

House of Representatives, April 1, 1998. The Committee on Environment reported through REP. STRATTON, 17th DIST., Chairman of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING THE IMPORTATION AND SALE OF DOGS AND CATS.

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

1 Section 1. Section 22-342 of the general  
2 statutes is repealed and the following is  
3 substituted in lieu thereof:

4 (a) Any owner or keeper of a kennel WHO  
5 BREEDS MORE THAN ONE LITTER OF DOGS ANNUALLY SHALL  
6 APPLY TO THE TOWN CLERK IN THE TOWN IN WHICH SUCH  
7 KENNEL IS LOCATED FOR A KENNEL LICENSE. ANY OWNER  
8 OR KEEPER OF A KENNEL WHO BREEDS NOT MORE THAN ONE  
9 LITTER OF DOGS ANNUALLY may apply to the town  
10 clerk of the town in which such kennel is located  
11 for a kennel license. Such town clerk shall issue  
12 to such applicant a kennel license on a form  
13 prescribed by the commissioner for a period from  
14 the date of such application until the thirtieth  
15 day of the ensuing June. The license shall specify  
16 the name and number of the kennel, the name of the  
17 owner and the name of the keeper and shall be in  
18 lieu of any other license required for any dog of  
19 either sex which may be kept in such kennel during  
20 the period for which the license is issued. Each  
21 license may be renewed from year to year by the  
22 town clerk upon application of such owner or

23 keeper. Each such owner or keeper shall cause to  
24 be kept, upon each dog in such kennel, while it is  
25 at large, a collar or harness of leather or other  
26 suitable material, to which collar or harness  
27 shall be securely attached a tag or plate upon  
28 which shall appear the number of the kennel  
29 license, the name of the town issuing the license  
30 and the year of license. Such plates or tags shall  
31 be furnished by the town clerk of the town in  
32 which such kennel is licensed, at a cost of ten  
33 cents each, in such numbers, not fewer than the  
34 number of dogs kept in such kennel, and at such  
35 time as the licensee may request. The fee for each  
36 kennel license, when no more than ten dogs are  
37 kept in the kennel, shall be fifty dollars, and  
38 for a license for a kennel containing more than  
39 ten dogs, the fee shall be one hundred dollars,  
40 except that in the case of a kennel started after  
41 the first day of July, the license fee for the  
42 remainder of the year shall be a proportional part  
43 of the fee charged for one year. If the owner or  
44 keeper of any established kennel fails to obtain  
45 the kennel license on or before June thirtieth, he  
46 shall pay one dollar for each dog kept therein, in  
47 addition to the regular kennel fee.

48 (b) The commissioner, the Chief [Canine]  
49 ANIMAL Control Officer or any [canine] STATE  
50 ANIMAL control officer may at any time inspect any  
51 kennel INCLUDING ALL FACILITIES IN WHICH DOGS ARE  
52 BRED OR HOUSED or cause it to be inspected by a  
53 [registered] CONNECTICUT LICENSED veterinarian  
54 appointed by the commissioner. If, in the judgment  
55 of the commissioner, such kennel is not being  
56 maintained in GOOD REPAIR AND IN a sanitary and  
57 humane manner or if the commissioner finds that  
58 communicable or infectious disease or other  
59 unsatisfactory conditions exist in the kennel, he  
60 may issue such orders as he deems necessary for  
61 the correction of such conditions and may  
62 quarantine the premises and animals. If the owner  
63 or keeper of such kennel fails to comply with such  
64 orders, the commissioner shall revoke or suspend  
65 the kennel license of such owner or keeper.

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

70 (d) Any person maintaining a kennel after  
71 such license has been revoked or suspended as  
72 herein provided shall be fined not [less than  
73 fifty dollars nor more than one hundred dollars]  
74 MORE THAN ONE THOUSAND DOLLARS OR IMPRISONED NOT  
75 MORE THAN ONE YEAR OR BOTH.

76 (e) ANY OWNER OR KEEPER OF A KENNEL WHO  
77 BREEDS MORE THAN ONE LITTER OF DOGS ANNUALLY AND  
78 (1) FAILS TO OBTAIN A KENNEL LICENSE AS REQUIRED  
79 IN SUBSECTION (a) OF THIS SECTION, OR (2) FAILS TO  
80 ALLOW AN INSPECTION OF SUCH FACILITY AS REQUIRED  
81 IN SUBSECTION (b) OF THIS SECTION SHALL BE FINED  
82 NOT MORE THAN ONE THOUSAND DOLLARS OR IMPRISONED  
83 NOT MORE THAN ONE YEAR OR BOTH.

