



General Assembly

February Session, 2012

**Raised Bill No. 5409**

LCO No. 1894

\*01894\_\_\_\_\_ENV\*

Referred to Committee on Environment

Introduced by:  
(ENV)

**AN ACT CONCERNING PET SHOPS AND CONSUMER  
REIMBURSEMENT FOR CERTAIN VETERINARY EXPENSES AND  
PROHIBITING PET SHOPS FROM SELLING DOGS AND CATS  
OBTAINED FROM SUBSTANDARD DOMESTIC ANIMAL MILLS.**

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

1 Section 1. Subsection (b) of section 22-344b of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective*  
3 *October 1, 2012*):

4 (b) If, (1) within twenty days of sale, any such dog or cat becomes ill  
5 or dies of any illness which existed in such dog or cat at the time of the  
6 sale, or (2) within six months of sale, any such dog or cat is diagnosed  
7 with a congenital defect that adversely affects or will adversely affect  
8 the health of such dog or cat, such licensee shall [,] reimburse such  
9 consumer not more than five hundred dollars for services and  
10 medications provided to such dog or cat by any veterinarian licensed  
11 pursuant to chapter 384 for the treatment of such illness or congenital  
12 defect upon the presentation by such consumer to such licensee of a  
13 certificate from such veterinarian that such dog or cat suffers or  
14 suffered from such illness or congenital defect. No licensee may

15 require the consumer to return such dog or cat to such licensee to  
16 receive such reimbursement. In addition to any such reimbursement  
17 and at the option of [the] such consumer, such licensee shall replace  
18 the dog or cat or refund in full the purchase price of such dog or cat:  
19 (A) In the case of illness or such congenital defect, upon return of the  
20 dog or cat to the pet shop and the receipt of a certificate from a  
21 veterinarian licensed under chapter 384 and selected by the consumer,  
22 stating that the dog or cat is ill from a condition which existed at the  
23 time of sale, or suffers from such congenital defect, and (B) in the case  
24 of death, the receipt of a certificate from a veterinarian licensed under  
25 chapter 384 and selected by the consumer, stating that the dog or cat  
26 died from an illness or a congenital defect which existed at the time of  
27 sale. [Any costs for services and medications provided by a licensed  
28 veterinarian incurred by the consumer for such illness or such  
29 congenital defect shall be reimbursed to the consumer by such licensee  
30 in an amount not to exceed five hundred dollars.] The presentation of  
31 such certificate shall be sufficient proof to claim reimbursement or  
32 replacement and the return of such deceased dog or cat to the pet shop  
33 shall not be required. No such refund or replacement shall be made if  
34 such illness or death resulted from maltreatment or neglect by a person  
35 other than the licensee or such licensee's agent or employee. A licensee  
36 shall not be subject to the obligations imposed by this subsection for  
37 the sale of a cat where such cat has been spayed or neutered prior to its  
38 sale. The commissioner may prescribe the content, size, type size and  
39 posting location for a sign to be posted in the establishment of each  
40 licensee to inform customers of customer rights pursuant to this  
41 subsection.

42 Sec. 2. Subsection (f) of section 22-344 of the 2012 supplement to the  
43 general statutes is repealed and the following is substituted in lieu  
44 thereof (*Effective October 1, 2012*):

45 (f) The commissioner may, at any time, inspect or cause to be  
46 inspected by the commissioner's agents any such commercial kennel,  
47 pet shop, grooming facility or training facility, and if, (1) in the

