



General Assembly

January Session, 2009

Committee Bill No. 499

LCO No. 4935

04935SB00499ENV

Referred to Committee on Environment

Introduced by:
(ENV)

**AN ACT CONCERNING A PET LEMON LAW AND THE RELEASE OF
RABIES VACCINATION RECORDS TO ANIMAL CONTROL OFFICERS.**

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

1 Section 1. Section 22-344b of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2009*):

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

9 (b) If, (1) within [fifteen] thirty days of sale, any such dog or cat
10 becomes ill or dies of any illness, or (2) within sixty days of sale, any
11 such dog or cat is diagnosed with a congenital defect which existed in
12 such dog or cat at the time of the sale, such licensee shall, at the option
13 of the consumer, replace the dog or cat or refund in full the purchase
14 price of such dog or cat: [(1)] (A) In the case of illness or congenital
15 defect, upon return of the dog or cat to the pet shop and the receipt of

16 a certificate from a veterinarian licensed under chapter 384 and
17 selected by the consumer, stating that the dog or cat is ill from a
18 condition or suffers from a congenital defect which existed at the time
19 of sale, and [(2)] (B) in the case of death, the receipt of a certificate from
20 a veterinarian licensed under [said] chapter 384 and selected by the
21 consumer, stating that the dog or cat died from an illness which
22 existed at the time of sale. [Any] In addition to any refund of the
23 purchase price of such dog or cat, the costs for services and
24 medications provided by a licensed veterinarian incurred by the
25 consumer [for such illness] shall be reimbursed to the consumer by
26 such licensee in an amount not to exceed two [hundred] thousand
27 dollars. The presentation of such certificate shall be sufficient proof to
28 claim reimbursement or replacement and the return of such deceased
29 dog or cat to the pet shop shall not be required. No such refund or
30 replacement shall be made if such illness or death resulted from
31 maltreatment or neglect by a person other than the licensee, his or her
32 agent or employee.

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

39 Sec. 2. Section 22-354 of the general statutes is repealed and the
40 following is substituted in lieu thereof (*Effective July 1, 2009*):

41 (a) Any dog or cat imported into this state shall be accompanied by
42 a certificate of health issued no earlier than thirty days prior to the date
43 of importation by a licensed, graduate veterinarian stating that such
44 dog or cat is free from symptoms of any infectious, contagious or
45 communicable disease, and that such dog or cat, if three months of age
46 or older, is currently vaccinated for rabies by a licensed veterinarian. A
47 copy of such health certificate shall be forwarded promptly to the

48 commissioner from the livestock sanitary official of the state of origin.
49 Any dog or cat originating from a rabies quarantine area must have
50 permission of the State Veterinarian prior to importation into this state.
51 No person, firm or corporation shall import or export for the purposes
52 of sale or offering for sale any dog or cat under the age of eight weeks
53 unless such dog or cat is transported with its dam and no person, firm
54 or corporation shall sell within the state any dog or cat under the age
55 of eight weeks. Any person, firm or corporation violating the
56 provisions of this [section] subsection or bringing any dog or cat into
57 this state from an area under quarantine for rabies shall be fined not
58 more than one hundred dollars or imprisoned not more than thirty
59 days or both.

60 (b) Any dog or cat sold or offered for sale by a pet shop or
61 commercial kennel licensee in this state shall be accompanied by a
62 certificate of origin identifying the name, address and telephone
63 number of each person who had custody of such dog or cat at any time
64 from the date of birth of such animal until the sale of such animal in
65 this state by such licensee. Such certificate shall be posted in a
66 conspicuous manner not more than ten feet from the location where
67 such dog or cat is displayed for sale. A copy of such certificate shall be
68 provided to the purchaser of such dog or cat at the time of sale and
69 shall be filed by such licensee with the Department of Agriculture not
70 later than two days after such sale. No pet shop or commercial kennel
71 licensee shall purchase a dog or cat for resale from a breeder or other
72 person, firm or corporation located outside of this state that is not in
73 possession of a current license issued by the United States Department
74 of Agriculture and any applicable state agency. Any pet shop or
75 commercial kennel licensee violating the provisions of this subsection
76 shall be fined not more than one hundred dollars or imprisoned not
77 more than thirty days or both for each violation. Each day a pet shop
78 or commercial kennel is in violation of this subsection shall constitute a
79 separate offense.

80 Sec. 3. Subsection (a) of section 22-339b of the general statutes is

81 repealed and the following is substituted in lieu thereof (*Effective July*
 82 *1, 2009*):

83 (a) Any owner or keeper of a dog or cat of the age of three months
 84 or older shall have such dog or cat vaccinated against rabies. Any
 85 animal vaccinated prior to one year of age or receiving a primary
 86 rabies vaccine at any age shall be considered protected for only one
 87 year and shall be given a booster vaccination one year after the initial
 88 vaccination and shall be vaccinated at least every three years
 89 thereafter. Those animals revaccinated after one year of age shall be
 90 given booster vaccinations at least every three years thereafter. Proof
 91 of vaccination shall be a certificate issued by a licensed veterinarian in
 92 accordance with subsection (a) of section 22-339c. A licensed
 93 veterinarian, upon request of the Chief Animal Control Officer, any
 94 animal control officer, municipal animal control officer or regional
 95 animal control officer, shall submit to such officer a copy of such
 96 certificate and any associated rabies vaccination records for such dog
 97 or cat that has bitten a person or another animal.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2009</i>	22-344b
Sec. 2	<i>July 1, 2009</i>	22-354
Sec. 3	<i>July 1, 2009</i>	22-339b(a)

Statement of Purpose:

To deter the sale of unhealthy dogs and cats by pet shops and commercial kennels and to authorize animal control officers to obtain rabies vaccination records from veterinarians under certain conditions.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

Co-Sponsors: SEN. MEYER, 12th Dist.

S.B. 499