

SENATE No. 549**The Commonwealth of Massachusetts**

PRESENTED BY:

Patrick M. O'Connor*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act banning the retail sale of dogs, cats, and rabbits in new pet shops.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Patrick M. O'Connor</i>	<i>First Plymouth and Norfolk</i>	
<i>Adam Scanlon</i>	<i>14th Bristol</i>	<i>1/20/2023</i>
<i>Jack Patrick Lewis</i>	<i>7th Middlesex</i>	<i>1/26/2023</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>	<i>2/2/2023</i>
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>	<i>2/6/2023</i>
<i>John F. Keenan</i>	<i>Norfolk and Plymouth</i>	<i>2/14/2023</i>
<i>James K. Hawkins</i>	<i>2nd Bristol</i>	<i>2/24/2023</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	<i>3/3/2023</i>
<i>Paul W. Mark</i>	<i>Berkshire, Hampden, Franklin and Hampshire</i>	<i>3/6/2023</i>
<i>Steven S. Howitt</i>	<i>4th Bristol</i>	<i>3/6/2023</i>
<i>Bradley H. Jones, Jr.</i>	<i>20th Middlesex</i>	<i>3/6/2023</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>3/13/2023</i>
<i>Pavel M. Payano</i>	<i>First Essex</i>	<i>3/14/2023</i>
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>	<i>3/27/2023</i>
<i>John C. Velis</i>	<i>Hampden and Hampshire</i>	<i>6/12/2023</i>

SENATE No. 549

By Mr. O'Connor, a petition (accompanied by bill, Senate, No. 549) of Patrick M. O'Connor, Adam Scanlon, Jack Patrick Lewis, Michael O. Moore and other members of the General Court for legislation to ban the retail sale of dogs, cats, and rabbits in new pet shops. Environment and Natural Resources.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Third General Court
(2023-2024)

An Act banning the retail sale of dogs, cats, and rabbits in new pet shops.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 39A of Chapter 129 of the General Laws, as appearing in the 2020
2 Official Edition, is hereby amended by inserting before the word “Every”, in line 1, the letter:-(a)

3 SECTION 2. Section 39A of Chapter 129 of the General Law, , is hereby further
4 amended by striking out the word “section”, in line 13, and inserting in place thereof the
5 following word:-subsection

6 SECTION 3. Section 39A of Chapter 129 of the General Laws is hereby further amended
7 by inserting after subsection (a) the following new subsections:-

8 (b) No person engaged in the business of operating a pet shop for which a license must be
9 obtained pursuant to subsection (a); and are regulated under 330 CMR 12.00 shall sell or offer
10 for sale a dog or cat, unless:

(1) the person engaged in the business of operating the pet shop received a Class A license from the Massachusetts Department of Agricultural Resources on or before the effective date of this act; and

(2) such person only sells or offers for sale dogs or cats from the location licensed to sell or offer for sale dogs or cats under subsection (b) paragraph (1).

(c) No person engaged in the business of operating a pet shop for which a license must be obtained pursuant to subsection (a); and are regulated under 330 CMR 12.00 shall sell or offer for sale a rabbit, unless:

(1) the person engaged in the business of operating the pet shop sold rabbits on or before the effective date of this act; and

(2) such person only sells or offers for sale rabbits from the location licensed to sell or offer for sale animals under 330 CMR 12.00.

(d) Nothing in subsections (b) or (c) shall affect the authority of any town, city, or other locality to regulate or prohibit the sale of dogs, cats, or rabbits.

SECTION 4. Whereas, the deferred operation of this act would tend to defeat its purpose, which is to establish forthwith certain changes to pet shop licensing and operations law, therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health.