

Date of Hearing: January 15, 2026

ASSEMBLY COMMITTEE ON JUDICIARY

Ash Kalra, Chair

AB 1382 (Castillo) – As Amended January 5, 2026

SUBJECT: ETHICS OVER AESTHETICS ACT

KEY ISSUE: SHOULD THE IMPORT, SALE, OR OFFER FOR SALE OF TRANSGENIC PET ANIMALS BE BANNED IN CALIFORNIA?

SYNOPSIS

Transgenic animals are a genetically modified animal that has some foreign genetic material from another species deliberately inserted into their genome. Originally transgenic animals were developed to assist in medical research, including growing organs for eventual human transplant. As modern genetic science has improved transgenic animals have also been created to improve their livability with humans, for example some canine species have been slightly modified to make them hypoallergenic, and thus able to live with humans who would otherwise be allergic to dogs. Unfortunately, an emerging industry is now developing transgenic animals that are altered in a purely cosmetic manner. Scientists have developed fish that glow in the dark, dogs with somewhat glowing fur, and horses with unicorn-like horns. Unfortunately, not only is this new industry ethically suspect, but its emergence threatens to undermine California's strict laws regulating animal breeding that are designed to help control the pet population.

Seeking to get ahead of the cosmetic transgenic animal industry, this bill would ban the selling, offering for sale, or importation of a transgenic animal. The bill recognizes some benefit of transgenic animals and makes clear exceptions for medical needs and those animals with modified genomes that are designed to improve the animal's health and wellbeing or their ability to cohabitate with humans. This bill imposes a \$5,000 per animal civil penalty on persons who are found liable for violating the bill's prohibitions.

This measure is sponsored by Social Compassion in Legislation and is supported by dozens of other animal welfare organizations. The proponents of this measure note that the creation of transgenic animals may undermine the animal's health and will contribute to an out-of-control pet population. As currently in print, this measure has no recorded opposition and will be heard in the Business and Professions Cmte prior to this hearing.

SUMMARY: Prohibits selling, offering for sale, or importing for profit a transgenic pet animal in California. Specifically, **this bill:**

1) Defines the following terms:

- a) “Cosmetic transgenic trait” means a transgenic trait that alters, modifies, or engineers a transgenic pet animal’s appearance or natural functions, which may include, but not be limited to, novel fur, skin, feather, or scale coloring, the removal of claws or vocal cords, or the addition or subtraction of appendages;
- b) “Pet animal” means a dog, cat, rabbit, guinea pig, hamster, mouse, reptile, amphibian, bird, fish, or other species of animal kept for the purpose of being a household pet;

- c) "Transgenic pet animal" means a pet animal that possesses a transgenic trait, and includes the progeny of a transgenic pet animal; and
- d) "Transgenic trait" means a trait that has been deliberately altered, modified, or engineered, through means not possible under natural conditions, by insertion of a foreign gene using genetic engineering methods, including, but not limited to, the introduction of chromosomes containing artificially transferred genetic material from any other organism or a laboratory construct, regardless of whether the original source's genetic material was altered, modified, or engineered before insertion, or whether the originally transferred genetic material was inherited through normal reproduction.

- 2) Prohibits, notwithstanding any other law, a person from importing for profit, selling, or offering for sale in this state a transgenic pet animal that possesses a cosmetic transgenic trait.
- 3) Provides that the prohibition in 2) does not apply in any of the following circumstances:
 - a) The transgenic trait is for the sole purpose of benefiting the health of the transgenic pet animal, including, but not limited to, making the transgenic pet animal resistant to a disease or condition;
 - b) The transgenic trait is for the sole purpose of enhancing the transgenic pet animal's interaction with humans, including, but not limited to, promoting hypoallergenic traits, and does not alter the natural functions of the transgenic pet animal;
 - c) The transgenic pet animal is of an aquatic pet animal species produced through breeding, conjugation, fermentation, hybridization, in vitro fertilization, or tissue culture, and no transgenic organisms are involved; or
 - d) The transgenic pet animal is of an aquatic pet animal species produced through whole genome ploidy manipulation.
- 4) Provides that a person found to have violated 2) is liable for civil penalties of not less than five thousand dollars (\$5,000) to be enforced through an action brought by a district attorney or city attorney, as specified.
- 5) Deems each pet animal imported, sold, or offered to be sold, in violation of 2) is a unique violation for the purpose of calculating the penalties specified in 4).

