

Model Legislation on Licensure of Dog Trainers

A bill for legislation relative to the professional licensure of dog trainers, consumer protection, and animal welfare.

An Act relative to the licensure of dog trainers, who, for compensation, engage in the training or behavior modification of dogs or serve as a dog behavior consultant.

SECTION 1. *Introduction.* Chapter [] of the [] is hereby amended by adding the following section []:

SECTION 2. *Definitions.* The following words in this Chapter shall have the following meanings:

“Approved Certification Program” means an examination-based dog trainer certification program that is accredited by the National Commission for Certifying Agencies and is approved by the licensure Board established under Section 3 of this Act, and any other examination-based dog trainer certification programs approved by the Board. An Approved Certification Program must (i) include minimum education and/or experience eligibility requirements, as defined by the Board, (ii) require its certified dog trainers to adhere to policies equivalent to or more restrictive of aversive practices than the Joint Standards of Practice and Professional Code of Ethics as developed by the Association of Professional Dog Trainers (“APDT”), the Certification Council for Professional Dog Trainers (“CCPDT”), and the International Association of Behavior Consultants (“IAABC”), and (iii) require for maintenance of certification at least [36] continuing education units meeting standards defined by the Board

(Updated 3/22/2024)

22 per three-year period. The Board shall publish on its website a list of Approved Certification
23 Programs, as well as a list of approved dog trainer education programs that meet minimum
24 education requirements for Approved Certification Programs.

25 “Board” means the Dog Trainer Licensure Board established under Section 3 of this
26 Act.

27 “Director” means the Director of the [Division of Professional Licensure].

28 “Dog behavior consultant” means a person who is engaged in the practice of
29 evidence-based applied behavior analysis and behavior modification of dogs, in areas such as
30 fear, phobias, compulsive behaviors, anxiety, or aggressive behavior, when performed for a fee,
31 salary, or other form of financial compensation.

32 “Dog training” means the training or behavior modification of dogs or serving as a
33 dog behavior consultant, when performed for a fee, salary, or other form of financial
34 compensation, other than on an incidental basis ancillary to other services, such as dog grooming
35 or dog walking. For purposes of this Chapter, dog training does not include training of dogs by
36 active military service members in connection with their military service roles, by active law
37 enforcement in connection with K-9 training, or by incarcerated persons under the auspices of a
38 penal institution’s program, nor does dog training include services offered by a kennel club
39 affiliated with or licensed or sanctioned by the American Kennel Club or the United Kennel Club
40 if such services are offered exclusively to the club’s members.

41 “Dog trainer” means a person who is engaged in the practice of dog training and, after
42 [DATE], who is licensed or holds a provisional permit pursuant to the provisions of this Act.

(Updated 3/22/2024)

43 “Good professional moral character” means the person has not abused a position of
44 trust or engaged in fraud or engaged in conduct that poses a substantial risk to the health or
45 safety of the public or of animals under the person’s care or supervision, or that the person has
46 demonstrated sufficient evidence of rehabilitation commensurate with the seriousness of the
47 person’s past misconduct, as determined by the Board.

48 “Industry recognized standards” means the Joint Standards of Practice and
49 Professional Code of Ethics as developed by APDT, CCPDT, and IAABC.

50 SECTION 3. *Establishment of a Dog Trainer Licensure Board.* There is hereby created
51 within the [Division of Professional Licensure] the Dog Trainer Licensure Board. The Board
52 shall consist of nine members who are residents of this State and who shall be appointed by the
53 Governor, as follows: one member shall be from the Department of [___]; four members shall be
54 dog trainers who, if appointed after [DATE], are licensed pursuant to the provisions of this Act,
55 at least one of whom shall hold a professional certification as a dog behavior consultant, or, if
56 appointed prior to [DATE], are professional dog trainers holding dog trainer certification from an
57 accredited certification program , at least one of whom shall hold a professional certification as a
58 dog behavior consultant; one member shall be a veterinarian licensed in this State who is either a
59 board-certified veterinary behaviorist or has professional certification in dog training; two
60 members shall be a current or former dog owners who do not work as a professional dog trainer
61 and who receive no income or financial benefit from dog training businesses; and one member
62 shall be affiliated with a nonprofit animal welfare group. The Governor shall appoint each
63 member, other than the State executive department member, for a term of four years, except that
64 of the members first appointed, two shall serve for a term of four years, two shall serve for a
65 term of three years, two shall serve for a term of two years, and two shall serve for terms of one

(Updated 3/22/2024)

66 year, with the four initial dog trainer members distributed among these term-length groupings.
67 Any vacancy in the membership of the Board shall be filled for the unexpired term in the same
68 manner as provided for the original appointment. No member of the Board may serve more than
69 two successive terms, not to include any unexpired term to which the member has been
70 appointed to fill a vacated position on the Board.

