



General Assembly

**Amendment**

January Session, 2009

LCO No. 8010

\*SB0049908010HRO\*

Offered by:  
REP. CHAPIN, 67<sup>th</sup> 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 everything after the enacting clause and substitute the  
2      following in lieu thereof:

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 Section 22-344b of the general statutes is repealed and the  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

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

10      (b) If, (1) within [fifteen] twenty days of sale, any such dog or cat  
11      becomes ill or dies of any illness, [which existed in such dog or cat at  
12      the time of the sale] or (2) within six months of sale, any such dog or  
13      cat is diagnosed with a congenital defect, such licensee shall, at the

14 option of the consumer, replace the dog or cat or refund in full the  
15 purchase price of such dog or cat: [(1)] (A) In the case of illness or  
16 congenital defect, upon return of the dog or cat to the pet shop and the  
17 receipt of a certificate from a veterinarian licensed under chapter 384  
18 and selected by the consumer, stating that the dog or cat is ill from a  
19 condition which existed at the time of sale or suffers from a congenital  
20 defect, and [(2)] (B) in the case of death, the receipt of a certificate from  
21 a veterinarian licensed under [said] chapter 384 and selected by the  
22 consumer, stating that the dog or cat died from a congenital defect or  
23 from an illness which existed at the time of sale. Any costs for services  
24 and medications provided by a licensed veterinarian incurred by the  
25 consumer for such illness or congenital defect shall be reimbursed to  
26 the consumer by such licensee in an amount not to exceed [two] five  
27 hundred dollars. The presentation of such certificate shall be sufficient  
28 proof to claim reimbursement or replacement and the return of such  
29 deceased dog or cat to the pet shop shall not be required. No such  
30 refund or replacement shall be made if such illness or death resulted  
31 from maltreatment or neglect by a person other than the licensee, his  
32 or her 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. Subsection (a) of section 22-339b of the general statutes is  
40 repealed and the following is substituted in lieu thereof (*Effective*  
41 *October 1, 2009*):

42 (a) Any owner or keeper of a dog or cat of the age of three months  
43 or older shall have such dog or cat vaccinated against rabies. Any  
44 animal vaccinated prior to one year of age or receiving a primary  
45 rabies vaccine at any age shall be considered protected for only one  
46 year and shall be given a booster vaccination one year after the initial

47 vaccination and shall be vaccinated at least every three years  
48 thereafter. Those animals revaccinated after one year of age shall be  
49 given booster vaccinations at least every three years thereafter. Proof  
50 of vaccination shall be a certificate issued by a licensed veterinarian in  
51 accordance with subsection (a) of section 22-339c. A licensed  
52 veterinarian, upon request of the Chief Animal Control Officer, any  
53 animal control officer, municipal animal control officer or regional  
54 animal control officer, shall submit to such officer a copy of such  
55 certificate and any associated rabies vaccination records for such dog  
56 or cat that has bitten a person or another animal.

57 Sec. 3. Section 22-327 of the general statutes is repealed and the  
58 following is substituted in lieu thereof (*Effective October 1, 2009*):

59 As used in this chapter and in sections 5 and 6 of this act:

60 (1) "Adoption import permit" means a document issued by the  
61 Commissioner of Agriculture to a person, partnership, corporation,  
62 association, limited liability company, corporation or other entity  
63 responsible for arranging or implementing the importation of any dog  
64 or cat or group of dogs or cats into the state for the purposes of  
65 adoption or relocation for adoption within the state;

66 [(1)] (2) "Animal" means any brute creature, including, but not  
67 limited to, dogs, cats, monkeys, guinea pigs, hamsters, rabbits, birds  
68 and reptiles;

69 (3) "Animal isolation facility" means a building, structure or room  
70 within a building or structure approved by the commissioner that is  
71 used to house dogs and cats imported into the state for the purpose of  
72 adoption and where such dogs and cats are segregated from the state's  
73 resident animal population;

