

HB 1388 - AS INTRODUCED

2020 SESSION

20-2085

08/03

HOUSE BILL                    **1388**

AN ACT                    prohibiting the sale of cats, dogs, and rabbits in retail stores.

SPONSORS:            Rep. Rogers, Merr. 28; Rep. Lucas, Sull. 2; Rep. K. Murray, Rock. 24; Rep. Klee, Hills. 30; Rep. Nutting-Wong, Hills. 32

COMMITTEE:          Environment and Agriculture

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ANALYSIS

This bill defines pet store and animal rescue organization and prohibits the transfer of cats, dogs, and rabbits at retail in pet stores.

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Explanation:          Matter added to current law appears in ***bold italics***.  
                         Matter removed from current law appears ~~[in brackets and struckthrough]~~.  
                         Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty*

AN ACT prohibiting the sale of cats, dogs, and rabbits in retail stores.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1 1 New Paragraph; Definitions; Animal Shelter Facility; Animal Rescue Organization. Amend  
2 RSA 437:1 by inserting after paragraph I the following new paragraph:

3 I-a. ***"Animal rescue organization" means a pet vendor that is a nonprofit***  
4 ***organization that is tax exempt under section 501(c)(3) of the Internal Revenue Code, and***  
5 ***whose mission and practice is, in whole or in significant part, the rescue and placement of***  
6 ***animals in permanent homes. "Animal rescue organization" does not include an entity***  
7 ***that breeds animals for the purpose of selling their offspring or that obtains animals from***  
8 ***such an entity for payment or other compensation.***

9 2 New Paragraphs; Definition; Pet Store. Amend RSA 437:1 by inserting after paragraph III the  
10 following new paragraph:

11 III-a. "Pet store" means a pet vendor that has a physical facility where animals are  
12 transferred to the general public at retail. "Pet store" does not include animal shelter facility.

13 3 New Section; Restrictions on the Sale of Animals; Pet Stores. Amend RSA 437 by inserting  
14 after section 3 the following new section:

15 437:3-a Restrictions on the Sale of Animals in Pet Stores. No pet store shall transfer cats, dogs,  
16 or rabbits at retail. Nothing in this section shall prohibit a pet store from collaborating with an  
17 animal shelter facility or animal rescue organization to offer space for such entities to display  
18 adoptable dogs, cats, or rabbits provided the pet store shall not have any ownership interest in the  
19 animals offered for adoption and shall not receive a fee for providing space for the adoption of any  
20 such animals.

21 4 Pet Store; Sales of Cats, Dogs, and Rabbits Prohibited; Penalty. Amend RSA 437:10, II to read  
22 as follows:

23 II. ***A pet store that transfers cats, dogs, or rabbits at retail shall be subject to an***  
24 ***administrative fine levied by the commissioner of \$500. Each cat, dog, or rabbit offered for***  
25 ***sale shall constitute a separate violation.***

26 III. In addition to the penalty under ~~[paragraph I]~~ ***paragraphs I and II***, any pet vendor  
27 who violates any of the provisions of this subdivision or rule adopted under it may be subject to an  
28 administrative fine levied by the commissioner, not to exceed \$1,000 for each violation.

29 5 Effective Date. This act shall take effect January 1, 2021.