



General Assembly

Amendment

January Session, 2011

LCO No. 6985

HB0536806985HDO

Offered by:

REP. HURLBURT, 53rd Dist.

REP. URBAN, 43rd Dist.

REP. CHAPIN, 67th Dist.

To: Subst. House Bill No. 5368

File No. 376

Cal. No. 224

"AN ACT EXTENDING CERTAIN PET SHOP LICENSEE REQUIREMENTS TO PERSONS AND ORGANIZATIONS THAT IMPORT ANIMALS FOR ADOPTION."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Section 22-344 of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective October 1, 2011*):

5 (a) No person shall maintain a commercial kennel until he has
6 obtained from the commissioner a license to maintain such kennel
7 under such regulations as the commissioner provides as to sanitation,
8 disease and humane treatment of dogs or cats and the protection of the
9 public safety. Upon written application and the payment of a fee of
10 two hundred dollars, the commissioner shall issue such license to be
11 effective until the ensuing December thirty-first provided the
12 commissioner finds (1) that such regulations have been complied with,

13 and (2) in the case of each initial application for such license, that the
14 zoning enforcement official of the municipality wherein such kennel is
15 to be maintained has certified that the kennel conforms to the
16 municipal zoning regulations. Such license shall be renewed annually,
17 not later than December thirty-first, in accordance with the provisions
18 of this section, and may be transferred by the licensee to another
19 premises upon approval of the commissioner.

20 (b) No person shall maintain a pet shop until he has obtained from
21 the commissioner a license to maintain such pet shop under such
22 regulations as the commissioner provides as to sanitation, disease and
23 humane treatment of animals and the protection of the public safety.
24 Upon written application and the payment of a fee of two hundred
25 dollars, the commissioner shall issue such license to be effective until
26 the ensuing December thirty-first provided the commissioner finds (1)
27 that such regulations have been complied with, and (2) in the case of
28 each initial application for such license, that the zoning enforcement
29 official of the municipality wherein such pet shop is to be maintained
30 has certified that the pet shop conforms to the municipal zoning
31 regulations. Such pet shop license may be transferred by the licensee to
32 another premises upon the approval of the commissioner. The
33 commissioner, after consultation with the Commissioners of Public
34 Health and Environmental Protection, shall establish and maintain,
35 pursuant to regulations adopted in accordance with chapter 54, a list of
36 animals which are deemed to be injurious to the health and safety of
37 the public or whose maintenance in captivity is detrimental to the
38 health and safety of the animal. The sale or offer of sale of any animal
39 which is on said list is prohibited and any person who violates this
40 provision shall be fined not more than five hundred dollars.

41 (c) No person shall engage in the business of grooming or
42 maintaining a grooming facility until such person has obtained from
43 the commissioner a license to maintain such facility under such
44 regulations as the commissioner provides as to sanitation, disease and
45 humane treatment of such animals and the protection of the public
46 safety. Upon written application and the payment of a fee of one

47 hundred dollars, the commissioner shall issue such license to be
48 effective until the ensuing December thirty-first provided the
49 commissioner finds (1) that such regulations have been complied with,
50 and (2) in the case of each initial application for such license, that the
51 zoning enforcement official of the municipality wherein such
52 grooming is to be maintained has certified that the facility conforms to
53 the municipal zoning regulations. Such license shall be renewed
54 annually, not later than December thirty-first, in accordance with the
55 provisions of this section, and may be transferred by the licensee to
56 other premises upon approval of the commissioner.

57 (d) No person shall maintain a training facility until such person has
58 obtained from the commissioner a license to maintain such facility
59 under such regulations as the commissioner provides as to sanitation,
60 disease and humane treatment of such animals and the protection of
61 public safety. Upon written application and the payment of a fee of
62 one hundred dollars, the commissioner shall issue such license to be
63 effective until the ensuing December thirty-first provided the
64 commissioner finds (1) that such regulations have been complied with,
65 and (2) in the case of each initial application for such license, that the
66 zoning enforcement official of the municipality wherein such training
67 facility is to be maintained has certified that the facility conforms to the
68 municipal zoning regulations. Such license shall be renewed annually
69 upon the terms required for the original license and may be transferred
70 by the licensee to another premises upon approval of the
71 commissioner.

