

HOUSE BILL 781

C2

7lr2714

By: **Delegate Kramer**

Introduced and read first time: February 3, 2017

Assigned to: Economic Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 11, 2017

CHAPTER _____

1 AN ACT concerning

2 **Retail Pet Stores – Animal Seller, Dog Cage Signs, and Records – Requirement**
3 **Revisions**

4 FOR the purpose of requiring a retail pet store to ensure that a certain person from whom
5 the retail pet store obtains a cat or dog has not received a certain citation on a certain
6 report for a critical violation within a certain period of time; requiring certain
7 information to be posted on or near each dog's cage in a retail pet store; requiring a
8 certain written record about each dog in the possession of a retail pet store to include
9 certain information; making certain conforming changes; and generally relating to
10 requirements for retail pet stores.

11 BY repealing and reenacting, with amendments,
12 Article – Business Regulation
13 Section 19–702.1(b) and 19–703
14 Annotated Code of Maryland
15 (2015 Replacement Volume and 2016 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
17 That the Laws of Maryland read as follows:

18 **Article – Business Regulation**

19 19–702.1.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



(b) A retail pet store shall ensure that a person under subsection (a)(3) or (4) of this section from which the retail pet store obtains a dog or cat, as of the day the retail pet store receives the dog or cat:

(1) holds a current license under the Animal Welfare Act from the U.S. Department of Agriculture; and

(2) has not received from the U.S. Department of Agriculture, in accordance with an enforcement action of the laws and regulations under the federal Animal Welfare Act:

(i) a citation on a final inspection report for a **[direct] CRITICAL** violation within the 2-year period before the day the dog or cat is received by the retail pet store;

(ii) citations on two or more consecutive final inspection reports for one or more repeat noncompliant items within the 2-year period before the day the dog or cat is received by the retail pet store;

(iii) a citation on both of the two most recent final inspection reports for a no-access violation; or

(iv) three or more citations on the most recent final inspection report for separate noncompliant items other than no-access violations.

19-703.

(a) A retail pet store that sells dogs shall:

(1) post conspicuously on each dog's cage:

(i) the breed, age, and date of birth of the dog, if known;

(ii) **IF OBTAINED FROM A BREEDER OR DEALER**, the state in which the breeder and, if applicable, the dealer of the dog is located; **[and]**

(iii) **IF OBTAINED FROM A BREEDER OR DEALER**, the United States Department of Agriculture license number of the breeder and, if applicable, the dealer;

(IV) IF OBTAINED FROM AN ANIMAL CONTROL UNIT, THE NAME OF THE ANIMAL CONTROL UNIT; AND

(V) IF OBTAINED FROM AN ANIMAL WELFARE ORGANIZATION, THE NAME OF THE ANIMAL WELFARE ORGANIZATION AND THE ORGANIZATION'S FEDERAL TAX IDENTIFICATION NUMBER;

1 **(2) POST CONSPICUOUSLY ON EACH DOG’S CAGE OR, IF THE POSTING**
2 **WOULD BLOCK VIEWING THE DOG IN THE CAGE, NEAR THE DOG’S CAGE, IF OBTAINED**
3 **FROM A BREEDER OR DEALER, THE FINAL INSPECTION REPORTS FOR THE BREEDER**
4 **AND, IF APPLICABLE, THE DEALER, ISSUED BY THE UNITED STATES DEPARTMENT**
5 **OF AGRICULTURE FROM THE 2 YEARS IMMEDIATELY BEFORE THE DATE THE PET**
6 **STORE RECEIVED THE DOG;**

7 ~~(2)~~ **(3)** maintain a written record that includes the following
8 information about each dog in the possession of the retail pet store:

9 (i) the breed, age, and date of birth of the dog, if known;

10 (ii) the sex, color, and any identifying markings of the dog;

11 (iii) documentation of all inoculations, worming treatments, and
12 other medical treatments, if known, including the date of the medical treatment, the
13 diagnoses, and the name and title of the treatment provider;

14 (iv) **IF OBTAINED FROM A BREEDER OR DEALER**, the name and
15 address of:

16 1. the breeder and, if applicable, the dealer who supplied the
17 dog;

18 2. the facility where the dog was born; and

19 3. the transporter or carrier of the dog, if any;

20 (v) **IF OBTAINED FROM A BREEDER OR DEALER**, the United
21 States Department of Agriculture license number of the breeder and, if applicable, the
22 dealer;

23 **(VI) IF OBTAINED FROM A BREEDER OR DEALER, THE FINAL**
24 **INSPECTION REPORTS ISSUED BY THE UNITED STATES DEPARTMENT OF**
25 **AGRICULTURE FROM THE 2 YEARS IMMEDIATELY BEFORE THE DATE THE PET STORE**
26 **RECEIVED THE DOG;**

27 ~~(VI)~~ **(VII)** **IF OBTAINED FROM AN ANIMAL CONTROL UNIT, THE**
28 **NAME AND ADDRESS OF THE ANIMAL CONTROL UNIT;**

29 ~~(VII)~~ **(VIII)** **IF OBTAINED FROM AN ANIMAL WELFARE**
30 **ORGANIZATION, THE NAME AND ADDRESS OF THE ANIMAL WELFARE ORGANIZATION;**

1 [(vi)] ~~(viii)~~ (ix) any identifier information, including a tag, tattoo,
2 collar number, or microchip; and

3 [(vii)] ~~(ix)~~ (x) if the dog is being sold as registered or registrable:

4 1. the names and registration numbers of the sire and dam;
5 and

6 2. the litter number; and

7 ~~(3)~~ (4) for each dog acquired by the retail pet store, maintain a written
8 record of the health, status, and disposition of the dog, including any documents that are
9 required at the time of sale.

10 (b) A retail pet store shall maintain a copy of the records required under
11 subsection ~~(a)(2)~~ (A)(3) of this section for at least 2 years after the date of sale of the dog.

12 (c) A retail pet store shall make the records required under subsection ~~(a)(2)~~
13 (A)(3) of this section available to:

14 (1) the Division of Consumer Protection of the Office of the Attorney
15 General on reasonable notice;

16 (2) any bona fide prospective purchaser on request;

17 (3) the purchaser at the time of a sale; and

18 (4) an animal control unit.

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
20 October 1, 2017.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.