

2.14 (b) For each kennel or dealer, the board must maintain and post in a timely manner on
2.15 the board's public website, at a minimum, copies of the three most recent inspection report
2.16 forms submitted to the board under section 347.33.

2.17 (c) The board must maintain and post in a timely manner on the board's public website
2.18 a list of kennels or dealers whose licenses have expired or have been revoked by the board
2.19 during the last three years, including all business names that the licensee used in connection
2.20 with the sale of dogs or cats; the total number of animals kept, congregated, or confined in
2.21 the previous calendar year; and any reasons for revocation.

2.22 Sec. 4. Minnesota Statutes 2022, section 347.58, subdivision 2, is amended to read:

2.23 Subd. 2. **Inspections.** (a) The board must inspect each licensed facility at least annually.
2.24 The inspection must be with the commercial breeder or an agent of the commercial breeder
2.25 present. The inspector must submit an inspection report to the board within ten days of each
2.26 inspection on a form prepared by the board. The inspection report form must list separately
2.27 each law, rule, regulation, and ordinance the facility is not in compliance with and what
2.28 correction is required for compliance. The inspection report form must document the animal
2.29 inventory on the date of the inspection and must contain all business names used by the
2.30 commercial breeder in connection with the sale of dogs or cats, the facility identification
2.31 number, and the address and name of the facility.

3.1 (b) If, after the prelicense inspection, the commercial breeder has two consecutive years
3.2 of inspections with no violations, the board must inspect the commercial breeder at least
3.3 every two years. If the commercial breeder has any violations during an inspection or if the
3.4 board has cause, the board must inspect the commercial breeder at least annually.

3.5 (c) If a license to operate is suspended, revoked, or denied, the board must be granted
3.6 access to the facility during normal business hours to verify that it is not operating.

3.7 Sec. 5. Minnesota Statutes 2022, section 347.58, subdivision 5, is amended to read:

3.8 Subd. 5. **Posting of information.** (a) The board must maintain and post in a timely
3.9 manner on ~~its~~ the board's public website a list of commercial breeders licensed and in good
3.10 standing under this section, including all business names that the commercial breeder uses
3.11 in connection with the sale of dogs or cats and the total number of animals produced and
3.12 sold in the previous calendar year.

3.13 (b) For each commercial breeder, the board must maintain and post in a timely manner
3.14 on the board's public website, at a minimum, copies of the three most recent inspection
3.15 report forms submitted to the board under subdivision 2.

3.16 (c) The board must maintain and post in a timely manner on the board's public website
3.17 a list of commercial breeders whose licenses have expired or have been revoked by the
3.18 board during the last three years, including all business names that the commercial breeder
3.19 used in connection with the sale of dogs or cats and any reasons for revocation.