72 (e) (1) No animal importer shall import any dog or cat into this state
73 until such person registers as an animal importer with the
74 commissioner. Such registration shall be on a form as prescribed by the
75 commissioner. Such registration shall require the submission of the
76 following information: (A) The name, mailing address, business
77 address, telephone number and Internet address of such registrant, (B)
78 if such registrant is domiciled out-of-state, the name, Connecticut
79 address and phone number of a Connecticut-based agent for service of
80 process, and (C) the number of animals brought into the state during

81 the prior year by such animal importer and the state or country of
82 origin for each such animal. Such registration shall be accompanied by
83 payment of a fee of one hundred dollars and shall be valid until the
84 December thirty-first following such registration. Such registration
85 shall be renewed annually, in accordance with the provisions of this
86 subsection, provided the commissioner determines that such registrant
87 complies with any requirements provided by the commissioner as to
88 the health, safety and humane treatment of animals that is applicable
89 to animal importers. Such registration shall not be required for any
90 employee or volunteer of a registered animal importer or other person
91 who is required to be licensed pursuant to the provisions of this
92 chapter, provided such employee, volunteer or other person is not
93 otherwise an animal importer. Any person who violates the provisions
94 of this subdivision shall be fined not more than five hundred dollars.

95 (2) Any animal importer who intends to offer for sale, adoption or
96 transfer any dog or cat at a venue or location that is open to the public
97 or at an outdoor location, including, but not limited to, a parking lot or
98 shopping center, shall provide notice to the Department of Agriculture
99 and the municipal zoning enforcement officer of the town where any
100 such sale, adoption or transfer will occur, not later than ten days prior
101 to such event. Such notice shall state the date for such sale, adoption or
102 transfer event, the exact location of such event and the anticipated
103 number of animals for sale, adoption or transfer at such event. Any
104 person who fails to provide notice as required pursuant to this
105 subdivision shall be fined not more than one hundred dollars per
106 animal that is offered for sale, adoption or transfer at such event.

107 (3) For the purpose of this subsection, "animal importer" means a
108 person who brings any dog or cat into this state from any other
109 sovereign entity for the purpose of offering such dog or cat to any
110 person for sale, adoption or transfer in exchange for any fee, sale,
111 voluntary contribution, service or any other consideration. "Animal
112 importer" includes any commercial or nonprofit animal rescue or
113 adoption, humane relocation or delivery organization that is not
114 otherwise required to be licensed under the provisions of this chapter.

115 (4) The provisions of this subsection shall not be construed to apply
116 to any animal importer who offers a dog or cat for sale to a pet shop
117 that is licensed in accordance with the provisions of subsection (b) of
118 this section, provided such animal is delivered directly to a pet shop.

119 (5) The Commissioner of Agriculture may inspect any animal
120 imported by an animal importer or any record required to be kept by
121 such animal importer, provided such inspection shall not authorize the
122 entry of the commissioner into the residence of such animal importer.

123 [(e)] (f) The commissioner may, at any time, inspect or cause to be
124 inspected by the commissioner's agents any such commercial kennel,
125 pet shop, grooming facility or training facility, and if, (1) in the
126 commissioner's judgment such kennel, pet shop, grooming facility or
127 training facility is not being maintained in a sanitary and humane
128 manner or in a manner that protects the public safety, (2) the
129 commissioner finds that contagious, infectious or communicable
130 disease or other unsatisfactory conditions exist, or (3) in the case of a
131 pet shop, the commissioner finds any violation of the provisions of
132 section 22a-381d, the commissioner may issue such orders as the
133 commissioner deems necessary for the correction of such conditions
134 and may quarantine the premises and animals. If the owner or keeper
135 of such kennel, pet shop, grooming facility or training facility fails to
136 comply with the regulations or orders of the commissioner, or fails to
137 comply with any provision of the statutes or regulations relating to
138 dogs or other animals, the commissioner may revoke or suspend such
139 license. Any person aggrieved by any order issued under the
140 provisions of this section may appeal therefrom in accordance with the
141 provisions of section 4-183. Any person maintaining any commercial
142 kennel, pet shop, grooming facility or training facility without having
143 obtained a license for the same or after any such license has been
144 revoked or suspended as provided herein shall be fined not more than
145 two hundred dollars. The provisions of this section shall not apply to
146 veterinary hospitals, except those boarding or grooming dogs for
147 nonmedical purposes, and other establishments where all the dogs or
148 animals were born and raised on the premises where they are kept for