EXISTING LAW:

- 1) Establishes the Polanco-Lockyer Pet Breeder Warranty Act, which regulates the sale of dogs by dog breeders. (Health and Safety Code Section 122045 *et seq.*)
- 2) Requires, pursuant to Polanco-Lockyer Pet Breeder Warranty Act, every dog breeder to deliver to each purchaser of a dog a specified written disclosure and record of veterinary treatment. (Health and Safety Code Section 122050.)
- 3) Prohibits a dog breeder from knowingly selling a dog that is diseased, ill or has a condition, which requires hospitalization or nonelective surgical procedures. (Health and Safety Code Section 122060.)

- 4) Authorizes a person who purchased a dog from a breeder regulated by 1) that dies within 15 days of purchase to seek, through a civil action if necessary, a refund from the breeder and entitles the prevailing party to attorney costs and fees. (Health and Safety Code Sections 122070 & 122090.)
- 5) Establishes the Polanco-Lockyer-Farr Pet Protection Act, which regulates the sale of dogs and cats by pet dealers. (Health and Safety Code 122125 *et seq.*)
- 6) Prohibits an online pet retailer, as defined, from offering, brokering, making a referral for, or otherwise facilitating a loan or other financing option for the adoption or sale of a dog, cat, or rabbit. (Health and Safety Code Section 122191.)
- 7) Prohibits pet dealers from selling a dog unless it has been examined by a California-licensed veterinarian, and requires that the dealer quarantine any sick or diseased animal separate from the healthy animals until a veterinarian determines the dog is free from infection. (Health and Safety Code Section 122210.)
- 8) Authorizes a person who purchased a dog from a seller regulated by 5) that dies within 15 days of purchase to seek, through a civil action if necessary, a refund from the breeder and entitles the prevailing party to attorney costs and fees. (Health and Safety Code Section 122160.)
- 9) Prohibits the hatchery production and stocking of transgenic species of salmonids. (Fish and Game Code Fish and Game Section 1210.)
- 10) Prohibits the spawning, incubation, or cultivation of any transgenic fish species in the water of the Pacific Ocean that are regulated by California. (Fish and Game Code Section 15007.)
- 11) Provides that specified violations of the Fish and Game Code, including those related to fish hatcheries, are subject to criminal prosecution, as specified. (Fish and Game Code Section 716.4.)

FISCAL EFFECT: As currently in print this bill is keyed non-fiscal.

COMMENTS: According to the California Department of Public Health, over 150 thousand animals are euthanized in California annually. The author and sponsors of this measure note the vast majority of these deaths can be attributed to unlawful animal breeding, especially in light of the rise of “backyard” breeders during and following the pandemic. The author also notes that it is estimated that state and local government agencies spend over \$400 million annually operating shelters to house homeless animals.

Despite the animal overpopulation crisis, with the rise of genetic medicine, some companies are now experimenting on creating and breeding genetically modified pets. While such modifications may be helpful to getting some pets into loving home, for example breeding some dogs or cats to be hypoallergenic so that they can live with humans who would otherwise be allergic to their presence, other modifications are potentially cruel and unnecessary. For example, one company is looking at breeding dogs with glow in the dark fur.

Seeking to ensure that the animal overpopulation crisis is not made worse by the proliferation of genetically modified pets, this bill would ban most pet breeding for transgenic traits in California. In support of the bill the author states:

AB 1382 is a necessary step to ensure California remains a leader in responsible science and animal welfare by prohibiting the sale of genetically modified pets created solely for cosmetic appeal. While genomic technology has important medical and public health applications, this bill draws a clear and reasonable line to prevent its use for novelty purposes that place animals at risk. Allowing the commercialization of “designer” pets prioritizes aesthetics over animal well-being and risks exacerbating California’s already severe pet overpopulation and shelter crisis. AB 1382 expressly preserves legitimate scientific research and health-based genetic advancements, ensuring innovation can continue to thrive. This bill reflects California’s values by promoting ethical stewardship, protecting biodiversity, and preventing unnecessary harm to animals.