71 SECTION 4. *Board Procedures.* The Board shall organize within 30 days after the
72 appointment of its members and shall annually elect from among its members a chairperson and
73 vice-chairperson, at least one of whom shall be a dog trainer. The Board shall also appoint a
74 secretary who need not be a member of the Board. The Board shall hold regularly scheduled
75 meetings twice a year and may hold additional meetings as necessary to discharge its duties. A
76 majority of the Board membership shall constitute a quorum.

77 SECTION 5. *Board Authority and Responsibilities.* The Board shall:

- 78 a. adopt a seal to authenticate its records and proceedings;
- 79 b. prescribe rules pertaining to recognition of Approved Certification Programs
80 and to required qualifications of applicants for licensure or other authorization to practice as dog
81 trainers;
- 82 c. review and determine the sufficiency of the qualifications of applicants for
83 licensure under this Act, and issue a license to each qualified and successful applicant, attesting
84 to the applicant's professional qualification to practice as a dog trainer in the State;
- 85 d. keep records of its proceedings, a register of all persons to whom licenses have
86 been issued, and a record of all license renewals, suspensions, and revocations;

(Updated 3/22/2024)

87 e. maintain records of expenses incurred by members of the Board in the
88 performance of their duties;

89 f. take disciplinary action against any individual who violates the provisions of
90 this Act or any regulation promulgated hereunder, including as set forth in Sections 11 and 13;

91 g. administer oaths, issue notices, issue subpoenas in the name of the state to any
92 party or entity that may possess relevant information regarding the subject of an investigation,
93 including to compel production of documents or testimony, receive testimony, conduct hearings,
94 institute court proceedings for contempt to compel testimony or obedience to its orders and
95 subpoenas, take evidentiary depositions, and perform such other acts as are reasonably necessary
96 under this Act or other laws to carry out its duties;

97 h. institute proceedings in courts of competent jurisdiction to enforce its orders and
98 the provisions of this Act, obtain court orders and injunctions to halt unauthorized practice, and
99 present to the proper authorities information it believes indicates an applicant or licensee may be
100 subject to criminal prosecution;

101 i. establish rules and procedures to grant reciprocal licensure to individuals who
102 provide dog training or serve as a dog behavior consultant who hold current certification in dog
103 training from an Approved Certification Program and hold a dog trainer license issued by
104 another State.

105 j. adopt rules and regulations as it deems necessary to administer the provisions of
106 this Act;

107 k. develop and adopt its budget; and

(Updated 3/22/2024)

108 1. prescribe or change the fees for licensure, renewal, provisional permits, and
109 other services performed.

110 SECTION 6. *Executive Director and Staffing.* The Director may appoint an Executive
111 Director of the Board who shall serve at the discretion of the Director. The salary of the
112 Executive Director shall be determined by the Director within the limit of available funds. The
113 Director may, within the limits of available funds, authorize the Executive Director to hire
114 assistants necessary to administer this Act.

115 SECTION 7. *Unauthorized Practice.* As of [DATE], except as otherwise permitted by
116 rules and regulations adopted by the Board, no persons shall practice, attempt to practice, or hold
117 themselves out as being able to practice dog training in this State unless such person is licensed
118 in accordance with the provisions of this Act or holds a provisional permit in accordance with the
119 provisions of this Act, or is a licensed professional in a closely allied profession who holds an
120 advanced degree or certification deemed by the Board to be equivalent to the certification in dog
121 training issued by Approved Certification Programs, to include board-certified Veterinary
122 Behaviorists holding board certification from a program recognized by the State Board of
123 Veterinary Medical Examiners and the American Veterinary Medical Association, and licensed
124 veterinary technicians holding VTS (Behavior) certification.

125 SECTION 8. *Licensure Requirements.* To be eligible for initial licensure or renewal of
126 licensure as a dog trainer, an applicant shall fulfill the following requirements:

127 a. be at least 18 years of age;

128 b. be of good professional moral character, as defined in this Chapter; and

(Updated 3/22/2024)

129 c. either:

130 (1) hold current certification in dog training from an Approved Certification
131 Program or current certification as a Certified Applied Animal Behaviorist or Associate Certified
132 Applied Animal Behaviorist, or

133 (2) to be issued an initial license prior to [TARGET DATE FOR TRANSITIONAL
134 PERIOD FOR INITIAL LICENSURE], submit proof satisfactory to the Board no later than
135 [180] days after the date procedures are established by the Board for applying for licensure under
136 this Act that the applicant has engaged in the practice of dog training in this State continuously
137 for at least one year prior to the effective date of this Act, and that the applicant agrees to abide
138 by policies adopted by the Board that are equivalent to or more restrictive of aversive practices
139 than the industry recognized standards.