48 commissioner's judgment such kennel, pet shop, grooming facility or  
49 training facility is not being maintained in a sanitary and humane  
50 manner or in a manner that protects the public safety, (2) the  
51 commissioner finds that contagious, infectious or communicable  
52 disease or other unsatisfactory conditions exist, or (3) in the case of a  
53 pet shop, the commissioner finds any violation of the provisions of  
54 section 22a-381d, the commissioner [may] shall fine such commercial  
55 kennel, pet shop, grooming facility or training facility not less than five  
56 hundred dollars for each animal that is the subject of such violation  
57 and shall issue such orders as the commissioner deems necessary for  
58 the correction of such conditions and may quarantine the premises and  
59 animals. If the owner or keeper of such kennel, pet shop, grooming  
60 facility or training facility fails to comply with the regulations or  
61 orders of the commissioner, or fails to comply with any provision of  
62 the statutes or regulations relating to dogs or other animals, the  
63 commissioner may revoke or suspend such license. Any person  
64 aggrieved by any order issued under the provisions of this section may  
65 appeal therefrom in accordance with the provisions of section 4-183.  
66 Any person maintaining any commercial kennel, pet shop, grooming  
67 facility or training facility without having obtained a license for the  
68 same or after any such license has been revoked or suspended as  
69 provided herein shall be fined not more than two hundred dollars. The  
70 provisions of this section shall not apply to veterinary hospitals, except  
71 those boarding or grooming dogs for nonmedical purposes, and other  
72 establishments where all the dogs or animals were born and raised on  
73 the premises where they are kept for sale.

74 Sec. 3. Subsection (b) of section 22-354 of the 2012 supplement to the  
75 general statutes is repealed and the following is substituted in lieu  
76 thereof (*Effective October 1, 2012*):

77 (b) Any dog sold or offered for sale by a pet shop licensee in this  
78 state shall be accompanied by a certificate of origin identifying the  
79 name and address of the person, firm or corporation that bred such  
80 dog and of any person, firm or corporation that sold such dog to such

81 pet shop licensee. Such certificate shall be in a form as prescribed by  
82 the Commissioner of Agriculture. Such information contained in the  
83 certificate of origin shall be posted on the sign described in section 22-  
84 344d and such information shall be visible to customers. A copy of  
85 such certificate shall be provided to the purchaser of such dog at the  
86 time of sale and shall be filed by such licensee with the Department of  
87 Agriculture not later than seven days after such sale. No pet shop  
88 licensee shall purchase a dog or cat for resale from a breeder or other  
89 person, firm or corporation located outside of this state that is not in  
90 possession of a current license issued by the United States Department  
91 of Agriculture and any applicable state agency. Any pet shop licensee  
92 violating the provisions of this subsection shall be fined not more than  
93 one hundred dollars [or imprisoned not more than thirty days, or  
94 both,] for each animal that is the subject of such violation. Each day a  
95 pet shop licensee is in violation of this subsection shall constitute a  
96 separate offense.

97 Sec. 4. (NEW) (*Effective July 1, 2012*) (a) For purposes of this section,  
98 "substandard domestic animal mill" means any facility: (1) Where dogs  
99 or cats are housed in a cage without being allowed daily exercise, (2)  
100 where dogs or cats are not maintained in a dry and reasonably clean  
101 condition, (3) that does not provide adequate protection for such dogs  
102 or cats from the elements, (4) that does not provide clean and potable  
103 water for such dogs and cats at all times, (5) that does not provide  
104 proper and nutritious food for such dogs or cats, (6) that houses dogs  
105 or cats in an enclosure with floors that are not constructed in a manner  
106 that protects the dogs' or cats' feet and legs from injury, (7) that houses  
107 dogs or cats in an enclosure that does not allow them to turn around  
108 freely or to sit, stand or lie down comfortably, or (8) that maintains  
109 dogs or cats in an enclosure that is not at least six inches higher than  
110 the head height of the tallest dog or cat in such enclosure.

111 (b) No pet shop licensed pursuant to section 22-344 of the general  
112 statutes, as amended by this act, shall sell a dog or cat to the public if  
113 such dog or cat was obtained by such pet shop from a substandard

114 domestic animal mill.

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|---|------------------------|-------------|
| This act shall take effect as follows and shall amend the following sections: |                        |             |
| Section 1   | <i>October 1, 2012</i> | 22-344b(b)  |
| Sec. 2  | <i>October 1, 2012</i> | 22-344(f)   |
| Sec. 3  | <i>October 1, 2012</i> | 22-354(b)   |
| Sec. 4  | <i>July 1, 2012</i>    | New section |

**Statement of Purpose:**

To facilitate the reimbursement to consumers for veterinary bills incurred for the care of sick dogs or cats adopted from pet shops, to clarify certain pet shop penalty statutes and to prohibit pet shops from selling dogs and cats obtained from substandard domestic animal mills.

*[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.]*