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**Consumer Protection & Business  
Committee**

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**HB 2344**

**Brief Description:** Concerning consumer protection with respect to the sale and adoption of dogs and cats.

**Sponsors:** Representatives Appleton, Walen and Pollet.

**Brief Summary of Bill**

- Prohibits pet stores from selling a dog or cat.
- Establishes requirements for animal care and control agencies and animal rescue groups when displaying a dog or cat for adoption at a pet store.

**Hearing Date:** 1/31/20

**Staff:** Serena Dolly (786-7150).

**Background:**

State law regulates the treatment of animals in a variety of contexts. Animal cruelty statutes prohibit harming or killing animals in most situations and transporting or confining animals in an unsafe manner. State law also requires dog breeding operations to limit the number of adult, intact dogs they have at one time and to meet requirements regarding space, sanitation, and safety.

Certain categories of animal sales are regulated at the federal and state levels. There are federal and state laws regarding the sale of livestock and the sale of animals for use in research. The retail or private sale of domesticated animals is generally not regulated at either the federal or state level; however, the state prohibits a live dog or cat from being named as collateral for a consumer lease or secured transaction. Some local governments also impose regulations on the sale of animals intended for use as pets. Examples of local regulations include imposing licensing requirements on retail pet stores and prohibiting the sale of animals in public places.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

An "animal care and control agency" means any city or county animal control agency or authority authorized to enforce city or county ordinances regulating the care, control, licensing, or treatment of animals. An "animal rescue group" means a nonprofit organization that has a primary purpose of preventing the abuse, neglect, cruelty, exploitation, or homelessness of animals; and exclusively obtains dogs, cats, or other animals for placement that are:

- stray or abandoned;
- surrendered or relinquished by animal owners or caretakers;
- transferred from other animal rescue organizations; or
- born in the care of such nonprofit organization other than through intentional breeding by the nonprofit organization.

### **Summary of Bill:**

A retail pet store may not sell or offer for sale any dog or cat. A retail pet store may collaborate with an animal care and control agency or an animal rescue group to offer space to showcase adoptable dogs or cats. A retail pet store may not have any ownership interest in any animals offered for adoption and may not receive a fee for providing space to showcase adoptable animals. A retail pet store is defined as a for-profit place of business open to the public that offers pet supplies or pets for sale.

When displaying a dog or cat at a retail pet store, the animal care and control agency or animal rescue group must, at a minimum:

- post and maintain a sign on each cage or enclosure, or have written documentation immediately available to the public, that identifies the name and address of the animal care and control agency or animal rescue group that is making the animal available for adoption;
- ensure adoptable dogs and cats receive necessary veterinary care and identify any known medical needs;
- determine a suitable match for the person seeking to adopt, including requiring a person to complete a questionnaire to identify animals that are best matched to the person;
- require completion of an adoption contract that specifies expectations for returning a dog or cat;
- provide the most current documentation of the animal's known health, medical conditions, vaccination record, behavioral history, any temperament testing performed, and available microchip information to the person adopting the animal at the time the animal is adopted; and
- ensure that the dog or cat is spayed or neutered before being released to the person adopting the animal.

A first-time violation is a penalty of \$250. Subsequent violations are a penalty of \$500. Each animal offered for sale constitutes a separate violation.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.