74 [(2)] (4) "Chief Animal Control Officer", "Assistant Chief Animal  
75 Control Officer" and "animal control officer" mean, respectively, the  
76 Chief State Animal Control Officer, the Assistant Chief State Animal  
77 Control Officer and a state animal control officer appointed under

78 section 22-328;

79 [(3)] (5) "Commercial kennel" means a kennel maintained for  
80 boarding or grooming dogs or cats, and includes, but is not limited to,  
81 any veterinary hospital which boards or grooms dogs or cats for  
82 nonmedical purposes;

83 [(4)] (6) "Commissioner" means the Commissioner of Agriculture;

84 [(5)] (7) "Grooming facility" means any place, other than a  
85 commercial kennel, which is maintained as a business where dogs are  
86 groomed;

87 (8) "Importer" means any person, partnership, corporation,  
88 association, limited liability company or corporation or other entity  
89 responsible for arranging or implementing the movement of a dog or  
90 cat either internationally or from another state into this state for the  
91 purpose of adoption or relocation for adoption;

92 [(6)] (9) "Keeper" means any person, other than the owner,  
93 harboring or having in his possession any dog or other animal;

94 [(7)] (10) "Kennel" means one pack or collection of dogs which are  
95 kept under one ownership at a single location and are bred for show,  
96 sport or sale;

97 [(8)] (11) "Municipal animal control officer" means any such officer  
98 appointed under the provisions of section 22-331;

99 [(9)] (12) "Pet shop" means any place at which animals not born and  
100 raised on the premises are kept for the purpose of sale to the public;

101 [(10)] (13) "Poultry" means all domestic fowl and any pheasants or  
102 other game birds securely confined and lawfully owned and possessed  
103 by any person under the provisions of section 26-40;

104 [(11)] (14) "Regional animal control officer" and "assistant regional  
105 animal control officer" means a regional Connecticut animal control

106 officer and an assistant regional Connecticut animal control officer  
107 appointed under the provisions of section 22-331a;

108 [(12)] (15) "Training facility" means any place, other than a  
109 commercial kennel or grooming facility, which is maintained as a  
110 business where dogs are trained.

111 Sec. 4. Section 22-344 of the general statutes is repealed and the  
112 following is substituted in lieu thereof (*Effective October 1, 2009*):

113 (a) No person shall maintain a commercial kennel until he has  
114 obtained from the commissioner a license to maintain such kennel  
115 under such regulations as the commissioner provides as to sanitation,  
116 disease and humane treatment of dogs or cats and the protection of the  
117 public safety. Upon written application and the payment of a fee of  
118 one hundred dollars, the commissioner shall issue such license to be  
119 effective until the ensuing December thirty-first provided the  
120 commissioner finds (1) that such regulations have been complied with,  
121 and (2) in the case of each initial application for such license, that the  
122 zoning enforcement official of the municipality wherein such kennel is  
123 to be maintained has certified that the kennel conforms to the  
124 municipal zoning regulations. Such license shall be renewed annually,  
125 not later than December thirty-first, in accordance with the provisions  
126 of this section, and may be transferred by the licensee to another  
127 premises upon approval of the commissioner.

128 (b) No person shall maintain a pet shop until he has obtained from  
129 the commissioner a license to maintain such pet shop under such  
130 regulations as the commissioner provides as to sanitation, disease and  
131 humane treatment of animals and the protection of the public safety.  
132 Upon written application and the payment of a fee of two hundred  
133 dollars, the commissioner shall issue such license to be effective until  
134 the ensuing December thirty-first provided the commissioner finds (1)  
135 that such regulations have been complied with, and (2) in the case of  
136 each initial application for such license, that the zoning enforcement  
137 official of the municipality wherein such pet shop is to be maintained

138 has certified that the pet shop conforms to the municipal zoning  
139 regulations. Such pet shop license may be transferred by the licensee to  
140 another premises upon the approval of the commissioner. The  
141 commissioner, after consultation with the Commissioners of Public  
142 Health and Environmental Protection, shall establish and maintain,  
143 pursuant to regulations adopted in accordance with chapter 54, a list of  
144 animals which are deemed to be injurious to the health and safety of  
145 the public or whose maintenance in captivity is detrimental to the  
146 health and safety of the animal. The sale or offer of sale of any animal  
147 which is on said list is prohibited and any person who violates this  
148 provision shall be fined not more than five hundred dollars.

