



General Assembly

February Session, 2014

Amendment

LCO No. 4552

SB0044504552SD0

Offered by:

SEN. MEYER, 12th Dist.
SEN. CHAPIN, 30th Dist.
SEN. DUFF, 25th Dist.
SEN. MCKINNEY, 28th Dist.
REP. GENTILE, 104th Dist.

REP. SHABAN, 135th Dist.
REP. CANDELORA, 86th Dist.
REP. KUPCHICK, 132nd Dist.
REP. MINER, 66th Dist.

To: Subst. Senate Bill No. 445

File No. 461

Cal. No. 295

**"AN ACT CONCERNING CERTAIN RECOMMENDATIONS OF THE
TASK FORCE ON THE SALE OF CATS AND DOGS FROM
INHUMANE ORIGINS AT CONNECTICUT PET SHOPS."**

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

3 "Section 1. Section 22-344c of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective October 1, 2014*):

5 (a) If a town requires the licensure of persons keeping ten or more
6 unneutered or unspayed dogs capable of breeding, such persons shall
7 apply to the clerk of the town in which such dogs are located for a
8 license. Such town clerk, if the zoning enforcement official has certified
9 that the location where such dogs shall be kept conforms to the zoning
10 regulations of the municipality, shall issue to such applicant a license,
11 for a reasonable fee to be determined by the town, on a form

12 prescribed by the town for a period, from the date of such application
13 until the thirtieth day of the ensuing June which license shall specify
14 the name and number of the dogs, the name of the owner and, if
15 applicable, the name of a keeper. Each such license may be renewed
16 from year to year by the town clerk upon application of such owner or
17 keeper.

18 (b) The Commissioner of Agriculture, the Chief Animal Control
19 Officer or any animal control officer may at any time inspect or cause
20 to be inspected any location, required by a town to be licensed,
21 keeping ten or more unneutered or unspayed dogs capable of
22 breeding, by a registered veterinarian appointed by the commissioner
23 and if, in the judgment of the commissioner: [, such] (1) Such location
24 is not being maintained in a sanitary and humane manner, (2) the
25 owner or keeper of such location does not comply with the standard of
26 care applicable to breeders, as described in subsection (e) of this
27 section, or (3) if [he] the commissioner finds that communicable or
28 infectious disease or other unsatisfactory conditions exist, [he] the
29 commissioner may issue such orders as [he] the commissioner deems
30 necessary for the correction of such conditions and may quarantine the
31 premises and animals. If the owner or keeper of such location fails to
32 comply with such orders, the commissioner may recommend the
33 revocation or suspension of such license to the town which issued such
34 license.

35 (c) Any person aggrieved by any order issued under the provisions
36 of this section may appeal to the Superior Court in accordance with the
37 provisions of section 4-183.

38 (d) Any person keeping ten or more unneutered or unspayed dogs
39 capable of breeding, in a location required to be licensed, after such
40 license has been revoked or suspended as herein provided shall be
41 fined not less than fifty dollars or more than one hundred dollars.

42 (e) Not later than December 31, 2014, the Commissioner of
43 Agriculture shall prescribe the standard of care to be provided to dogs

44 or cats, as applicable, by any person who: (1) Keeps ten or more
45 unneutered or unspayed dogs capable of breeding, or (2) owns or
46 operates a breeding cattery. Such standard of care shall be consistent
47 with the standard of care to be provided by an animal importer, as
48 prescribed pursuant to subdivision (6) of subsection (e) of section 22-
49 344.

50 Sec. 2. Section 22-344b of the general statutes is repealed and the
51 following is substituted in lieu thereof (*Effective October 1, 2014*):

52 (a) A pet shop licensee shall, prior to offering a dog or cat for sale
53 and thereafter at intervals of fifteen days until such dog or cat is sold,
54 provide for examination of such dog or cat by a veterinarian licensed
55 under chapter 384. Such licensee shall maintain a record of the
56 veterinary services rendered for each dog or cat offered for sale.

57 (b) (1) If, (A) within twenty days of sale, any such dog or cat
58 becomes ill or dies of any illness which existed in such dog or cat at the
59 time of the sale, or (B) within six months of sale, any such dog or cat is
60 diagnosed with a congenital defect that adversely affects or will
61 adversely affect the health of such dog or cat, such licensee shall: (i)
62 Reimburse such consumer [not more than five hundred dollars] for the
63 value of the actual services and medications provided to such dog or
64 cat by any veterinarian licensed pursuant to chapter 384 for the
65 treatment of such illness or congenital defect upon the presentation by
66 such consumer to such licensee of a certificate from such veterinarian
67 that such dog or cat suffers or suffered from such illness or congenital
68 defect, provided such reimbursement shall not exceed (I) the full
69 purchase price of such dog or cat for any dog or cat purchased for five
70 hundred dollars or more, and (II) five hundred dollars for any dog or
71 cat purchased for less than five hundred dollars. No licensee may
72 require the consumer to return such dog or cat to such licensee to
73 receive such reimbursement, or (ii) at the option of such consumer,
74 replace the dog or cat or refund in full the purchase price of such dog
75 or cat: (I) In the case of illness or such congenital defect, upon return of
76 the dog or cat to the pet shop and the receipt of a certificate from a