140 SECTION 9. *Provisional Permits.* The Board shall issue to eligible applicants
141 provisional dog trainer permits that authorize the permit-holder to provide dog training services
142 in this State under the supervision of, and documented by, a dog trainer licensed pursuant to this
143 Act, for a period of ___ year from issuance of the provisional permit. A provisional dog trainer
144 permit may be renewed for subsequent ___--year periods. Prior to providing dog training
145 services to any customer or client, the permit-holder must disclose in writing to that customer or
146 client that the permit-holder is not a licensed dog trainer in this State and is providing dog
147 training services under the supervision of one or more specific licensed dog trainers (identified
148 by individual names) who take responsibility for the quality of the permit holder's dog training
149 work as well as responsibility for any complaints regarding that permit holder's dog training. To

(Updated 3/22/2024)

150 be eligible for a provisional dog trainer permit under this Act, an applicant shall fulfill the
151 following requirements:

152 a. be of good professional moral character, as defined in this Chapter; and

153 b. agree to abide by policies adopted by the Board that are equivalent to or more
154 restrictive of aversive practices than the industry recognized standards.

155 SECTION 10. *License and Permit Duration, Fees, and Means of Instruction.*

156 a. All licenses shall be issued for a three-year period and may be renewed upon
157 filing of a renewal application meeting the requirements of this Section.

158 b. Licenses and permits shall be issued in the legal name of the applicant; licensees
159 and permit holders may direct the Board to include on their license or permit additional
160 alternative names that the applicant uses personally and/or professionally.

161 c. All applicants shall pay a fee for licensure and renewal of licensure under this
162 Act. Fees shall be determined by the Board and established by regulation and may not exceed
163 \$ _____ per initial license or \$ _____ per renewal license. The Board shall set the fees such that
164 the revenue generated from these fees is not expected to exceed the operating costs incurred by
165 the Board in administering this Act.

166 d. A license shall not be renewed until the licensee submits satisfactory evidence
167 to the Board that the licensee holds current certification with an Approved Certification Program,
168 or current certification as a Certified Applied Animal Behaviorist or Associate Certified Applied
169 Animal Behaviorist.

(Updated 3/22/2024)

170 e. Any person authorized to practice dog training in this State may conduct such
171 dog training services in person and by live, remote means for any dog located in this State and,
172 except to the extent restricted or prohibited by the laws of the jurisdiction in which the dog is
173 located, for any dog located outside of this State.

174 SECTION 11. *Practice by Out-of-State Practitioners.* The Board shall adopt rules and
175 regulations to allow for temporary limited dog training services by out-of-state practitioners who
176 hold current certification from an Approved Certification Program, or current certification as a
177 Certified Applied Animal Behaviorist or Associate Certified Applied Animal Behaviorist, but
178 who do not hold a license in the State, for no more than [5] days per calendar year in the
179 aggregate. The Board shall also adopt rules and regulations for out-of-state providers of dog
180 training services who hold current certification from an Approved Certification Program or
181 current certification as a Certified Applied Animal Behaviorist or Associate Certified Applied
182 Animal Behaviorist to apply for temporary limited permits that authorize the individual to work
183 in this State as a dog trainer for no more than [60] days in any calendar year in the aggregate.

184 SECTION 12. *Complaints and Discipline.*

185 a. The Board shall investigate all complaints relating to the proper practice of any
186 licensee or holder of a provisional or temporary permit under this Act and complaints relating to
187 any violation of this Act. The Board may impose disciplinary measures based on a finding of a
188 violation under a preponderance of the evidence standard. The Board may, during the pendency
189 of an investigation and disciplinary proceeding, summarily suspend the license or provisional
190 permit of a dog trainer upon a preliminary finding by the Board of probable cause to believe that

(Updated 3/22/2024)

191 the person poses a substantial and imminent risk to the health or safety of the public or of
192 animals under the person's care or supervision.