149 (c) No person shall engage in the business of grooming or  
150 maintaining a grooming facility until such person has obtained from  
151 the commissioner a license to maintain such facility under such  
152 regulations as the commissioner provides as to sanitation, disease and  
153 humane treatment of such animals and the protection of the public  
154 safety. Upon written application and the payment of a fee of one  
155 hundred dollars, the commissioner shall issue such license to be  
156 effective until the ensuing December thirty-first provided the  
157 commissioner finds (1) that such regulations have been complied with,  
158 and (2) in the case of each initial application for such license, that the  
159 zoning enforcement official of the municipality wherein such  
160 grooming is to be maintained has certified that the facility conforms to  
161 the municipal zoning regulations. Such license shall be renewed  
162 annually, not later than December thirty-first, in accordance with the  
163 provisions of this section, and may be transferred by the licensee to  
164 other premises upon approval of the commissioner.

165 (d) No person shall maintain a training facility until such person has  
166 obtained from the commissioner a license to maintain such facility  
167 under such regulations as the commissioner provides as to sanitation,  
168 disease and humane treatment of such animals and the protection of  
169 public safety. Upon written application and the payment of a fee of  
170 one hundred dollars, the commissioner shall issue such license to be  
171 effective until the ensuing December thirty-first provided the

172 commissioner finds (1) that such regulations have been complied with,  
173 and (2) in the case of each initial application for such license, that the  
174 zoning enforcement official of the municipality wherein such training  
175 facility is to be maintained has certified that the facility conforms to the  
176 municipal zoning regulations. Such license shall be renewed annually  
177 upon the terms required for the original license and may be transferred  
178 by the licensee to another premises upon approval of the  
179 commissioner.

180 (e) No person shall maintain an animal isolation facility until such  
181 person has obtained from the commissioner a license to maintain such  
182 facility under such regulations as the commissioner may provide as to  
183 sanitation, disease and humane treatment of such animals and the  
184 protection of public safety. Upon written application and the payment  
185 of a fee of one hundred dollars per year, the commissioner shall issue a  
186 license to be effective until the ensuing December thirty-first provided,  
187 prior to the issuance of such license, the commissioner finds that the  
188 applicant is in compliance with all applicable laws and regulations.  
189 Such license shall be renewed annually upon the terms required for the  
190 original license and may be transferred by the licensee to another  
191 premises upon approval by the commissioner. This subsection shall  
192 not apply to any person who isolates fewer than seven animals in any  
193 calendar year or to any dog or cat imported into the state by a person  
194 for the purpose of such person's individual or familial ownership of  
195 such dog or cat in this state.

196 [(e)] (f) The commissioner may, [at any time] pursuant to the  
197 provisions of section 22-4c, inspect or cause to be inspected by his  
198 agents any such animal isolation facility, commercial kennel, pet shop,  
199 grooming facility or training facility, and if, in his judgment such  
200 animal isolation facility, kennel, pet shop, grooming facility or training  
201 facility is not being maintained in a sanitary and humane manner or in  
202 a manner that protects the public safety, or if he finds that contagious,  
203 infectious or communicable disease or other unsatisfactory conditions  
204 exist, he may issue such orders as he deems necessary for the  
205 correction of such conditions and may quarantine the premises and

