

HB 2804 -6 STAFF MEASURE SUMMARY

House Committee On Business and Labor

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Meeting Dates: 3/20, 3/27

WHAT THE MEASURE DOES:

Prohibits retail pet store from selling dog, cat, or rabbit unless acquired from an animal shelter or rescue organization. Makes prohibited sale a Class C violation subject to maximum \$500 fine. Requires pet store to maintain records that document where animal was acquired. Requires pet store to post sign on cage to indicate where animal was acquired. Repeals requirement that retail pet store provide specified information regarding dog being sold.

ISSUES DISCUSSED:

- Legislative Counsel opinion regarding compliance with dormant Commerce Clause
- Options for purchasing a pure bred animal
- Legislation in 2009 regulating dog breeders
- Desire of certain breeders to sell to pet store instead of direct sales to purchaser
- Whether pet stores comply with disclosure law
- Code of ethics of some breeder clubs do not allow sales to pet stores

EFFECT OF AMENDMENT:

-6 Replaces original measure. Prohibits retail pet store from selling dogs or cats. Allows retail pet store to host adoption event held by animal shelter or rescue organization as long as store does not receive any payment from adoption fees or payment for use of store. Makes prohibited sale a Class A violation subject to maximum \$2,000 fine. Repeals requirement that retail pet store provide specified information regarding dog being sold. (Differs from -5 in the definition of "rescue organization.")

BACKGROUND:

Under current law, the only regulation specific to retail pet stores is the requirement that they provide an intended purchaser of a dog with specified information about the dog, including where the dog was born, breed, age, sex, known congenital disorder or hereditary diseases, size of breeding facility, and, if relevant, pedigree information. The information must be provided in writing before the pet store can accept a purchase offer.

House Bill 2804, as amended, prohibits retail pet stores from selling cats or dogs unless the sale was part of an adoption event hosted by the store. Prohibits the retail pet store from accepting any payment associated with the adoption event.