84 Sec. 2. Section 22-344b of the general  
85 statutes is repealed and the following is  
86 substituted in lieu thereof:

87 (a) A pet shop licensee shall, prior to  
88 offering a dog or cat for sale and thereafter at  
89 intervals of fifteen days until such dog or cat is  
90 sold, provide for examination of such dog or cat  
91 by a veterinarian licensed under chapter 384. The  
92 licensee shall maintain a record of the veterinary  
93 services rendered for each dog or cat offered for  
94 sale.

95 (b) If, within fifteen days of sale, any such  
96 dog or cat becomes ill or dies of any illness  
97 which existed in such dog or cat at the time of  
98 the sale, such licensee shall, at the option of  
99 the consumer, replace the dog or cat or refund in  
100 full the purchase price of such dog or cat: (1) In  
101 the case of illness, upon return of the dog or cat  
102 to the pet shop and the receipt of a certificate  
103 from a veterinarian licensed under chapter 384,  
104 stating that the dog or cat is ill from a  
105 condition which existed at the time of sale, and  
106 (2) in the case of death, the receipt of a  
107 certificate from a veterinarian licensed under  
108 said chapter stating that the dog or cat died from  
109 an illness which existed at the time of sale. ANY  
110 COSTS FOR SERVICES AND MEDICATIONS PROVIDED BY A  
111 LICENSED VETERINARIAN INCURRED BY THE CONSUMER FOR  
112 SUCH ILLNESS SHALL BE REIMBURSED TO THE CONSUMER  
113 BY SUCH LICENSEE IN AN AMOUNT NOT TO EXCEED TWO  
114 HUNDRED DOLLARS. The presentation of such  
115 certificate shall be sufficient proof to claim  
116 reimbursement or replacement and the return of  
117 such deceased dog or cat to the pet shop shall not

118 be required. No such refund or replacement shall  
119 be made if such illness or death resulted from  
120 maltreatment or neglect by a person other than the  
121 licensee, his agent or employee.

122 (c) A licensee who violates any provision of  
123 this section shall forfeit to the state a sum not  
124 to exceed five hundred dollars for each animal  
125 which is the subject of the violation. The  
126 Attorney General, upon complaint of the  
127 commissioner, may institute a civil action in the  
128 superior court for the judicial district of  
129 Hartford-New Britain at Hartford\* to recover the  
130 forfeiture specified in this section.

131 Sec. 3. (NEW) (a) A sign measuring not less  
132 than three inches in height and not less than five  
133 inches in width shall be posted on the cage of  
134 each dog offered for sale in a pet shop. The sign  
135 shall contain information printed in black  
136 lettering on a white background listing the breed  
137 of such dog, the locality and state in which such  
138 dog was born, and any individual identification  
139 number of such dog as listed on the official  
140 certificate of veterinary inspection from the  
141 state of origin.

142 (b) A sign shall be posted stating the  
143 following "THE FOLLOWING INFORMATION IS ALWAYS  
144 AVAILABLE ON ALL OUR PUPPIES: DATE OF BIRTH, THE  
145 STATE OF BIRTH, BREED, SEX AND COLOR, THE DATE THE  
146 PET SHOP RECEIVED THE PUPPY, THE NAMES AND  
147 REGISTRATION NUMBERS OF THE PARENTS (FOR AKC  
148 REGISTERABLE PUPPIES), RECORD OF INOCULATIONS AND  
149 WORMING TREATMENTS AND ANY RECORD OF ANY  
150 VETERINARY TREATMENT OR MEDICATIONS RECEIVED TO  
151 DATE." Such sign shall include a telephone number  
152 at the Department of Agriculture through which  
153 information may be obtained regarding complaints  
154 about diseased or disabled animals offered for  
155 sale. Such sign shall be posted in a place readily  
156 visible to the consumer where dogs are offered for  
157 sale and printed in black lettering not less than  
158 thirty-eight point size upon a white background.