Pet sale regulations in California. This state has a long history of promoting strong regulation of the pet breeding and sales industry. The Polanco-Lockyer Pet Breeder Warranty Act and the Polanco-Lockyer-Farr Pet Protection Act are the primary laws governing the sales, as opposed to adoptions, of pet animals in California. The Lockyer-Polanco-Farr Pet Protection Act establishes regulations on pet dealers (essentially pet stores) in California designed to promote pet health and safety. Pursuant to the Act, when selling a pet to a consumer, pet dealers must provide purchasers with written information about the animal's health, including any known illnesses or conditions. Additionally, before any dog or cat is sold, it must be examined by a licensed veterinarian to ensure it is free from contagious diseases and fit for sale. The Polanco-Lockyer Pet Breeder Warranty Act is focused on consumer remedies should a breeder sell a consumer a sick or inquired pet.

Following a series of exposés in the Los Angeles Times highlighting the gaps in the state's oversight of the pet sales and breeding industry (Alene Tchekmedyan and Melody Gutierrez, *Inside California's brutal underground market for puppies: Neglected dogs, deceived owners, big profits*, LA Times (Sept. 12, 2024) available at:

<https://www.latimes.com/california/story/2024-09-12/puppy-mill-pipeline.> last year the Legislature enacted a series of bills to further regulate the industry. This bill was largely part of that package of legislation, however, its original author resigned from the Legislature in April and the current author took over the bill with insufficient time remaining in the legislative process to advance the bill in 2025.

What is a transgenic pet? A transgenic animal is a genetically modified animal that has some foreign genetic material from another species deliberately inserted into their genome. Originally, transgenic animals were created and utilized in medical research. Indeed, in 2023 doctors at the University of Maryland successfully transplanted the heart from a transgenic pig into a human in need of a new heart. Beyond the medical advances, like heart surgery, transgenic animals are sold to help make the animals “better” pets, for example some transgenic dogs have been bred with genetic material from other dogs to make the hybrid dog hypoallergenic and thus able to live in households with humans who would otherwise be allergic to the breed.

However, profit motive and genetic medicine is now producing a troubling new trend in transgenic animals. Beginning in 2003, the company Yorktown Technologies created and began selling “GloFish,” a transgenic glow in the dark fish species. While some fish species do glow

naturally, they are typically found in the wild and rarely survive in captivity making them poor candidates for pets. GloFish essentially took the genetic material from the wild fish and cross-bred them into pets. While this may be relatively innocent, and somewhat novel, in fish; modern science has now evolved to enable specialized traits to be bred into other types of pets.

According to the analysis of this measure by the Committee on Business and Professions, “a new startup called ‘The Los Angeles Project’ is experimenting with genetically engineering cosmetic traits in animals, such as glow-in-the-dark rabbits and horned “unicorn” horses. Specifically, the Los Angeles Project has been using methods such as CRISPR gene editing, and “restriction enzyme mediated integration”, or “REMI”, to delete or integrate new genes in the embryos of species like frogs, hamsters, and rabbits. While such methods have been used in the past for purposes of scientific and medical research, founders of the Los Angeles Project have expressed clear intent in developing transgenic animals for the consumer pet market.” (Asm. Com. On Bus. and Prof., Analysis of Asm. Bill No. 1382 (2025-26 Reg. Session) as amended Jan. 5, 2026, p. 5.)

Animal welfare advocates note that the long-term health implications of transgenic animals are still largely unknown. While hypoallergenic animals appear to be otherwise healthy, altering a pet’s dander is a relatively small genetic modification, adding traits like horns to horses requires significant genetic modification and, unlike allergy relief, serves little more than aesthetic benefit. Furthermore, animal rights advocates fear this new industry will further exacerbate society’s existing struggles to control the pet population. Even if Californians diligently spay and neuter their pets this new industry will undermine the state’s decades-long efforts to reign in unethical breeders.