206 animals. If the owner or keeper of such animal isolation facility,  
207 kennel, pet shop, grooming facility or training facility fails to comply  
208 with the regulations or orders of the commissioner, or fails to comply  
209 with any provision of the statutes or regulations relating to dogs or  
210 other animals, the commissioner may revoke or suspend such license.  
211 Any person aggrieved by any order issued under the provisions of this  
212 section may appeal therefrom in accordance with the provisions of  
213 section 4-183. Any person maintaining any animal isolation facility,  
214 commercial kennel, pet shop, grooming facility or training facility  
215 without having obtained a license for the same or after any such  
216 license has been revoked or suspended as provided herein shall be  
217 fined not more than two hundred dollars. The provisions of this  
218 section shall not apply to veterinary hospitals, except those boarding  
219 or grooming dogs for nonmedical purposes, and other establishments  
220 where all the dogs or animals were born and raised on the premises  
221 where they are kept for sale. The inspection of a building, structure or  
222 room within a building or structure that is used for isolation by a  
223 person who isolates fewer than seven animals in any calendar year  
224 shall be strictly limited to such building, structure or room within such  
225 building or structure.

226 [(f)] (g) The provisions of subsections (a) to (d), inclusive, of this  
227 section requiring certification by the zoning enforcement official that  
228 every commercial kennel, pet shop, grooming facility and training  
229 facility conforms to the zoning regulations of the municipality wherein  
230 such kennel, pet shop, grooming facility or training facility is  
231 maintained shall not apply to any person who is licensed under said  
232 subsections and maintained any such kennel, pet shop or grooming  
233 facility prior to October 1, 1977, provided such person does not  
234 relocate such kennel, pet shop, grooming facility or training facility in  
235 a zone in which such kennel, pet shop, grooming facility or training  
236 facility is not a permitted use. In addition, the provisions of said  
237 subsections requiring certification by the zoning enforcement official  
238 that every commercial kennel, pet shop, grooming facility and training  
239 facility conforms to the zoning regulations of the municipality wherein



240 such kennel, pet shop, grooming facility or training facility is  
241 maintained shall not apply when a zone in which such kennel, pet  
242 shop, grooming facility or training facility is maintained is changed to  
243 a use which does not permit such kennel, pet shop, grooming facility  
244 or training facility in such zone.

245 Sec. 5. (NEW) (*Effective October 1, 2009*) (a) Each person, partnership,  
246 corporation, association, limited liability company or corporation or  
247 other entity importing into this state any dog or cat for the purposes of  
248 adoption, relocation for adoption or sale to a pet shop in this state shall  
249 meet all requirements of section 22-354 of the general statutes, as  
250 amended by this act, and, in addition, shall cause each dog or cat to be  
251 accompanied with an adoption import permit issued by the  
252 Commissioner of Agriculture, in a form prescribed by the  
253 commissioner, not more than fourteen days prior to the entry of such  
254 dog or cat into the state, and shall cause each such dog or cat to be  
255 uniquely identified with a microchip and a corresponding visible tag  
256 displaying the microchip number. Each permit shall state the  
257 importer's name, address and phone number and the animal's species,  
258 gender, age, breed, color, microchip identifier number, state or country  
259 of origin, and the name and address of the designated animal isolation  
260 facility. This subsection shall not apply to any dog or cat imported into  
261 the state by a person for the purpose of such person's individual or  
262 familial ownership of such dog or cat within this state.

263 (b) The commissioner may refuse to grant an adoption import  
264 permit for any dog or cat if the commissioner determines that such dog  
265 or cat may have been exposed to any infectious or contagious disease  
266 or if such dog or cat is from any country, state or geographic location  
267 subject to disease-related quarantine. The commissioner may, at any  
268 time, revoke an adoption import permit previously issued and then  
269 outstanding for the importation of any dog or cat into this state if the  
270 commissioner determines that such dog or cat may have been exposed  
271 to any infectious or contagious disease or if such dog or cat is from any  
272 country, state or geographic location subject to a disease-related  
273 quarantine. The commissioner and the state shall not be liable for any

274 damages caused by such revocation.

275 (c) The commissioner may, in his discretion, revoke any adoption  
276 import permit for cause, including, but not limited to, a determination  
277 by the commissioner that the permit holder is in violation of section  
278 22-354 of the general statutes, as amended by this act, or section 53-247  
279 of the general statutes.

