



General Assembly

Substitute Bill No. 5409

February Session, 2012

* HB05409ENV 032612 *

**AN ACT CONCERNING PET SHOPS AND CONSUMER
REIMBURSEMENT FOR CERTAIN VETERINARY EXPENSES.**

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2 repealed and the following is substituted in lieu thereof (*Effective*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) (1) If, [(1)] (A) within twenty days of sale, any such dog or cat
5 becomes ill or dies of any illness which existed in such dog or cat at the
6 time of the sale, or [(2)] (B) within six months of sale, any such dog or
7 cat is diagnosed with a congenital defect that adversely affects or will
8 adversely affect the health of such dog or cat, such licensee shall [,]
9 reimburse such consumer not more than five hundred dollars for
10 services and medications provided to such dog or cat by any
11 veterinarian licensed pursuant to chapter 384 for the treatment of such
12 illness or congenital defect upon the presentation by such consumer to
13 such licensee of a certificate from such veterinarian that such dog or
14 cat suffers or suffered from such illness or congenital defect. No
15 licensee may require the consumer to return such dog or cat to such
16 licensee to receive such reimbursement. Such licensee shall, in addition
17 to any such reimbursement, and at the option of [the] such consumer,
18 replace the dog or cat or refund in full the purchase price of such dog
19 or cat: [(A)] (i) In the case of illness or such congenital defect, upon

20 return of the dog or cat to the pet shop and the receipt of a certificate
21 from a veterinarian licensed under chapter 384 and selected by the
22 consumer, stating that the dog or cat is ill from a condition which
23 existed at the time of sale, or suffers from such congenital defect, and
24 [(B)] (ii) in the case of death, the receipt of a certificate from a
25 veterinarian licensed under chapter 384 and selected by the consumer,
26 stating that the dog or cat died from an illness or a congenital defect
27 which existed at the time of sale. [Any costs for services and
28 medications provided by a licensed veterinarian incurred by the
29 consumer for such illness or such congenital defect shall be reimbursed
30 to the consumer by such licensee in an amount not to exceed five
31 hundred dollars.] The presentation of such certificate shall be sufficient
32 proof to claim reimbursement or replacement and the return of such
33 deceased dog or cat to the pet shop shall not be required. No such
34 refund or replacement shall be made if such illness or death resulted
35 from maltreatment or neglect by a person other than the licensee or
36 such licensee's agent or employee. A licensee shall not be subject to the
37 obligations imposed by this subsection for the sale of a cat where such
38 cat has been spayed or neutered prior to its sale.

39 (2) The commissioner may prescribe the content, size, type size and
40 posting location for a sign to be posted in the establishment of each
41 licensee to inform customers of customer rights pursuant to this
42 subsection.

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

46 (f) The commissioner may, at any time, inspect or cause to be
47 inspected by the commissioner's agents any such commercial kennel,
48 pet shop, grooming facility or training facility, and if, (1) in the
49 commissioner's judgment such kennel, pet shop, grooming facility or
50 training facility is not being maintained in a sanitary and humane
51 manner or in a manner that protects the public safety, (2) the
52 commissioner finds that contagious, infectious or communicable

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

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2012	22-344b(b)
Sec. 2	October 1, 2012	22-344(f)

ENV *Joint Favorable Subst.*