149 sale.

150 [(f)] (g) The provisions of subsections (a) to (d), inclusive, of this
151 section requiring certification by the zoning enforcement official that
152 every commercial kennel, pet shop, grooming facility and training
153 facility conforms to the zoning regulations of the municipality wherein
154 such kennel, pet shop, grooming facility or training facility is
155 maintained shall not apply to any person who is licensed under said
156 subsections and maintained any such kennel, pet shop or grooming
157 facility prior to October 1, 1977, provided such person does not
158 relocate such kennel, pet shop, grooming facility or training facility in
159 a zone in which such kennel, pet shop, grooming facility or training
160 facility is not a permitted use. In addition, the provisions of said
161 subsections requiring certification by the zoning enforcement official
162 that every commercial kennel, pet shop, grooming facility and training
163 facility conforms to the zoning regulations of the municipality wherein
164 such kennel, pet shop, grooming facility or training facility is
165 maintained shall not apply when a zone in which such kennel, pet
166 shop, grooming facility or training facility is maintained is changed to
167 a use which does not permit such kennel, pet shop, grooming facility
168 or training facility in such zone.

169 Sec. 2. (NEW) (*Effective October 1, 2011*) (a) Any animal importer, as
170 defined in section 22-344 of the general statutes, as amended by this
171 act, shall, not later than forty-eight hours after importing any dog or
172 cat into this state and prior to the sale, adoption or transfer of such dog
173 or cat to any person, provide for the examination of such dog or cat by
174 a veterinarian licensed under chapter 384 of the general statutes.
175 Thereafter, such animal importer shall provide for the examination of
176 such dog or cat by a veterinarian licensed under chapter 384 of the
177 general statutes every ninety days until such dog or cat is sold,
178 adopted or transferred, provided no such dog or cat shall be sold,
179 adopted or transferred to another person by an animal importer unless
180 (1) such dog or cat was examined by a veterinarian licensed under
181 chapter 384 of the general statutes not more than fifteen days prior to
182 the sale, adoption or transfer of such dog or cat, and (2) such

183 veterinarian provides such animal importer with a written certificate
184 stating that such dog or cat is free of any symptoms of any illness,
185 infectious, contagious or communicable disease. Such certificate shall
186 list the name, address and contact information of such animal
187 importer. Any animal importer who violates the provisions of this
188 subsection shall be fined not more than five hundred dollars for each
189 animal that is the subject of such violation.

190 (b) Each animal importer shall maintain a record of the veterinary
191 services rendered to each dog or cat imported into this state by such
192 animal importer. Such record shall be maintained by such animal
193 importer for a period of three years. Any animal importer who violates
194 the provisions of this subsection shall be fined five hundred dollars.

195 Sec. 3. Subsection (a) of section 22-354 of the general statutes is
196 repealed and the following is substituted in lieu thereof (*Effective*
197 *October 1, 2011*):