77 veterinarian licensed under chapter 384 and selected by the consumer,
78 stating that the dog or cat is ill from a condition which existed at the
79 time of sale, or suffers from such congenital defect, and (II) in the case
80 of death, the receipt of a certificate from a veterinarian licensed under
81 chapter 384 and selected by the consumer, stating that the dog or cat
82 died from an illness or a congenital defect which existed at the time of
83 sale. The presentation of such certificate shall be sufficient proof to
84 claim reimbursement or replacement and the return of such deceased
85 dog or cat to the pet shop shall not be required. Any such consumer
86 may seek the assistance of the Commissioner of Agriculture in the
87 event that the licensee fails to reimburse such consumer in accordance
88 with the provisions of this subsection. No such refund or replacement
89 shall be made if such illness or death resulted from maltreatment or
90 neglect by a person other than the licensee or such licensee's agent or
91 employee. A licensee shall not be subject to the obligations imposed by
92 this subsection for the sale of a cat where such cat has been spayed or
93 neutered prior to its sale.

94 (2) Each pet shop licensee who sells dogs or cats shall post a
95 statement of customer rights pursuant to this section in a location that
96 is readily visible to the public and also provide a copy of such
97 statement to any purchaser of a dog or cat at the time of purchase. The
98 commissioner shall prescribe the content of such statement. Any
99 statement of customer rights posted pursuant to this section shall be
100 printed in black lettering of not less than twenty point size upon a
101 white background. Any licensee who violates the provisions of this
102 subdivision shall be fined two hundred fifty dollars.

103 [(c) A licensee who violates any provision of this section shall forfeit
104 to the state a sum not to exceed five hundred dollars for each animal
105 which is the subject of the violation. The Attorney General, upon
106 complaint of the commissioner, may institute a civil action in the
107 superior court for the judicial district of Hartford to recover the
108 forfeiture specified in this section.]

109 (c) Any licensee who violates any provision of subsection (a) or

110 subdivision (1) of subsection (b) of this section shall be fined not more
111 than five hundred dollars. Any fine assessed pursuant to this
112 subsection for a failure to reimburse a consumer, as described in
113 subsection (b) of this section, shall not preclude or be in lieu of any
114 such reimbursement.

115 Sec. 3. Section 22-344d of the general statutes is repealed and the
116 following is substituted in lieu thereof (*Effective October 1, 2014*):

117 (a) A sign measuring not less than three inches in height and not
118 less than five inches in width shall be posted on the cage of each dog
119 offered for sale in a pet shop. The sign shall contain information
120 printed in black lettering on a white background listing the breed of
121 such dog, the locality and state in which such dog was born, and any
122 individual identification number of such dog as listed on the official
123 certificate of veterinary inspection from the state of origin.

124 (b) A sign shall be posted stating the following: "THE FOLLOWING
125 INFORMATION IS ALWAYS AVAILABLE ON ALL OUR PUPPIES:
126 DATE OF BIRTH, THE STATE OF BIRTH, BREED, SEX AND COLOR,
127 THE DATE THE PET SHOP RECEIVED THE PUPPY, THE NAMES
128 AND REGISTRATION NUMBERS OF THE PARENTS (FOR AKC
129 REGISTERABLE PUPPIES), RECORD OF INOCULATIONS AND
130 WORMING TREATMENTS AND ANY RECORD OF ANY
131 VETERINARY TREATMENT OR MEDICATIONS RECEIVED TO
132 DATE." Such sign shall include a telephone number at the Department
133 of Agriculture through which information may be obtained regarding
134 complaints about diseased or disabled animals offered for sale. Such
135 sign shall be posted in a place readily visible to the consumer where
136 dogs are offered for sale and printed in black lettering not less than
137 thirty-eight point size upon a white background.

138 (c) Each licensee shall post the United States Department of
139 Agriculture inspection from the prior two-year period reports for the
140 breeder of any dog offered for sale in a pet shop. Such inspection
141 reports shall be posted next to or near the cage of each dog that was

142 purchased from the breeder that is the subject of such inspection
143 reports and made available to any patron regardless of whether such
144 patron purchases said dog.