This bill recognizes the dangers posed by the unchecked proliferation of the transgenic pet industry. Accordingly, this bill generally bans the breeding, importation, or sales of transgenic pets. Recognizing that some transgenic animals are beneficial to society, this bill exempts transgenic animals that are bred to improve animal health and to assist the animal’s interactions with humans (essentially the hypoallergenic dog). This bill imposes a \$5,000 per animal civil penalty on any person found to have violated the bill. The bill, modeling existing pet breeder as well as fish and game regulations, vests enforcement with city attorneys and district attorneys.

ARGUMENTS IN SUPPORT: This bill is sponsored by the animal welfare organization, Social Compassion in Legislation, and is supported by dozens of animal rights groups. In support of this bill, Social Compassion in Legislation writes:

Driven by advancements in genetic modification technologies, the intentional genomic alteration of animals has become a frontier for development. While investments have been made to further this endeavor for potentially beneficial medical advancements, some companies have begun the development of genetically modified cats, dogs, and other pets with altered appearances to fulfil consumer demand for "designer" traits, despite unknown long-term health risks. These genetic modifications run the risk of prioritizing aesthetics over the well-being of the animal, as well as drive consumer demand for novelty pets when there already exists a pet overpopulation crisis.

A February 19, 2025, article published by Wired details a startup, the Los Angeles Project, created with the goal of using clustered regularly interspaced short palindromic repeats (CRISPR) and restriction enzyme mediated integration (REMI) technologies to create genetically modified animals, from glow-in-the-dark rabbits to unicorns. The company has

already been experimenting on embryos from frogs, fish, hamsters, and rabbits to produce these outcomes for the express purpose of creating fantastical pets for consumer purchase.

As a state with a history of working to protect animal welfare and ensuring scientific development occurs responsibly, it is vital for California to proactively take legislative action to prevent the proliferation of designer pets at the expense of animals, as well as prevent our state's already burdened animal shelters from taking on more unwanted animals.

In 2016, the last year for which the Department of Public Health collected data on shelter animal outcomes, the state's shelters euthanized 158,191 dogs and cats combined. That figure doesn't include the thousands of rabbits and other animals euthanized at shelters. While we lack the latest data, it is accepted in the animal sheltering and rescue communities that the pet overpopulation crisis has only exacerbated since that time. We should not add to the problem by allowing the sale of novelty pets which will certainly end up in our state's animal shelters after the fun of the novelty wears off and consumers who bought these animals are unwilling to give a lifetime of care to them.

REGISTERED SUPPORT / OPPOSITION:

Support

Social Compassion in Legislation (sponsor)
Angel's Furry Friends
Angel's Furry Friends Rescue
Animal Legal Defense Fund
Animal Rescuers for Change
Animal Wellness Action
Berkeley Animal Rights Center
Better Together Forever
Born Again Animal Rescue and Adoption
Compassionate Bay
Concerned Citizens Animal Rescue
Doggie Business Dog Training
Feline Lucky Adventures
Fine Tuning Dog Training
Giantmecha Syndicate
Greater Los Angeles Animal Spay Neuter Collaborative
Hugs and Kisses Animal Fund
Individuals
Latino Alliance for Animal Care Foundation
Leaders for Ethics, Animals, and the Planet (LEAP)
Los Angeles County Democrats for the Protection of Animals
Los Angeles Democrats for the Protection of Animals
Los Angeles Rabbit Foundation
Michelson Center for Public Policy
NY 4 Whales
Pibbles N Kibbles Animal Rescue
Plant-based Advocates
Project Minnie

Rabbit Savior
Rabbit.org Foundation
Real Good Rescue
San Diego Companion Rabbit Society
Seeds 4 Change Now Animal Rescue
Seniors Citizens for Humane Education and Legislation
Start Rescue
Students Against Animal Cruelty Club - Hueneme High School
The Animal Rescue Mission
The Canine Condition
The Pet Loss Support Group
The Spayce Project
Underdog Heroes, INC.
Women United for Animal Welfare
World Animal Protection
930 Individuals

Opposition

None on file

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