



General Assembly

**Amendment**

February Session, 2014

LCO No. 3826

**\*SB0044503826SD0\***

Offered by:

SEN. MEYER, 12<sup>th</sup> Dist.

SEN. DUFF, 25<sup>th</sup> Dist.

REP. KUPCHICK, 132<sup>nd</sup> 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 Section 22-344c of the general statutes is repealed and the  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] less than five hundred dollars  
63 and not more than the purchase price of such dog or cat, whichever is  
64 greater, to compensate such consumer for services and medications  
65 provided to such dog or cat by any veterinarian licensed pursuant to  
66 chapter 384 for the treatment of such illness or congenital defect upon  
67 the presentation by such consumer to such licensee of a certificate from  
68 such veterinarian that such dog or cat suffers or suffered from such  
69 illness or congenital defect. No licensee may require the consumer to  
70 return such dog or cat to such licensee to receive such reimbursement,  
71 or (ii) at the option of such consumer, replace the dog or cat or refund  
72 in full the purchase price of such dog or cat: (I) In the case of illness or  
73 such congenital defect, upon return of the dog or cat to the pet shop  
74 and the receipt of a certificate from a veterinarian licensed under  
75 chapter 384 and selected by the consumer, stating that the dog or cat is  
76 ill from a condition which existed at the time of sale, or suffers from  
77 such congenital defect, and (II) in the case of death, the receipt of a

78 certificate from a veterinarian licensed under chapter 384 and selected  
79 by the consumer, stating that the dog or cat died from an illness or a  
80 congenital defect which existed at the time of sale. The presentation of  
81 such certificate shall be sufficient proof to claim reimbursement or  
82 replacement and the return of such deceased dog or cat to the pet shop  
83 shall not be required. No such refund or replacement shall be made if  
84 such illness or death resulted from maltreatment or neglect by a person  
85 other than the licensee or such licensee's agent or employee. A licensee  
86 shall not be subject to the obligations imposed by this subsection for  
87 the sale of a cat where such cat has been spayed or neutered prior to its  
88 sale.

89 (2) Each pet shop licensee who sells dogs or cats shall post a  
90 statement of customer rights pursuant to this section in a location that  
91 is readily visible to the public and also provide a copy of such  
92 statement to any purchaser of a dog or cat at the time of purchase. The  
93 commissioner shall prescribe the content of such statement. Any  
94 statement of customer rights posted pursuant to this section shall be  
95 printed in black lettering of not less than twenty point size upon a  
96 white background.

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

103 (c) Any licensee who violates any provision of this section shall be  
104 fined not more than one thousand dollars.

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

107 (a) A sign measuring not less than three inches in height and not  
108 less than five inches in width shall be posted on the cage of each dog

109 offered for sale in a pet shop. The sign shall contain information  
110 printed in black lettering on a white background listing the breed of  
111 such dog, the locality and state in which such dog was born, and any  
112 individual identification number of such dog as listed on the official  
113 certificate of veterinary inspection from the state of origin.

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

128 (c) Each licensee shall post the United States Department of  
129 Agriculture inspection from the prior two-year period reports for the  
130 breeder of any dog offered for sale in a pet shop. Such inspection  
131 reports shall be posted on or next to the cage of each dog that was  
132 purchased from the breeder that is the subject of such inspection  
133 reports and made available to any patron regardless of whether such  
134 patron purchases said dog.

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

141 (d) Any licensee who violates any provision of this section shall be  
142 fined not more than five hundred dollars.

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

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

164 (b) Any dog sold or offered for sale by a pet shop licensee in this  
165 state shall be accompanied by a certificate of origin identifying the  
166 name and address of the person, firm or corporation that bred such  
167 dog and of any person, firm or corporation that sold such dog to such  
168 pet shop licensee. Such certificate shall be in a form as prescribed by  
169 the Commissioner of Agriculture. Such information contained in the  
170 certificate of origin shall be posted on the sign described in section 22-  
171 344d, as amended by this act, and such information shall be visible to  
172 customers. A copy of such certificate shall be provided to the  
173 purchaser of such dog at the time of sale and shall be filed by such