198 (a) Any dog or cat imported into this state shall be accompanied by
199 a certificate of health issued no earlier than thirty days prior to the date
200 of importation by a licensed, graduate veterinarian stating that such
201 dog or cat is free from symptoms of any infectious, contagious or
202 communicable disease, and that such dog or cat, if three months of age
203 or older, is currently vaccinated for rabies by a licensed veterinarian. A
204 copy of such health certificate shall be forwarded promptly to the
205 commissioner from the livestock sanitary official of the state of origin.
206 Any dog or cat originating from a rabies quarantine area shall have
207 permission of the State Veterinarian prior to importation into this state.
208 No person, firm or corporation shall import or export for the purposes
209 of sale, adoption or transfer or offering for sale, adoption or transfer
210 any dog or cat under the age of eight weeks unless such dog or cat is
211 transported with its dam and no person, firm or corporation shall sell
212 or offer for adoption or transfer within the state any dog or cat under
213 the age of eight weeks. Any person, firm or corporation violating the
214 provisions of this subsection or bringing any dog or cat into this state
215 from an area under quarantine for rabies shall be fined not more than

216 [one] five hundred dollars or imprisoned not more than thirty days, or
217 both.

218 Sec. 4. Subsection (b) of section 51-164n of the general statutes is
219 repealed and the following is substituted in lieu thereof (*Effective*
220 *October 1, 2011*):

221 (b) Notwithstanding any provision of the general statutes, any
222 person who is alleged to have committed (1) a violation under the
223 provisions of section 1-9, 1-10, 1-11, 4b-13, 7-13, 7-14, 7-35, 7-41, 7-83, 7-
224 283, 7-325, 7-393, 8-25, 8-27, 9-63, 9-296, 9-305, 9-322, 9-350, 10-193, 10-
225 197, 10-198, 10-230, 10-251, 10-254, 12-52, 12-170aa, 12-292 or 12-326g,
226 subdivision (4) of section 12-408, subdivision (3), (5) or (6) of section
227 12-411, section 12-435c, 12-476a, 12-476b, 12-487, 13a-71, 13a-107, 13a-
228 113, 13a-114, 13a-115, 13a-117b, 13a-123, 13a-124, 13a-139, 13a-140, 13a-
229 143b, 13a-247 or 13a-253, subsection (f) of section 13b-42, section 13b-
230 90, 13b-221, 13b-292, 13b-336, 13b-337, 13b-338, 13b-410a, 13b-410b or
231 13b-410c, subsection (a), (b) or (c) of section 13b-412, section 13b-414,
232 subsection (d) of section 14-12, section 14-20a or 14-27a, subsection (e)
233 of section 14-34a, subsection (d) of section 14-35, section 14-43, 14-49,
234 14-50a or 14-58, subsection (b) of section 14-66, section 14-66a, 14-66b
235 or 14-67a, subsection (g) of section 14-80, subsection (f) of section 14-
236 80h, section 14-97a, 14-100b, 14-103a, 14-106a, 14-106c, 14-146, 14-152,
237 14-153 or 14-163b, a first violation as specified in subsection (f) of
238 section 14-164i, section 14-219 as specified in subsection (e) of said
239 section, subdivision (1) of section 14-223a, section 14-240, 14-249, 14-
240 250 or 14-253a, subsection (a) of section 14-261a, section 14-262, 14-264,
241 14-267a, 14-269, 14-270, 14-275a, 14-278 or 14-279, subsection (e) of
242 section 14-283, section 14-291, 14-293b, 14-296aa, 14-319, 14-320, 14-321,
243 14-325a, 14-326, 14-330 or 14-332a, subdivision (1), (2) or (3) of section
244 14-386a, section 15-33, subsection (a) of section 15-115, section 16-256,
245 16-256e, 16a-15 or 16a-22, subsection (a) or (b) of section 16a-22h,
246 section 17a-24, 17a-145, 17a-149, 17a-152, 17a-465, 17a-642, 17b-124,
247 17b-131, 17b-137 or 17b-734, subsection (b) of section 17b-736, section
248 19a-30, 19a-33, 19a-39 or 19a-87, subsection (b) of section 19a-87a,
249 section 19a-91, 19a-105, 19a-107, 19a-215, 19a-219, 19a-222, 19a-224,

