

# SENATE BILL REPORT

## SB 6221

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As of January 30, 2020

**Title:** An act relating to consumer protection with respect to the sale and adoption of dogs and cats.

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

**Sponsors:** Senators Stanford, Kuderer and Rolfes.

**Brief History:**

**Committee Activity:** Labor & Commerce:

**Brief Summary of Bill**

- Prohibits retail pet stores from selling or offering to sell any 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.
- Violations have monetary fines.

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### SENATE COMMITTEE ON LABOR & COMMERCE

**Staff:** Susan Jones (786-7404)

**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

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regulations include imposing licensing requirements on retail pet stores and prohibiting the sale of animals in public places.

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. A person offering for sale, directly to the public, only animals that the person bred and raised, is not a retail pet store.

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 agency or rescue group;
- 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; and
- ensure that the dog or cat is spayed or neutered before being released for adoption.

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.

Legislative findings are made.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.