174 licensee with the Department of Agriculture not later than seven days  
175 after such sale. No pet shop licensee shall purchase a dog or cat for  
176 resale or sell or offer for sale any dog or cat from: [a breeder or] (1)  
177 Any breeder that (A) is not in possession of a current license issued by  
178 the United States Department of Agriculture and any applicable state  
179 agency, (B) was found to have committed a direct violation of pet  
180 dealer-related regulations of the United States Department of  
181 Agriculture during the two-year period prior to such purchase, or (C)  
182 was found to have committed three or more indirect violations of pet  
183 dealer-related regulations of the United States Department of  
184 Agriculture provided such violations pertained to the health or welfare  
185 of an animal and were not administrative in nature; or (2) any other  
186 person, firm or corporation [located outside of this state that is not]  
187 that: (A) Is not in possession of a current license issued by the United  
188 States Department of Agriculture and any applicable state agency, (B)  
189 was found to have committed a direct violation of pet dealer-related  
190 regulations of the United States Department of Agriculture during the  
191 two-year period prior to such purchase, (C) was found to have  
192 committed three or more indirect violations of pet dealer-related  
193 regulations of the United States Department of Agriculture provided  
194 such violations pertained to the health or welfare of an animal and  
195 were not administrative in nature, or (D) directly or indirectly, has  
196 obtained such dog or cat from a breeder described in subdivision (1) of  
197 this subsection. Any pet shop licensee violating the provisions of this  
198 subsection shall be fined not more than [one] five hundred dollars or  
199 imprisoned not more than thirty days, or both, for each violation. Each  
200 day a pet shop licensee is in violation of this subsection shall constitute  
201 a separate offense.

202 Sec. 5. (Effective October 1, 2014) Not later than January 1, 2015, the  
203 Commissioner of Agriculture shall submit a report, in accordance with  
204 section 11-4a of the general statutes, to the joint standing committee of  
205 the General Assembly having cognizance of matters relating to the  
206 environment. Such report shall include, but not be limited to, any  
207 legislative recommendations concerning the licensure of pet shops and

208 the enforcement of any statute or regulation that is applicable to pet  
209 shops.

210 Sec. 6. Subsection (b) of section 22-344 of the 2014 supplement to the  
211 general statutes is repealed and the following is substituted in lieu  
212 thereof (*Effective October 1, 2014*):

213 (b) (1) No person shall maintain a pet shop until [he] such person  
214 has obtained from the commissioner a license to maintain such pet  
215 shop under such regulations as the commissioner provides as to  
216 sanitation, disease and humane treatment of animals and the  
217 protection of the public safety. Upon written application and the  
218 payment of a fee of two hundred dollars, the commissioner shall issue  
219 such license to be effective until the ensuing December thirty-first  
220 provided the commissioner finds [(1)] (A) that such regulations have  
221 been complied with, and [(2)] (B) in the case of each initial application  
222 for such license, that the zoning enforcement official of the  
223 municipality wherein such pet shop is to be maintained has certified  
224 that the pet shop conforms to the municipal zoning regulations. Such  
225 pet shop license may be transferred by the licensee to another premises  
226 upon the approval of the commissioner. The commissioner, after  
227 consultation with the Commissioners of Public Health and Energy and  
228 Environmental Protection, shall establish and maintain, pursuant to  
229 regulations adopted in accordance with chapter 54, a list of animals  
230 which are deemed to be injurious to the health and safety of the public  
231 or whose maintenance in captivity is detrimental to the health and  
232 safety of the animal. The sale or offer of sale of any animal which is on  
233 said list is prohibited and any person who violates this provision shall  
234 be fined not more than five hundred dollars.

235 (2) No new pet shop licensee who did not hold a pet shop license  
236 prior to the effective date of this section shall sell, offer for adoption or  
237 transfer a dog, or allow a dog to be sold, adopted or transferred to the  
238 public on the premises of a pet shop, unless such dog was obtained  
239 from (A) a publicly-operated animal control facility, or (B) an animal  
240 shelter or rescue organization that is a tax exempt organization under

241 Section 501(c)(3) of the Internal Revenue Code of 1986, or any  
 242 subsequent corresponding internal revenue code of the United States,  
 243 as from time to time amended, whose primary mission and practice is  
 244 the rescue and placement of abandoned, unwanted, neglected or  
 245 abused animals. The total number of licensed premises where dogs  
 246 from sources not enumerated in subparagraph (A) or (B) of this  
 247 subdivision may be sold, offered for adoption or transferred shall not  
 248 exceed sixteen. Any pet shop licensee who violates the provisions of  
 249 this subdivision shall be fined not more than five hundred dollars or  
 250 imprisoned not more than thirty days, or both, for each violation. Each  
 251 animal offered for sale, adoption, or transfer, or sold, adopted or  
 252 transferred in violation of this subdivision shall constitute a separate  
 253 offense.

254 (3) Nothing in this subsection shall be construed to limit or restrict  
 255 any municipality from enacting or enforcing any local law, rule or  
 256 regulation that places additional restrictions on pet shop licensees."

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2014	22-344c
Sec. 2	October 1, 2014	22-344b
Sec. 3	October 1, 2014	22-344d
Sec. 4	October 1, 2014	22-354
Sec. 5	October 1, 2014	New section
Sec. 6	October 1, 2014	22-344(b)