193 b. The Board may, after a hearing pursuant to regulations it shall establish, revoke,
194 suspend or cancel the license or provisional or temporary permit of a dog trainer, deny or revoke
195 eligibility for the license or provisional or temporary permit, reprimand, censure, or otherwise
196 discipline (by imposing conditions on the person's continued authorization to practice) a person
197 holding or seeking a license or provisional or temporary permit under this Act, upon proof
198 satisfactory to a majority of the Board that said person:

199 (1) fraudulently procured a license or provisional or temporary permit under this
200 Act;

201 (2) committed an offense against any provision of the laws of this State relating to
202 the authorized practice of dog trainers or any rule or regulation adopted thereunder;

203 (3) engaged in gross misconduct in providing dog training services, practiced
204 fraudulently, practiced with gross incompetence or with gross negligence on a particular
205 occasion, or practiced with negligence on repeated occasions;

206 (4) provided dog training services while the person's ability to practice in a safe and
207 competent manner was materially compromised in a way that posed a substantial risk to the
208 health or safety of the public or of animals under the person's care or supervision;

209 (5) provided dog training services while under the influence of alcohol or a drug
210 described in this subsection and while habitually intoxicated or addicted to, dependent on, or a
211 habitual user of narcotics, barbiturates, amphetamines, hallucinogens or other drugs having

(Updated 3/22/2024)

212 similar effects, other than with respect to lawful use of medication in accordance with a
213 prescription issued to that person;

214 (6) knowingly and for purposes of fraud, deception, or personal gain permitted,
215 aided, or abetted an unlicensed and unauthorized person to perform activities requiring a license
216 or provisional or temporary permit under this Act, excluding activities permissible under any
217 provision of the laws of the state relative to the training of aspiring dog trainers;

218 (7) has committed fraud or a criminal offense that reasonably calls into question the
219 person's ability to practice as a dog trainer without posing a substantial risk to the health or
220 safety of the public or of animals under the person's care or supervision;

221 (8) engaged in conduct in material violation of industry recognized standards or
222 standards equivalent to or more restrictive of aversive practices that have been adopted by the
223 Board through policy or rulemaking;

224 (9) failed to adequately supervise the dog training services of provisional permit
225 holder who provides those services under the supervision of the licensee, or

226 (10) violated any rule or regulation of the Board governing the practice of dog
227 trainers.

228 SECTION 13. *Restriction on Liability; Information Handling.*

229 a. No person filing a complaint or reporting or providing information pursuant to
230 this Chapter or assisting the Board at its request in any manner in discharging its duties and
231 functions shall be liable in any cause of action arising out of the receipt of such information or

(Updated 3/22/2024)

232 assistance, provided that the person making the complaint or reporting or providing such
233 information or assistance does so in good faith and without malice.

234 b. During the pendency of the proceeding, the Board shall keep confidential any
235 complaint, report, record, or other information received or kept by the Board in connection with
236 an investigation conducted by the Board pursuant to this Section, except with respect to any
237 action that the Board takes affecting the individual's right to practice. After the Board has
238 disposed of the matter under investigation by issuing an order to show cause, by dismissing a
239 complaint, or by taking other final action, investigative records or information of the Board shall
240 not be kept confidential except to the extent that disclosures of records or other information may
241 be restricted as otherwise provided by law or by the Board's regulations. The requirement that
242 investigative records or information be kept confidential shall not, at any time, apply to requests
243 from the person under investigation or the complainant, or information the Board reports to other
244 state or federal agencies, boards, or institutions as the Board shall determine by regulation.

245 SECTION 14. *Penalties for Unauthorized Practice, Fraud, and Harm to Animals.*

246 Except as provided in this Chapter, as of [180 days] after the Effective Date of this Act, whoever,
247 not being lawfully authorized to provide dog training services in the State by holding a license or
248 provisional or temporary permit under this Act or as otherwise permitted by rules and regulations
249 adopted by the Board, holds themselves out in this State as a dog trainer or provides or attempts
250 to provide dog training services in this State, or whoever provides dog training services under a
251 false or assumed name or under a name other than those by which the individual is authorized by
252 the Board to practice, or whoever impersonates another dog trainer, or whoever practices or
253 attempts to practice any fraud in connection with the filing of an application for a dog training
254 license or provisional or temporary permit, shall be subject to the jurisdiction of the Board and

(Updated 3/22/2024)

255 shall be punished by a civil fine of not less than [two hundred] nor more than [three thousand]
256 dollars. Violations involving any fraudulent act or practice in relation to a consumer or the State
257 will constitute an offense under [the State’s unfair and deceptive acts and practices statute]. In
258 such matters and any matter involving animal cruelty or neglect, the Board shall, in addition to
259 any discipline it imposes, report such matters to the proper authorities for criminal prosecution
260 under any applicable criminal statute. A person rendering dog training services in violation of
261 this Section shall recover no compensation for those services, and a court may order a person
262 convicted of an offense under this Section to pay restitution to persons who incurred damages as
263 a result of the convicted individual’s offense.

264 SECTION 15. *Effective Date.* This Act shall take effect on [_____].