

1
2
3
4
5
6
7
8
9
10

H.497

Introduced by Representative Rachelson of Burlington

Referred to Committee on

Date:

Subject: Animal shelters; animal care facilities; registration requirements;
liability

Statement of purpose of bill as introduced: This bill proposes to expand the
definition of pet dealer to include pet care facilities and direct the Office of
Professional Regulation to study the operation and regulation of pet care
facilities.

11 An act relating to the welfare of animals within pet care facilities

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

13 Sec. 1. 20 V.S.A. § 3541 is amended to read:

14 § 3541. DEFINITIONS

15 * * *

16 (10) “Pet dealer” means any person who sells or exchanges or who
17 offers to sell or exchange cats, dogs, or wolf-hybrids, or any combination
18 thereof, from three or more litters of cats, dogs, or wolf-hybrids in any 12-
19 month period. This definition shall ~~not~~ apply to pet shops, animal shelters, or

1 pet care facilities, and rescue organizations as those terms are defined in
2 section 3901 of this title.

3 Sec. 2. 20 V.S.A. § 3681 is amended to read:

4 § 3681. PET DEALER PERMIT

5 (a) A pet dealer shall apply to the municipal clerk of the town or city in
6 which the cats, dogs, or wolf-hybrids are kept for a pet dealer permit to be
7 issued on forms prescribed by the Secretary and pay the clerk a fee of \$25.00
8 for the same.

9 (b) A pet dealer who acquires a pet dealer permit shall allow inspections of
10 the pet dealer's premises pursuant to section 3682 of this title as a condition of
11 receiving and retaining the permit. The provisions of subchapters 1, 2, and 4
12 of this chapter not inconsistent with this subchapter shall apply to the pet
13 dealer permit, which shall be in addition to other permits required.

14 (c) A pet dealer permit shall expire on March 31 next after issuance and
15 shall be displayed prominently on the premises on which the cats, dogs, or
16 wolf-hybrids are kept. If the permit fee is not paid by April 1, the owner or
17 keeper may thereafter procure a permit for that license year by paying a fee of
18 50 percent in excess of that otherwise required.

19 (d) Municipal clerks shall:

20 (1) maintain a record of the type of animals being kept by the permit
21 holder;

1 (2) Upon issuance of the pet dealer permit, ~~the municipal clerk~~
2 ~~shall~~ provide the pet dealer with a copy of Part 3 (Standards) of the Animal
3 Welfare Regulations adopted by the Agency of Agriculture, Food and Markets
4 relating to cats, dogs, and wolf-hybrids; and

5 (3) ~~The municipal clerk shall also~~ provide the pet dealer with contact
6 information for the Animal Health Section within the Division of Food Safety
7 and Consumer Protection of the Agency of Agriculture, Food and Markets and
8 with information from the Department of Taxes on sales tax obligations for the
9 sale of pets.

10 Sec. 3. 20 V.S.A. chapter 194 is amended to read:

11 CHAPTER 194. WELFARE OF ANIMALS; SALE OF ANIMALS

12 Subchapter 1. General Provisions

13 § 3901. DEFINITIONS

14 * * *

15 (7) "Pet dealer" means any person who sells or exchanges or who offers
16 to sell or exchange cats, dogs, or wolf-hybrids, or any combination thereof,
17 from three or more litters of cats, dogs, or wolf-hybrids in any 12-month
18 period. This definition shall ~~not~~ apply to pet shops, animal shelters, ~~or~~ pet care
19 facilities, and rescue organizations as those terms are defined in this section.

20 * * *

1 (17) “Pet care facility” means facilities that serve the purpose of
2 boarding, grooming, or otherwise handling pets.

3 Sec. 4. OFFICE OF PROFESSIONAL REGULATION EXAMINATION
4 AND RECOMMENDATIONS

5 (a) As used in this section, “pet care facility” means facilities that serve the
6 purpose of adopting, breeding, boarding, grooming, handling, selling,
7 sheltering, trading, or transferring pets.

8 (b) The Office of Professional Regulation shall examine the function and
9 operation of pet care facilities within the State and consider the January 15,
10 2016 report of the Vermont Animal Cruelty Task Force to the House and
11 Senate Committees on Judiciary relating to pet care facilities, and on or before
12 January 15, 2020, report to the House and Senate Committees on Judiciary
13 with its findings. The report shall include:

14 (1) recommendations for the regulation, registration, inspection, and
15 supervision of pet care facilities, including minimum standards;

16 (2) recommendations for effective enforcement of any standards
17 assigned to pet care facilities, including who the enforcement entity shall be
18 and an estimated enforcement budget; and

19 (3) any other recommendations for legislation with the goal of
20 consistent and standardized regulation of pet care facilities in Vermont.

1 Sec. 5. EFFECTIVE DATE

2 This act shall take effect on July 1, 2019