250 19a-286, 19a-287, 19a-297, 19a-301, 19a-309, 19a-335, 19a-336, 19a-338,
251 19a-339, 19a-340, 19a-425, 19a-502, 20-7a, 20-14, 20-158, 20-231, 20-257,
252 20-265 or 20-324e, section 20-341l, 20-597, 20-608, 20-610, 21-30, 21-38,
253 21-39, 21-43, 21-47, 21-48, 21-63, 21-76a, 21a-21, 21a-25, 21a-26 or 21a-
254 30, subsection (a) of section 21a-37, section 21a-46, 21a-61, 21a-63 or
255 21a-77, subsection (b) of section 21a-79, section 21a-85, 21a-154, 21a-
256 159, 22-13, 22-14, 22-15, 22-16, 22-29, 22-34, 22-35, 22-36, 22-38, 22-39,
257 22-39a, 22-39b, 22-39c, 22-39d, 22-39e, 22-49, 22-54, 22-61, 22-89, 22-90,
258 22-98, 22-99, 22-100, 22-111o, 22-279, 22-280a, 22-318a, 22-320h, 22-324a,
259 22-326 or 22-342, subsection (b), (e) or [(e)] (f) of section 22-344, as
260 amended by this act, section 22-359, 22-366, 22-391, 22-413, 22-414, 22-
261 415, 22a-66a or 22a-246, subsection (a) of section 22a-250, subsection (e)
262 of section 22a-256h, section 22a-381d, 22a-449, 22a-461, 23-37, 23-38, 23-
263 46 or 23-61b, subsection (a) or (b) of section 23-65, section 25-37, 25-40,
264 26-19, 26-21, 26-31, 26-40, 26-40a, 26-49, 26-54, 26-59, 26-61, 26-64, 26-79,
265 26-89, 26-97, 26-107, 26-117, 26-128, 26-131, 26-132, 26-138, 26-141, 26-
266 207, 26-215, 26-224a, 26-227, 26-230, 26-294, 28-13, 29-6a, 29-109, 29-
267 143o, 29-143z or 29-156a, subsection (b), (d), (e) or (g) of section 29-
268 161q, section 29-161y, 29-161z, 29-198, 29-210, 29-243, 29-277,
269 subsection (c) of section 29-291c, section 29-316, 29-318, 29-381, 30-48a,
270 30-86a, 31-3, 31-10, 31-11, 31-12, 31-13, 31-14, 31-15, 31-16, 31-18, 31-23,
271 31-24, 31-25, 31-28, 31-32, 31-36, 31-38, 31-38a, 31-40, 31-44, 31-47, 31-48,
272 31-51, 31-51k, 31-52, 31-52a or 31-54, subsection (a) or (c) of section 31-
273 69, section 31-70, 31-74, 31-75, 31-76, 31-76a, 31-89b or 31-134,
274 subsection (i) of section 31-273, section 31-288, 36a-787, 42-230, 45a-450,
275 45a-634 or 45a-658, subdivision (13) or (14) of section 46a-54, section
276 46a-59, 46b-22, 46b-24, 46b-34, 46b-38dd, 46b-38gg, 46b-38kk, 47-34a,
277 47-47, 49-8a, 49-16 or 53-133, or section 53-212a, 53-249a, 53-252, 53-264,
278 53-302a, 53-303e, 53-311a, 53-321, 53-322, 53-323, 53-331, 53-344 or 53-
279 450, or (2) a violation under the provisions of chapter 268, or (3) a
280 violation of any regulation adopted in accordance with the provisions
281 of section 12-484, 12-487 or 13b-410, or (4) a violation of any ordinance,
282 regulation or bylaw of any town, city or borough, except violations of
283 building codes and the health code, for which the penalty exceeds
284 ninety dollars but does not exceed two hundred fifty dollars, unless

285 such town, city or borough has established a payment and hearing
286 procedure for such violation pursuant to section 7-152c, shall follow
287 the procedures set forth in this section."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2011</i>	22-344
Sec. 2	<i>October 1, 2011</i>	New section
Sec. 3	<i>October 1, 2011</i>	22-354(a)
Sec. 4	<i>October 1, 2011</i>	51-164n(b)