



General Assembly

Amendment

January Session, 2009

LCO No. 7936

SB0049907936HDO

Offered by:

REP. URBAN, 43rd Dist.

REP. HORNISH, 62nd Dist.

REP. MUSHINSKY, 85th Dist.

To: Subst. Senate Bill No. 499

File No. 467

Cal. No. 591

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

1 Strike sections 1 and 2 in their entirety and renumber the remaining
2 sections and internal references accordingly

3 After the last section, add the following and renumber sections and
4 internal references accordingly:

5 "Sec. 501. Section 22-344b of the general statutes is repealed and the
6 following is substituted in lieu thereof (*Effective July 1, 2009*):

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

12 (b) If, (1) within [fifteen] twenty days of sale, any such dog or cat
13 becomes ill or dies of any illness which existed in such dog or cat at the
14 time of the sale, or (2) within six months of sale, any such dog or cat is
15 diagnosed with a congenital defect, such licensee shall, at the option of
16 the consumer, replace the dog or cat or refund in full the purchase
17 price of such dog or cat: [(1)] (A) In the case of illness or congenital
18 defect, upon return of the dog or cat to the pet shop or kennel and the
19 receipt of a certificate from a veterinarian licensed under chapter 384
20 and selected by the consumer, stating that the dog or cat is ill from a
21 condition which existed at the time of sale, or suffers from a congenital
22 defect, and [(2)] (B) in the case of death, the receipt of a certificate from
23 a veterinarian licensed under [said] chapter 384 and selected by the
24 consumer, stating that the dog or cat died from an illness or a
25 congenital defect which existed at the time of sale. Any costs for
26 services and medications provided by a licensed veterinarian incurred
27 by the consumer for such illness or congenital defect shall be
28 reimbursed to the consumer by such licensee in an amount not to
29 exceed [two] five hundred dollars. The presentation of such certificate
30 shall be sufficient proof to claim reimbursement or replacement and
31 the return of such deceased dog or cat to the pet shop shall not be
32 required. No such refund or replacement shall be made if such illness
33 or death resulted from maltreatment or neglect by a person other than
34 the licensee [, his] or such licensee's agent or employee. A licensee shall
35 not be subject to the obligations imposed by this subsection for the sale
36 of a cat where such cat has been spayed or neutered prior to its sale.

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

43 Sec. 502. Section 22-354 of the general statutes is repealed and the
44 following is substituted in lieu thereof (*Effective July 1, 2009*):

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

64 (b) Any dog sold or offered for sale by a pet shop or kennel licensee
65 in this state shall be accompanied by a certificate of origin identifying
66 the name and address of the person, firm or corporation that bred such
67 dog and of any person, firm or corporation that sold such dog to such
68 pet shop or kennel licensee. Such certificate shall be posted in a
69 conspicuous manner not more than ten feet from the location where
70 such dog is displayed for sale. A copy of such certificate shall be
71 provided to the purchaser of such dog at the time of sale and shall be
72 filed by such licensee with the Department of Agriculture not later
73 than two days after such sale. No pet shop or kennel licensee shall
74 purchase a dog or cat for resale from a breeder or other person, firm or
75 corporation located outside of this state that is not in possession of a
76 current license issued by the United States Department of Agriculture
77 and any applicable state agency. Any pet shop or kennel licensee
78 violating the provisions of this subsection shall be fined not more than

79 one hundred dollars or imprisoned not more than thirty days, or both,
80 for each violation. Each day a pet shop or kennel licensee is in violation
81 of this subsection shall constitute a separate offense."