159 (c) A licensee who violates any provision of  
160 this section shall be liable for a civil penalty  
161 not to exceed five hundred dollars. The Attorney  
162 General, upon complaint of the Commissioner of  
163 Agriculture, may institute a civil action in the  
164 superior court for the judicial district of

165 Hartford-New Britain to recover the penalty  
166 specified in this section.

167 Sec. 4. (NEW) No person may sell more than  
168 one dog or cat in any twelve-month period unless  
169 he has obtained a pet shop license under section  
170 22-344 of the general statutes, as amended by this  
171 act, provided this section shall not apply to any  
172 person who has obtained a kennel license under  
173 section 22-342 of the general statutes, as amended  
174 by this act, or in a case in which such dog or cat  
175 was born and raised under the direct supervision  
176 of such person. Any person who violates any  
177 provision of this section shall be assessed a  
178 civil penalty of not more than one thousand  
179 dollars per violation. Each sale in violation of  
180 this section shall be considered a separate and  
181 distinct violation. The Attorney General, upon  
182 request of the Commissioner of Agriculture, shall  
183 institute a civil action in the superior court for  
184 the judicial district of Hartford-New Britain to  
185 recover such penalty.

186 Sec. 5. Subsection (b) of section 22-344 of  
187 the general statutes is repealed and the following  
188 is substituted in lieu thereof:

189 (b) No person shall maintain a pet shop until  
190 he has obtained from the commissioner a license to  
191 maintain such pet shop under such regulations as  
192 the commissioner provides as to sanitation,  
193 disease and humane treatment of animals and the  
194 protection of the public safety. Upon written  
195 application and the payment of a fee of two  
196 hundred dollars, the commissioner shall issue such  
197 license to be effective until the ensuing December  
198 thirty-first provided the commissioner finds (1)  
199 that such regulations have been complied with and  
200 (2) in the case of each initial application for  
201 such license, that the zoning enforcement official  
202 of the municipality wherein such pet shop is to be  
203 maintained has certified that the pet shop  
204 conforms to the municipal zoning regulations. Such  
205 pet shop license may be transferred by the  
206 licensee to another premises upon the approval of  
207 the commissioner. The commissioner, after  
208 consultation with the Commissioners of Public  
209 Health and Environmental Protection, shall  
210 establish and maintain, pursuant to regulations  
211 adopted in accordance with chapter 54, a list of  
212 animals which are deemed to be injurious to the

213 health and safety of the public or whose  
214 maintenance in captivity is detrimental to the  
215 health and safety of the animal. The sale or offer  
216 of sale of any animal which is on said list is  
217 prohibited and any person who violates this  
218 provision shall be fined not more than five  
219 hundred dollars. EACH PET SHOP LICENSED UNDER THIS  
220 SECTION SHALL SUBMIT TO THE COMMISSIONER EVERY  
221 THREE MONTHS ANY INFORMATION WHICH THE SHOP HAS  
222 REGARDING EACH DOG OR CAT SOLD BY IT IN THE  
223 PRECEDING THREE MONTHS, INCLUDING, BUT NOT LIMITED  
224 TO, ANY DOCUMENTATION OF THE TRANSFER OF SUCH  
225 ANIMALS FROM THE BREEDER TO THE PET SHOP.

226 ENV COMMITTEE VOTE: YEA 23 NAY 0 JFS

\* \* \* \* \*

"THE FOLLOWING FISCAL IMPACT STATEMENT AND BILL ANALYSIS ARE PREPARED FOR THE BENEFIT OF 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 HOUSE THEREOF FOR ANY PURPOSE."

\* \* \* \* \*

**FISCAL IMPACT STATEMENT - BILL NUMBER SHB 5495**

STATE IMPACT	Minimal Cost, Within Budgetary Resources, Potential Minimal Revenue Gain, see explanation below
MUNICIPAL IMPACT	Minimal Cost, Within Resources, see explanation below
STATE AGENCY(S)	Department of Agriculture, Criminal Justice Agencies and Office of the Attorney General

**EXPLANATION OF ESTIMATES:**

STATE AND MUNICIPAL IMPACT: Any increase in the workloads of the Department of Agriculture (DOA) due to retaining additional information on dogs for sale in pet shops or municipalities and DOA due to a potential increase in inspections of kennels or facilities where dogs are bred or housed is anticipated to be minimal and handled within budgetary resources.

It is also anticipated that any impact to the criminal justice agencies due to expansion of criminal penalties concerning the revocation of a kennel license, failure to obtain a license or concerning inspections can be handled within existing budgetary and caseload structures.

In addition, it is anticipated that any increase in the caseload of the Office of the Attorney General due to the new civil penalties in this legislation will be minimal and can be handled within budgetary resources.

