



Substitute Senate Bill No. 445

Public Act No. 14-77

AN ACT CONCERNING CERTAIN RECOMMENDATIONS OF THE TASK FORCE ON THE SALE OF CATS AND DOGS FROM INHUMANE ORIGINS AT CONNECTICUT PET SHOPS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 22-344c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2014*):

(a) If a town requires the licensure of persons keeping ten or more unneutered or unspayed dogs capable of breeding, such persons shall apply to the clerk of the town in which such dogs are located for a license. Such town clerk, if the zoning enforcement official has certified that the location where such dogs shall be kept conforms to the zoning regulations of the municipality, shall issue to such applicant a license, for a reasonable fee to be determined by the town, on a form prescribed by the town for a period, from the date of such application until the thirtieth day of the ensuing June which license shall specify the name and number of the dogs, the name of the owner and, if applicable, the name of a keeper. Each such license may be renewed from year to year by the town clerk upon application of such owner or keeper.

(b) The Commissioner of Agriculture, the Chief Animal Control Officer or any animal control officer may at any time inspect or cause to be inspected any location, required by a town to be licensed, keeping ten or more unneutered or unspayed dogs capable of breeding, by a registered veterinarian appointed by the commissioner and if, in the judgment of the commissioner: [, such] (1) Such location is not being maintained in a sanitary and humane manner, (2) the owner or keeper of such location does not comply with the standard of care applicable to breeders, as described in subsection (e) of this section, or (3) if [he] the commissioner finds that communicable or infectious disease or other unsatisfactory conditions exist, [he] the commissioner may issue such orders as [he] the commissioner deems necessary for the correction of such conditions and may quarantine the premises and animals. If the owner or keeper of such location fails to comply with such orders, the commissioner may recommend the revocation or suspension of such license to the town which issued such license.

(c) Any person aggrieved by any order issued under the provisions of this section may appeal to the Superior Court in accordance with the provisions of section 4-183.

(d) Any person keeping ten or more unneutered or unspayed dogs capable of breeding, in a location required to be licensed, after such license has been revoked or suspended as herein provided shall be fined not less than fifty dollars or more than one hundred dollars.

(e) Not later than December 31, 2014, the Commissioner of Agriculture shall prescribe the standard of care to be provided to dogs or cats, as applicable, by any person who: (1) Keeps ten or more unneutered or unspayed dogs capable of breeding, or (2) owns or operates a breeding cattery. Such standard of care shall be consistent with the standard of care to be provided by an animal importer, as prescribed pursuant to subdivision (6) of subsection (e) of section 22-344.

Sec. 2. Section 22-344b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2014*):

(a) A pet shop licensee shall, prior to offering a dog or cat for sale and thereafter at intervals of fifteen days until such dog or cat is sold, provide for examination of such dog or cat by a veterinarian licensed under chapter 384. Such licensee shall maintain a record of the veterinary services rendered for each dog or cat offered for sale.

(b) (1) If, (A) within twenty days of sale, any such dog or cat becomes ill or dies of any illness which existed in such dog or cat at the time of the sale, or (B) within six months of sale, any such dog or cat is diagnosed with a congenital defect that adversely affects or will adversely affect the health of such dog or cat, such licensee shall: (i) Reimburse such consumer [not more than five hundred dollars] for the value of the actual services and medications provided to such dog or cat by any veterinarian licensed pursuant to chapter 384 for the treatment of such illness or congenital defect upon the presentation by such consumer to such licensee of a certificate from such veterinarian that such dog or cat suffers or suffered from such illness or congenital defect, provided such reimbursement shall not exceed (I) the full purchase price of such dog or cat for any dog or cat purchased for five hundred dollars or more, and (II) five hundred dollars for any dog or cat purchased for less than five hundred dollars. No licensee may require the consumer to return such dog or cat to such licensee to receive such reimbursement, or (ii) at the option of such consumer, replace the dog or cat or refund in full the purchase price of such dog or cat: (I) In the case of illness or such congenital defect, upon return of the dog or cat to the pet shop and the receipt of a certificate from a veterinarian licensed under chapter 384 and selected by the consumer, stating that the dog or cat is ill from a condition which existed at the time of sale, or suffers from such congenital defect, and (II) in the case of death, the receipt of a certificate from a veterinarian licensed under chapter 384 and selected by the consumer, stating that the dog or cat died from an illness or a congenital defect which existed at the time of sale. The presentation of such certificate shall be sufficient proof to claim reimbursement or replacement and the return of such deceased dog or cat to the pet shop shall not be required. Any such consumer may seek the assistance of the Commissioner of Agriculture in the event that the licensee fails to reimburse such consumer in accordance with the provisions of this subsection. No such refund or replacement shall be made if such illness or death resulted from maltreatment or neglect by a person other than the licensee or such licensee's agent or employee. A licensee shall not be subject to the obligations imposed by this subsection for the sale of a cat where such cat has been spayed or neutered prior to its sale.

(2) Each pet shop licensee who sells dogs or cats shall post a statement of customer rights pursuant to this section in a location that is readily visible to the public and also provide a copy of such statement to any purchaser of a dog or cat at the time of purchase. The commissioner shall prescribe the content of such statement. Any statement of customer rights posted pursuant to this section shall be printed in black lettering of not less than twenty point size upon a white background. Any licensee who violates the provisions of this subdivision shall be fined two hundred fifty dollars.

[(c) A licensee who violates any provision of this section shall forfeit to the state a sum not to exceed five hundred dollars for each animal which is the subject of the violation. The Attorney General, upon complaint of the commissioner, may institute a civil action in the superior court for the judicial district of Hartford to recover the forfeiture specified in this section.]