280 (d) Violation of any provision of this section shall be an infraction  
281 for the first offense and such person shall be fined not more than one  
282 hundred dollars or imprisoned not more that thirty days, or both. For  
283 each subsequent offense, such person shall be fined not more than one  
284 thousand dollars or imprisoned not more than thirty days, or both.

285 (e) The commissioner may make any order he or she deems  
286 necessary to prevent the spread of any infectious or contagious disease  
287 or to prevent the illegal treatment of any dog or cat imported into the  
288 state for adoption or relocation for adoption.

289 (f) An adoption import permit shall not be required for the  
290 importation of any dog or cat into the state by a person for the purpose  
291 of adoption or relocation of such dog or cat for such person's  
292 individual or familial ownership within the state.

293 (g) Nothing in this section shall prevent the commissioner from  
294 seeking any other remedy provided by law.

295 Sec. 6. (NEW) (*Effective October 1, 2009*) (a) An animal isolation  
296 facility shall provide a quarantine room used exclusively for the  
297 purposes of isolating any dog or cat being imported into the state for  
298 adoption or relocation for adoption. Such room shall: (1) Be physically  
299 separate from any other room used to maintain other animals or from  
300 any human living area, (2) be completely enclosed by walls that extend  
301 from floor to ceiling, and (3) be equipped with adequate ventilation to  
302 allow fresh air to circulate into the room. The quarantine room and its  
303 contents shall be thoroughly cleaned and disinfected before receiving  
304 any new shipment of animals imported for adoption purposes after all

305 animals from any previous shipment have been removed from such  
306 room. During the time period that such room is being used as an  
307 animal isolation facility, such room shall not be used to house or  
308 maintain other animals, for storage, as a restroom, as a public access  
309 area or for any other such purpose.

310 (b) The importer of any dog or cat transported into the state for the  
311 purposes of adoption or relocation for adoption shall, not later than  
312 twenty-four hours after the arrival of such dog or cat at an animal  
313 isolation facility, give notice in writing to the commissioner. Such  
314 notice shall state the importer's name, address and telephone number  
315 and the animal's adoption import permit number, species, gender, age,  
316 breed, color, microchip identifier number, state or country of origin  
317 and the name of the animal isolation facility where the animal was  
318 taken.

319 (c) Each dog or cat or group of dogs or cats arriving into the state  
320 under the same adoption import permit number shall be isolated in a  
321 quarantine room by the animal isolation facility licensee from any  
322 member of the state's resident animal population for a minimum of  
323 forty-eight hours prior to its release for adoption. An animal isolation  
324 facility licensee shall maintain records of each animal so isolated.  
325 These records shall include the adoption import permit number, a  
326 copy of the interstate or international health certificate, the rabies  
327 vaccination certificate, in accordance with section 22-339b of the  
328 general statutes, as amended by this act, the species, gender, age,  
329 breed, color, microchip identifier number, importer's name, address  
330 and telephone number, the animal's state or country of origin, and the  
331 animal's release date and disposition upon release. No other dog or cat  
332 being imported into the state in the same shipment for adoption or  
333 relocation for adoption shall be placed in the quarantine room until all  
334 animals in any previous shipment have been released.

335 (d) An animal isolation facility licensee shall provide for  
336 examination of each dog or cat by a veterinarian licensed under  
337 chapter 384 of the general statutes. The animal isolation facility

338 licensee shall maintain a record of the veterinary services rendered for  
339 each dog or cat housed at such facility. Each animal shall be certified  
340 by a veterinarian licensed under chapter 384 of the general statutes to  
341 be in good health and shall be vaccinated against rabies and issued a  
342 rabies vaccination certificate, in accordance with section 22-339b of the  
343 general statutes, as amended by this act, prior to release from the  
344 facility. Pursuant to the provisions of section 22-4c of the general  
345 statutes, a copy of all medical records of each animal shall be made  
346 available to the Commissioner of Agriculture upon request and to the  
347 new owner upon adoption. No dog or cat shall be released from an  
348 animal isolation facility prior to receipt of an official health certificate  
349 issued by a veterinarian licensed under chapter 384 of the general  
350 statutes.

