

**SENATE AMENDMENT 1,  
TO SENATE SUBSTITUTE AMENDMENT 1,  
TO 2007 SENATE BILL 308**

January 22, 2008 – Offered by Senator PLALE.

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 3, line 11: after that line insert:

3 “**SECTION 2g.** 173.13 (1) (a) 8. of the statutes is amended to read:

4 173.13 **(1)** (a) 8. An animal mistreated in violation of ch. 951 or of the rules  
5 promulgated under s. 173.35 (6).

6 **SECTION 2r.** 173.21 (1) (a) of the statutes is amended to read:

7 173.21 **(1)** (a) There are reasonable grounds to believe that the owner has  
8 mistreated the animal in violation of ch. 951 or of the rules promulgated under s.  
9 173.35 (6).”.

10 **2.** Page 4, line 7: after that line insert:

1           “(bg) “Broker” means a person who buys a dog for the purpose of reselling the  
2 dog, except that “broker” does not include a person who operates a retail store at  
3 which dogs are sold.”.

4           **3.** Page 4, line 9: after “who” insert “, at any location or locations,”.

5           **4.** Page 4, line 13: after that line insert:

6           “(1m) DETERMINATION. The number of dogs sold or offered for sale by a person  
7 for the purposes of determining whether the person is a commercial dog breeder  
8 includes all dogs sold or offered for sale by related persons who engage in the business  
9 of breeding dogs at the same locations as the person.”.

10          **5.** Page 4, line 22: after that line insert:

11          “(c) 1. The department shall request a criminal history search from the records  
12 maintained by the department of justice for a person who submits an application for  
13 a license under this subsection. If the person is not a resident of this state, or if at  
14 any time within the 3 years preceding the date of the application the person has not  
15 been a resident of this state, or if the department determines that the person’s  
16 employment, licensing, or state court records provide a reasonable basis for further  
17 investigation, the department shall make a good faith effort to obtain from any state  
18 or other United States jurisdiction in which the person is a resident or was a resident  
19 within the 3 years preceding the date of the application information that is relevant  
20 to the determination under subd. 2.

21          2. The department may not issue a license to a person under this subsection  
22 if the department determines that the person has been convicted of a violation of ch.  
23 951 or of an offense that would have been a violation of ch. 951 if it had been  
24 committed in this state.

1 (d) A person to whom the department issues a license under this subsection  
2 shall prominently display the license at the location for which it was issued.”.

3 **6.** Page 5, line 21: after “breeders” insert “and brokers”.

4 **7.** Page 5, line 24: after “breeders” insert “and brokers”.

5 **8.** Page 6, line 2: after “breeders” insert “and brokers”.

6 **9.** Page 6, line 3: after “breeders” insert “and brokers”.

7 **10.** Page 6, line 5: after “breeders” insert “and brokers”.

8 **11.** Page 6, line 6: after “breeders” insert “and brokers”.

9 **12.** Page 6, line 13: delete “may” and substitute “shall either”.

10 **13.** Page 6, line 14: after “department” insert “or refer the complaint to  
11 another local law enforcement agency with jurisdiction in the area in which the  
12 violation is alleged or believed to have occurred or to the department”.

13 **14.** Page 8, line 12: after “received” insert “, and if the dog is not more than  
14 12 months of age, a description of any other veterinary treatment that the dog has  
15 received”.

16 **15.** Page 8, line 23: after that line insert:

17 “(e) A person who sells a dog may not knowingly misrepresent the breed, sex,  
18 or health of the dog.”.

19 **16.** Page 9, line 6: delete “presents” and substitute “provides a copy of”.

20 **17.** Page 9, line 14: delete “presents” and substitute “provides a copy of”.

21 **18.** Page 9, line 21: delete “presents” and substitute “provides a copy of”.

22 **19.** Page 10, line 5: delete “presents” and substitute “provides a copy of”.