(c) Any licensee who violates any provision of subsection (a) or subdivision (1) of subsection (b) of this section shall be fined not more than five hundred dollars. Any fine assessed pursuant to this subsection for a failure to reimburse a consumer, as described in subsection (b) of this section, shall not preclude or be in lieu of any such reimbursement.

Sec. 3. Section 22-344d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2014*):

(a) A sign measuring not less than three inches in height and not less than five inches in width shall be posted on the cage of each dog offered for sale in a pet shop. The sign shall contain information printed in black lettering on a white background listing the breed of such dog, the locality and state in which such dog was born, and any individual identification number of such dog as listed on the official certificate of veterinary inspection from the state of origin.

(b) A sign shall be posted stating the following: "THE FOLLOWING INFORMATION IS ALWAYS AVAILABLE ON ALL OUR PUPPIES: DATE OF BIRTH, THE STATE OF BIRTH, BREED, SEX AND COLOR, THE DATE THE PET SHOP RECEIVED THE PUPPY, THE NAMES AND REGISTRATION NUMBERS OF THE PARENTS (FOR AKC REGISTERABLE PUPPIES), RECORD OF INOCULATIONS AND WORMING TREATMENTS AND ANY RECORD OF ANY VETERINARY TREATMENT OR MEDICATIONS RECEIVED TO DATE. ". Such sign shall include a telephone number at the Department of Agriculture through which information may be obtained regarding complaints about diseased or disabled animals offered for sale. Such sign shall be posted in a place readily visible to the consumer where dogs are offered for sale and printed in black lettering not less than thirty-eight point size upon a white background.

(c) Each licensee shall post the United States Department of Agriculture inspection reports from the prior two-year period for the breeder of any dog offered for sale in a pet shop. Such inspection reports shall be posted next to or

near the cage of each dog that was purchased from the breeder that is the subject of such inspection reports and made available to any patron regardless of whether such patron purchases said dog.

[(c) A licensee who violates any provision of this section shall be liable for a civil penalty not to exceed five hundred dollars. The Attorney General, upon complaint of the Commissioner of Agriculture, may institute a civil action in the superior court for the judicial district of Hartford to recover the penalty specified in this section.]

(d) Any licensee who violates any provision of this section shall be fined not more than two hundred fifty dollars.

Sec. 4. Section 22-354 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2014*):

(a) Any dog or cat imported into this state shall be accompanied by a certificate of health issued no earlier than thirty days prior to the date of importation by a licensed, graduate veterinarian stating that such dog or cat is free from symptoms of any infectious, contagious or communicable disease, and that such dog or cat, if three months of age or older, is currently vaccinated for rabies by a licensed veterinarian. A copy of such health certificate shall be forwarded promptly to the commissioner from the livestock sanitary official of the state of origin. Any dog or cat originating from a rabies quarantine area shall have permission of the State Veterinarian prior to importation into this state. No person, firm or corporation shall import or export for the purposes of sale, adoption or transfer or offering for sale, adoption or transfer any dog or cat under the age of eight weeks unless such dog or cat is transported with its dam and no person, firm or corporation shall sell or offer for adoption or transfer within the state any dog or cat under the age of eight weeks. Any person, firm or corporation violating the provisions of this subsection or bringing any dog or cat into this state from an area under quarantine for rabies shall be fined not more than [five hundred] one thousand dollars. [or imprisoned not more than thirty days, or both.]

(b) Any dog sold or offered for sale by a pet shop licensee in this state shall be accompanied by a certificate of origin identifying the name and address of the person, firm or corporation that bred such dog and of any person, firm or corporation that sold such dog to such pet shop licensee. Such certificate shall be in a form as prescribed by the Commissioner of Agriculture. Such information contained in the certificate of origin shall be posted on the sign described in section 22-344d, as amended by this act, and such information shall be visible to customers. A copy of such certificate shall be provided to the purchaser of such dog at the time of sale and shall be filed by such licensee with the Department of Agriculture not later than seven days after such sale. No pet shop licensee shall purchase a dog or cat for resale [from a breeder] or sell or offer for sale any dog or cat purchased from: (1) Any breeder that (A) is not in possession of a current license issued by the United States Department of Agriculture and any applicable state agency, (B) was found to have committed a direct violation of pet dealer-related regulations of the United States Department of Agriculture during the two-year period prior to such purchase, or (C) was found to have committed three or more indirect violations of pet dealer-related regulations of the United States Department of Agriculture during the two-year period prior to such purchase provided such violations pertained to the health or welfare of an animal and were not administrative in nature; or (2) any other person, firm or corporation [located outside of this state that is not] that: (A) Is not in possession of a current license issued by the United States Department of Agriculture and any applicable state agency, (B) was found to have committed a direct violation of pet dealer-related regulations of the United States Department of Agriculture during the two-year period prior to such purchase, (C) was found to have committed three or more indirect violations of pet dealer-related regulations of the United States Department of Agriculture during the two-year period prior to such purchase provided such violations pertained to the health or welfare of an animal and were not administrative in nature, or (D) directly or indirectly, has obtained such dog or cat from a breeder described in subdivision (1) of this subsection. Any pet shop licensee violating the provisions of this subsection shall be fined not more than one [hundred] thousand dollars [or imprisoned not more than thirty days, or both,] for each violation. Each day a pet shop licensee is in violation of this subsection shall constitute a separate offense.

Sec. 5. (*Effective October 1, 2014*) Not later than January 1, 2015, the Commissioner of Agriculture shall submit a report, in accordance with section 11-4a of the general statutes, to the joint standing committee of the General Assembly having cognizance of matters relating to the environment. Such report shall include, but not be limited to, any legislative recommendations concerning the licensure of pet shops and the enforcement of any statute or regulation that is applicable to pet shops.

Approved June 3, 2014