Any revenue gain to the state due to new civil penalties and increased and new criminal penalties are anticipated to be minimal.

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### OLR BILL ANALYSIS

SHB 5495

#### **AN ACT CONCERNING THE IMPORTATION AND SALE OF DOGS AND CATS**

**SUMMARY:** This bill requires anyone who breeds more than one litter of dogs a year to obtain a kennel license and establishes a penalty of up to a \$1,000 fine, a year in jail, or both for violators. It expands the Department of Agriculture's (DOA) kennel inspection authority and increases the penalty for maintaining a kennel after its license is revoked. By law, a kennel is any collection of dogs kept by one owner and bred for show, sport, or sale. This type of kennel is not a commercial kennel which boards and grooms animals.

The bill requires pet shops to reimburse owners of sick dogs and cats purchased from them for up to \$200 of their veterinarian fees under certain circumstances. It requires pet shops to post a sign (1) on each dog's cage giving information about it and (2) in the shop listing the type of information available about each dog and a DOA phone number to call to complain about a sick animal. The bill establishes a civil penalty of up to \$500 for violating these provisions.

The bill requires pet shop licensees to submit to the DOA every three months any information they have on each dog or cat sold in the preceding three months, including any documentation of the animal's transfer from the breeder to the pet shop.

The bill prohibits anyone from selling more than one dog or cat in any 12-month period unless (1) he has a pet shop license, (2) he has a kennel license (presumably this applies only to dogs), or (3) the dogs or cats were born and raised under his care. Violators may be liable for a civil penalty of up to \$1,000 for each sale.

The bill changes the titles of chief canine control officer and canine control officers to chief animal control officer and state animal control officers, respectively.

EFFECTIVE DATE: October 1, 1998

#### **FURTHER EXPLANATION**

##### **Kennels**

Current law allows anyone who owns or keeps a kennel to apply for a kennel license from the town clerk. The bill instead (1) requires anyone who breeds more than one litter of dogs a year to apply for a kennel license and (2) continues to allow those who breed one litter in a year to apply.

The bill expands the DOA's kennel inspection authority to allow the commissioner, chief animal control officer, or any other state animal control officer to inspect all facilities in which dogs are bred or housed, not just a kennel. Current law allows the commissioner to issue orders to correct problems at a kennel if she finds it is not being maintained in a sanitary and humane manner or that disease or other unsatisfactory conditions exist. The bill also allows her to issue an order if any facility is not being maintained in good repair.

The bill establishes a penalty of up to a \$1,000 fine, up to a year in prison, or both for people who breed more than one litter of dogs a year and do not obtain a kennel license or fail to allow a facility inspection.

The bill increases the penalty for maintaining a kennel after its license has been revoked or suspended from a fine of between \$50 and \$100 to a fine of up to \$1,000, up to a year in prison, or both.

##### **Pet Stores**

**Veterinarian Fees.** By law, if a dog or cat purchased from a pet shop becomes ill or dies of any illness which existed at the time of sale, the pet shop must either replace the animal or refund the full purchase price. The bill also requires the shop to reimburse the animal's owner for up to \$200 of his costs for

veterinarian services and medications.

**Signs.** The bill requires pet shops to post a sign on the cage of each dog offered for sale listing its breed, the locality and state where it was born, and any individual identification number for it listed on the official certificate of veterinary inspection from its state of origin. The sign must be at least three by five inches and the information must be printed in black lettering on a white background.

The bill also requires pet shops to post a sign in a place readily visible to the consumer stating: "The following information is always available on all our puppies: date of birth, the state of birth, breed, sex and color, the date the pet shop received the puppy, the names and registration numbers of the parents (for AKC registerable puppies), record of inoculations and worming treatments, and any record of any veterinary treatment or medications received to date."

The sign must also give a DOA telephone number to call for information regarding complaints about diseased or disabled animals for sale. The information on the sign must be printed in at least 38-point black lettering on a white background.

Violators may be liable for a civil penalty of up to \$500. The DOA commissioner must ask the attorney general to bring a civil action to recover the penalty.

#### **BACKGROUND**

#### **Related Bill**

sSB 236 (File 117) also changes the titles of the canine control officers to "animal control officers" in every section of the statutes where they appear. This bill does not.

#### **COMMITTEE ACTION**

Environment Committee

Joint Favorable Substitute  
Yea 23      Nay 0