145 [(c) A licensee who violates any provision of this section shall be
146 liable for a civil penalty not to exceed five hundred dollars. The
147 Attorney General, upon complaint of the Commissioner of
148 Agriculture, may institute a civil action in the superior court for the
149 judicial district of Hartford to recover the penalty specified in this
150 section.]

151 (d) Any licensee who violates any provision of this section shall be
152 fined not more than two hundred fifty dollars.

153 Sec. 4. Section 22-354 of the general statutes is repealed and the
154 following is substituted in lieu thereof (*Effective October 1, 2014*):

155 (a) Any dog or cat imported into this state shall be accompanied by
156 a certificate of health issued no earlier than thirty days prior to the date
157 of importation by a licensed, graduate veterinarian stating that such
158 dog or cat is free from symptoms of any infectious, contagious or
159 communicable disease, and that such dog or cat, if three months of age
160 or older, is currently vaccinated for rabies by a licensed veterinarian. A
161 copy of such health certificate shall be forwarded promptly to the
162 commissioner from the livestock sanitary official of the state of origin.
163 Any dog or cat originating from a rabies quarantine area shall have
164 permission of the State Veterinarian prior to importation into this state.
165 No person, firm or corporation shall import or export for the purposes
166 of sale, adoption or transfer or offering for sale, adoption or transfer
167 any dog or cat under the age of eight weeks unless such dog or cat is
168 transported with its dam and no person, firm or corporation shall sell
169 or offer for adoption or transfer within the state any dog or cat under
170 the age of eight weeks. Any person, firm or corporation violating the
171 provisions of this subsection or bringing any dog or cat into this state
172 from an area under quarantine for rabies shall be fined not more than
173 [five hundred] one thousand dollars. [or imprisoned not more than

174 thirty days, or both.]

175 (b) Any dog sold or offered for sale by a pet shop licensee in this
176 state shall be accompanied by a certificate of origin identifying the
177 name and address of the person, firm or corporation that bred such
178 dog and of any person, firm or corporation that sold such dog to such
179 pet shop licensee. Such certificate shall be in a form as prescribed by
180 the Commissioner of Agriculture. Such information contained in the
181 certificate of origin shall be posted on the sign described in section 22-
182 344d, as amended by this act, and such information shall be visible to
183 customers. A copy of such certificate shall be provided to the
184 purchaser of such dog at the time of sale and shall be filed by such
185 licensee with the Department of Agriculture not later than seven days
186 after such sale. No pet shop licensee shall purchase a dog or cat for
187 resale [from a breeder] or sell or offer for sale any dog or cat purchased
188 from: (1) Any breeder that (A) is not in possession of a current license
189 issued by the United States Department of Agriculture and any
190 applicable state agency, (B) was found to have committed a direct
191 violation of pet dealer-related regulations of the United States
192 Department of Agriculture during the two-year period prior to such
193 purchase, or (C) was found to have committed three or more indirect
194 violations of pet dealer-related regulations of the United States
195 Department of Agriculture during the two-year period prior to such
196 purchase provided such violations pertained to the health or welfare of
197 an animal and were not administrative in nature; or (2) any other
198 person, firm or corporation [located outside of this state that is not]
199 that: (A) Is not in possession of a current license issued by the United
200 States Department of Agriculture and any applicable state agency, (B)
201 was found to have committed a direct violation of pet dealer-related
202 regulations of the United States Department of Agriculture during the
203 two-year period prior to such purchase, (C) was found to have
204 committed three or more indirect violations of pet dealer-related
205 regulations of the United States Department of Agriculture during the
206 two-year period prior to such purchase provided such violations
207 pertained to the health or welfare of an animal and were not

208 administrative in nature, or (D) directly or indirectly, has obtained
 209 such dog or cat from a breeder described in subdivision (1) of this
 210 subsection. Any pet shop licensee violating the provisions of this
 211 subsection shall be fined not more than one [hundred] thousand
 212 dollars [or imprisoned not more than thirty days, or both,] for each
 213 violation. Each day a pet shop licensee is in violation of this subsection
 214 shall constitute a separate offense.

215 Sec. 5. (*Effective October 1, 2014*) Not later than January 1, 2015, the
 216 Commissioner of Agriculture shall submit a report, in accordance with
 217 section 11-4a of the general statutes, to the joint standing committee of
 218 the General Assembly having cognizance of matters relating to the
 219 environment. Such report shall include, but not be limited to, any
 220 legislative recommendations concerning the licensure of pet shops and
 221 the enforcement of any statute or regulation that is applicable to pet
 222 shops."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2014</i>	22-344c
Sec. 2	<i>October 1, 2014</i>	22-344b
Sec. 3	<i>October 1, 2014</i>	22-344d
Sec. 4	<i>October 1, 2014</i>	22-354
Sec. 5	<i>October 1, 2014</i>	New section