



General Assembly

Amendment

February Session, 2012

LCO No. 3984

HB0540903984HR0

Offered by:

REP. CHAPIN, 67th Dist.
REP. DAVIS P., 117th Dist.
REP. ESPOSITO, 116th Dist.

REP. DARGAN, 115th Dist.
REP. KLARIDES, 114th Dist.
REP. CANDELORA, 86th Dist.

To: Subst. House Bill No. 5409

File No. 392

Cal. No. 302

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

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

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4 repealed and the following is substituted in lieu thereof (*Effective*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

6 (b) (1) If, [(1)] (A) within twenty days of sale, any such dog or cat
7 becomes ill or dies of any illness which existed in such dog or cat at the
8 time of the sale, or [(2)] (B) within six months of sale, any such dog or
9 cat is diagnosed with a congenital defect that adversely affects or will
10 adversely affect the health of such dog or cat, such licensee shall: [,] (i)
11 Reimburse such consumer not more than five hundred dollars for
12 services and medications provided to such dog or cat by any
13 veterinarian licensed pursuant to chapter 384 for the treatment of such

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

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

44 Sec. 2. Subsections (a) and (b) of section 26-40a of the general
45 statutes are repealed and the following is substituted in lieu thereof
46 (*Effective October 1, 2012*):

47 (a) No person shall possess a potentially dangerous animal. For the
48 purposes of this section, the following wildlife, or any hybrid thereof,
49 shall be considered potentially dangerous animals:

50 (1) The felidae, including, but not limited to, the lion, leopard,
51 cheetah, jaguar, ocelot, jaguarundi cat, puma, lynx and bobcat;

52 (2) The canidae, including, but not limited to, the wolf, and coyote;

53 (3) The ursidae, including, but not limited to, the black bear, grizzly
54 bear and brown bear; and

55 (4) The hominidae, including, but not limited to, the gorilla,
56 chimpanzee and orangutan.

57 (b) A primate that weighs less than thirty-five pounds at maturity
58 and that was imported or possessed by a person in this state prior to
59 October 1, [2003] 2010, shall not be considered a potentially dangerous
60 animal pursuant to this section.

61 Sec. 3. Subsection (a) of section 26-55 of the general statutes is
62 repealed and the following is substituted in lieu thereof (*Effective*
63 *October 1, 2012*):

64 (a) Except as provided in subsection (c) of this section, no person
65 shall import or introduce into the state, or possess or liberate therein,
66 any live fish, wild bird, wild mammal, reptile, amphibian or
67 invertebrate unless such person has obtained a permit therefor from
68 the commissioner. Such permit may be issued at the discretion of the
69 commissioner under such regulations as the commissioner may
70 prescribe. The commissioner shall by regulation prescribe the numbers
71 of live fish, wild birds, wild mammals, reptiles, amphibians or
72 invertebrates of certain species which may be imported, possessed,
73 introduced into the state or liberated therein. The commissioner may
74 by regulation exempt certain species or groups of live fish from the
75 permit requirements. The commissioner shall by regulation determine
76 which species of wild birds, wild mammals, reptiles, amphibians or

77 invertebrates must meet permit requirements. The commissioner may
 78 totally prohibit the importation, possession, introduction into the state
 79 or liberation therein of certain species which the commissioner has
 80 determined may be a potential threat to humans, agricultural crops or
 81 established species of plants, fish, birds, mammals, reptiles,
 82 amphibians or invertebrates. The commissioner shall by regulation
 83 exempt from permit requirements organizations or institutions such as
 84 municipal parks, zoos, laboratories and research facilities maintained
 85 by scientific or educational institutions, museums, public nonprofit
 86 aquaria or nature centers where live fish, wild birds, wild mammals,
 87 reptiles, amphibians or invertebrates are held in strict confinement. For
 88 the purpose of this subsection and any regulation adopted pursuant to
 89 this subsection, ferrets (*Mustela putorius*), hedgehogs of the family
 90 *Erinaceidae*, genera *Atelerix*, sugar gliders (*Petaurus breviceps*) and
 91 degu (*Octodon degus*) shall not be deemed to be wild mammals."

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>	26-40a(a) and (b)
Sec. 3	<i>October 1, 2012</i>	26-55(a)