



House of Representatives

General Assembly

File No. 451

January Session, 2013

Substitute House Bill No. 5027

House of Representatives, April 11, 2013

The Committee on Environment reported through REP. GENTILE of the 104th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT PROHIBITING THE SALE OF DOGS AND CATS OBTAINED FROM SUBSTANDARD DOMESTIC ANIMAL MILLS AND REQUIRING A STANDARD OF CARE APPLICABLE TO ANIMAL IMPORTERS.

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

1 Section 1. (NEW) (*Effective July 1, 2013*) (a) For purposes of this
2 section, "substandard domestic animal mill" means any facility in this
3 state: (1) Where dogs or cats are housed in a cage without being
4 allowed daily exercise, (2) where dogs or cats are not maintained in a
5 dry and reasonably clean condition, (3) that does not provide adequate
6 protection for such dogs or cats from the elements, (4) that does not
7 provide clean and potable water for such dogs and cats at all times, (5)
8 that does not provide proper and nutritious food for such dogs or cats,
9 (6) that houses dogs or cats in an enclosure with floors that are not
10 constructed in a manner that protects the dogs' or cats' paws and legs
11 from injury, (7) that houses dogs or cats in an enclosure that does not
12 allow them to turn around freely or to sit, stand or lie down
13 comfortably, or (8) that maintains dogs or cats in an enclosure that is
14 not at least six inches higher than the head height of the tallest dog or

15 cat in such enclosure.

16 (b) No person shall operate a substandard domestic animal mill in
17 this state.

18 (c) No pet shop licensed pursuant to section 22-344 of the general
19 statutes, as amended by this act, shall sell a dog or cat to the public if
20 such dog or cat was obtained by such pet shop from a substandard
21 domestic animal mill.

22 Sec. 2. Subsection (e) of section 22-344 of the general statutes is
23 repealed and the following is substituted in lieu thereof (*Effective from*
24 *passage*):

25 (e) (1) No animal importer shall import any dog or cat into this state
26 until such person registers as an animal importer with the
27 commissioner. Such registration shall be on a form as prescribed by the
28 commissioner. Such registration shall require the submission of the
29 following information: (A) The name, mailing address, business
30 address, telephone number and Internet address of such registrant, (B)
31 if such registrant is domiciled out-of-state, the name, Connecticut
32 address and phone number of a Connecticut-based agent for service of
33 process, and (C) the number of animals brought into the state during
34 the prior year by such animal importer and the state or country of
35 origin for each such animal. Such registration shall be accompanied by
36 payment of a fee of one hundred dollars and shall be valid until the
37 December thirty-first following such registration. Such registration
38 shall be renewed annually, in accordance with the provisions of this
39 subsection, provided the commissioner determines that such registrant
40 complies with any requirements provided by the commissioner as to
41 the health, safety and humane treatment of animals that is applicable
42 to animal importers. Such registration shall not be required for any
43 employee or volunteer of a registered animal importer or other person
44 who is required to be licensed pursuant to the provisions of this
45 chapter, provided such employee, volunteer or other person is not
46 otherwise an animal importer. Any person who violates the provisions
47 of this subdivision shall be fined not more than five hundred dollars.

48 (2) Any animal importer who intends to offer for sale, adoption or
49 transfer any dog or cat at a venue or location that is open to the public
50 or at an outdoor location, including, but not limited to, a parking lot or
51 shopping center, shall provide notice to the Department of Agriculture
52 and the municipal zoning enforcement officer of the town where any
53 such sale, adoption or transfer will occur, not later than ten days prior
54 to such event. Such notice shall state the date for such sale, adoption or
55 transfer event, the exact location of such event and the anticipated
56 number of animals for sale, adoption or transfer at such event. Any
57 person who fails to provide notice as required pursuant to this
58 subdivision shall be fined not more than one hundred dollars per
59 animal that is offered for sale, adoption or transfer at such event.

60 (3) For the purpose of this subsection, "animal importer" means a
61 person who brings any dog or cat into this state from any other
62 sovereign entity for the purpose of offering such dog or cat to any
63 person for sale, adoption or transfer in exchange for any fee, sale,
64 voluntary contribution, service or any other consideration. "Animal
65 importer" includes any commercial or nonprofit animal rescue or
66 adoption, humane relocation or delivery organization that is not
67 otherwise required to be licensed under the provisions of this chapter.

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

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

76 (6) Not later than December 31, 2013, the Commissioner of
77 Agriculture shall prescribe the conditions that constitute the humane
78 treatment of animals that is applicable to animal importers. Such
79 conditions shall include, but not be limited to, the appropriate shelter,
80 availability of food and water and standard of care to be provided by

81 an animal importer to such animals.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2013</i>	New section
Sec. 2	<i>from passage</i>	22-344(e)

ENV *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill, which requires the Department of Agriculture to prescribe conditions for the humane treatment of animals applicable to animal importers, does not result in a fiscal impact.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**sHB 5027*****AN ACT PROHIBITING THE SALE OF DOGS AND CATS OBTAINED FROM SUBSTANDARD DOMESTIC ANIMAL MILLS AND REQUIRING A STANDARD OF CARE APPLICABLE TO ANIMAL IMPORTERS.*****SUMMARY:**

This bill prohibits (1) the operation of a substandard domestic animal mill in Connecticut and (2) state-licensed pet shops from selling dogs or cats obtained from such a mill. The bill does not specify the penalty for violations.

The bill also requires the agriculture commissioner, by December 31, 2013, to prescribe the conditions that constitute humane treatment of animals by animal importers. The conditions must include the appropriate shelter, availability of food and water, and standard of care animal importers must provide for imported animals.

By law, animal importers, those who bring dogs or cats into Connecticut for sale, adoption, or transfer, must register with the commissioner and comply with any requirements he prescribes for the health, safety, and humane treatment of imported animals. Violators are not allowed to renew their registration. People acting as animal importers without being properly registered are subject to a fine of up to \$500.

EFFECTIVE DATE: Upon passage, except for the provisions concerning substandard domestic animal mills, which are effective July 1, 2013.

SUBSTANDARD DOMESTIC ANIMAL MILL

The bill defines a “substandard domestic animal mill” as a facility

that keeps dogs or cats in Connecticut:

1. where the animals are (a) caged without being allowed daily exercise or (b) not kept dry and reasonably clean;
2. that does not provide the animals (a) adequate protection from the elements, (b) clean and potable water at all times, or (c) proper and nutritious food; or
3. that houses the animals in an enclosure that (a) has floors constructed in a way that does not protect the animals' paws and legs from injury; (b) does not allow them to turn around freely or sit, stand, or lie down comfortably; or (c) is not at least six inches higher than the head of the tallest animal in the enclosure.

COMMITTEE ACTION

Environment Committee

Joint Favorable Substitute

Yea 28 Nay 0 (03/25/2013)