

1 H.303

2 Introduced by Representatives Klein of East Montpelier, Ancel of Calais,

3 Christie of Hartford and Webb of Shelburne

4 Referred to Committee on

5 Date:

6 Subject: Internal security and public safety; domestic pet or wolf-hybrid

7 control; permit

8 Statement of purpose: This bill proposes to require that a person that sells
9 more than one litter of animals per year or two or more animals over the age of
10 six months to a consumer for monetary consideration be licensed as a pet
11 merchant. The bill also proposes to require the agency of agriculture, food and
12 markets to inspect the premises of a pet merchant before issuing a pet merchant
13 license.

14 An act relating to pet merchants

15 It is hereby enacted by the General Assembly of the State of Vermont:

16 Sec. 1. 20 V.S.A. § 3681 is amended to read:

17 § 3681. PERMIT

18 (a) The owner or keeper of two or more domestic pets or wolf-hybrids four
19 months of age or older kept for sale or for breeding purposes, ~~except for his or~~
20 ~~her own use~~, shall apply to the municipal clerk of the town or city in which the

1 domestic pets or wolf-hybrids are kept for a kennel permit to be issued on
2 forms prescribed by the commissioner and pay the clerk a fee of ~~\$10.00~~ \$25.00
3 for the same. The municipal clerk shall send a copy of each permit to the
4 department of taxes. The provisions of subchapters 1, 2, and 4 of this chapter
5 not inconsistent with this subchapter, shall apply to the permit which shall
6 be in addition to other permits required. A kennel permit shall expire on
7 March 31 next after issuance, and shall be displayed prominently on the
8 premises on which the domestic pets or wolf-hybrids are kept. If the permit
9 fee is not paid by April 1, the owner or keeper may thereafter procure a permit
10 for that license year by paying a fee of fifty percent in excess of that otherwise
11 required. Municipal clerks shall maintain a record of the type of animals being
12 kept by the permit holder.

13 (b) A person possessing a kennel permit issued under this section must
14 include the permit number in any form of advertising, including Internet
15 advertising, a brochure, or a sign that announces the availability of an animal
16 for sale or exchange. The person's name and kennel permit number must be
17 provided to the person purchasing or otherwise receiving an animal.

18 (c) The secretary or the legislative body of a municipality may assess an
19 administrative penalty of not more than \$300.00 for each day of
20 noncompliance against any person that violates subsection (b) of this section.

1 Sec. 2. 20 V.S.A. § 3901 is amended to read:

2 § 3901. DEFINITIONS

3 As used in this chapter, unless the context clearly requires otherwise:

4 * * *

5 (7) “Dealer” means any person who sells, exchanges, or donates, or
6 offers to sell, exchange, or donate animals, but shall not include a person who
7 makes disposition ~~only of offspring from animals maintained by him only as~~
8 ~~household pets of one litter or less or fewer than two animals over six months~~
9 of age per year.

10 * * *

11 (15) “Pet merchant” means any person ~~who operates a pet shop or, firm,~~
12 partnership or corporation, or a representative or agent, who acts as a dealer or
13 engages in the sale of more than one litter of animals per year or two or more
14 animals over six months of age to consumers for monetary consideration.
15 Breeders of animals selling directly to the public are included within this
16 definition. A “pet merchant” does not include duly incorporated humane
17 societies or animal shelters which make animals available for adoption.

18 * * *

1 Sec. 3. 20 V.S.A. § 3906 is amended to read:

2 § 3906. LICENSING OF PET MERCHANTS

3 (a) No person may transact business as a pet merchant, as defined in this
4 chapter, unless a license for that purpose has been granted by the secretary to
5 that person. No license shall be granted or renewed until the agency of
6 agriculture, food and markets has conducted an inspection of the premises of
7 the pet merchant. Application for the license shall be made in the manner
8 provided by the secretary. A copy of each license shall be sent by the secretary
9 to the department of taxes. The license period shall be April 1 to March 31 and
10 the license fee shall be \$150.00 for each license period or part thereof.

11 (b) Pursuant to the authority granted to the secretary of the agency of
12 agriculture, food and markets in 6 V.S.A. § 1, the secretary may designate
13 local veterinarians or a humane officer as defined in 13 V.S.A. § 351 to
14 provide services to the agency to assist in the inspection and regulation of pet
15 merchants.

16 (c) A person transacting business as a pet merchant without a license is
17 subject to the penalties described in section 3911 of this title. Additionally, the
18 secretary may issue an order requiring that the pet merchant cease business
19 operations until a license is acquired.

1 Sec. 4. 32 V.S.A. § 9701(9)(I) is added to read:

2 (I) A person licensed as a pet merchant under 20 V.S.A. § 3906 or

3 holding a kennel permit under 20 V.S.A. § 3681.