351 (e) The Commissioner of Agriculture may make any order he or she  
352 deems necessary to prevent the spread of any infectious or contagious  
353 disease or to prevent the illegal treatment of any dog or cat imported  
354 into the state for adoption or relocation for adoption.

355 (f) Nothing in this section shall prevent the Commissioner of  
356 Agriculture from seeking any other remedy provided by law.

357 (g) Violation of any provision of this section shall be an infraction  
358 for the first offense and such person shall be fined not more than one  
359 hundred dollars or imprisoned not more that thirty days, or both. For  
360 each subsequent offense, such person shall be fined not more than one  
361 thousand dollars or imprisoned not more than thirty days, or both.

362 Sec. 7. Section 22-354 of the general statutes is repealed and the  
363 following is substituted in lieu thereof (*Effective October 1, 2009*):

364 (a) Any dog or cat imported into this state for any purpose shall be  
365 accompanied by [a] an official certificate of health issued no earlier  
366 than thirty days prior to the date of importation by a licensed,  
367 graduate veterinarian stating that such dog or cat is free from  
368 [symptoms] clinical signs of any infectious, contagious or  
369 communicable disease, and that such dog or cat, if three months of age

370 or older, is currently vaccinated for rabies by a licensed veterinarian. A  
371 copy of such official health certificate shall be forwarded promptly to  
372 the commissioner from the [livestock sanitary] animal health official of  
373 the state of origin. Any dog or cat originating from a rabies quarantine  
374 area [must] shall have permission of the State Veterinarian prior to  
375 importation into this state. No person, firm or corporation shall import  
376 or export for the purposes of sale, adoption or relocation for adoption  
377 or offering for sale, adoption or relocation for adoption any dog or cat  
378 under the age of eight weeks unless such dog or cat is transported with  
379 its dam and no person, firm or corporation shall sell or offer for  
380 adoption or relocation for adoption within the state any dog or cat  
381 under the age of eight weeks. Any person, firm or corporation  
382 violating the provisions of this [section] subsection or bringing any  
383 dog or cat into this state from an area under quarantine for rabies shall  
384 be fined not more than [one] five hundred dollars or imprisoned not  
385 more than thirty days, or both.

386 (b) Any dog or cat sold or offered for sale by a pet shop licensee in  
387 this state shall be accompanied by a certificate of origin identifying the  
388 name, address and telephone number of each person, firm or  
389 corporation that bred such dog or cat and of any person, firm or  
390 corporation that sold such dog or cat to such pet shop licensee. Such  
391 certificate shall be posted in a conspicuous manner not more than ten  
392 feet from the location where such dog or cat is displayed for sale. A  
393 copy of such certificate shall be provided to the purchaser of such dog  
394 or cat at the time of sale and shall be filed by such licensee with the  
395 Department of Agriculture not later than two days after such sale. No  
396 pet shop licensee shall purchase a dog or cat for resale from a breeder  
397 or other person, firm or corporation located outside of this state that is  
398 not in possession of a current license issued by the United States  
399 Department of Agriculture and any applicable state agency. Any pet  
400 shop licensee violating the provisions of this subsection shall be fined  
401 not more than one hundred dollars or imprisoned not more than thirty  
402 days, or both, for each violation. Each day a pet shop licensee is in  
403 violation of this subsection shall constitute a separate offense.

404       Sec. 8. (NEW) (*Effective October 1, 2009*) Animals imported into the  
 405 state for the purposes of adoption or sale shall not be eligible for  
 406 participation in the animal population control program established  
 407 pursuant to section 22-380g of the general statutes."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2009</i>	22-344b
Sec. 2	<i>October 1, 2009</i>	22-339b(a)
Sec. 3	<i>October 1, 2009</i>	22-327
Sec. 4	<i>October 1, 2009</i>	22-344
Sec. 5	<i>October 1, 2009</i>	New section
Sec. 6	<i>October 1, 2009</i>	New section
Sec. 7	<i>October 1, 2009</i>	22-354
Sec. 8	<i>October 1, 2009</i>	New section