



## PLEASE OPPOSE SB1251

### 1. SB1251 has been misrepresented

It was not motivated by Los Angeles banning the use of horses in cattle ranching. No such ordinance has been passed or even proposed. This bill is a solution in search of a problem.

It has been introduced in a variety of states by The Cavalry Group as a "Working Animal Protection" (WAPA) bill, originally driven by Midwestern US Puppy Mill Breeders. The primary goal of WAPA bills is to free businesses that profit from animals from any restrictions or accountability under local ordinances.

It is *not* supported by Arizona's Humane Organizations

### 2. SB1251 undermines Arizona's long-standing, well-regarded Animal Cruelty Code (ARS 13-2910)

The bill will prohibit citizens from adopting any local ordinances to address inhumane treatment of animals if the law restricts the use of working animals in animal enterprises. For example, a city would lose the power to ban deadly carriage horse operations, which are outlawed in several major US cities.

Arizona's animal cruelty law already includes an exemption for rodeos and activities regulated under the Arizona Department of Agriculture, and animal use businesses have additional exemptions in state law. It is unnecessary and unfair to provide yet another exemption for one particular industry.

### 3. SB1251 preempts local control of issues best dealt with locally. Protecting animals in Scottsdale may be very different than in Holbrook.

The bill unjustly removes the ability for local governments to address issues that affect animals in their own communities.

A WAPA measure was recently defeated in the conservative state of Wyoming. Here's the testimony of a Wyoming Republican Legislator:

*"It's one of the few bills this year that I would say takes away local control which is very serious in my mind, telling our municipalities and counties that a policy issue is so great we don't trust the government closest to the people to make regulations and ordinances which affect them and their communities."*

Arizona's 2016 preemption bill related to puppy mills has not been enforced and has made Arizona a magnet for pet sellers dealing in puppy mill dogs.

#### **4. SB1251 features vague language that will invite litigation.**

Vague language includes "unduly restricts" and "lawful commerce", and the term "working animal" could possibly apply to any animal that is used for "animal enterprises", including herding or guard dogs.

A current case in Arkansas involving a pet store lawsuit illustrates the need to remove the term "lawful commerce" and other nebulous language in SB1251. The lawsuit references vague language in the WAPA law that Arkansas passed in 2021. In response to the lawsuit, Best Friends Animal Society is collaborating with hunting groups on a bill to address issues in the Arkansas WAPA law.

Does the Arizona Legislature really want to pass a bill that removes the power from local governments to regulate local animal-related issues through a vague and poorly drafted measure that will only invite litigation and extraordinary legal fees to define the true scope of the legislation and what is and is not permitted?