

HB0131/387876/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 131
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 12, strike the second “a”; in the same line, strike “health disclosure” and substitute “information”; in line 13, after “purchaser;” insert “providing that it is an unfair or deceptive trade practice within the meaning of the Maryland Consumer Protection Act for a retail pet store to include any false or misleading statements in a certain certificate or record;”; in line 15, strike “certain notice and information to” and substitute “a certain written statement to the owner or operator of”; and strike beginning with “and” in line 16 down through “reasonable” in line 18.

On page 2, strike beginning with “authorizing” in line 1 down through “circumstances;” in line 15; in line 21, after “laws;” insert “making certain conforming changes;”; in line 26, strike “19-709” and substitute “19-707”; and after line 29, insert:

“BY repealing and reenacting, with amendments,

Article - Commercial Law

Section 13-301(14)(xxvii)

Annotated Code of Maryland

(2005 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – Commercial Law

Section 13-301(14)(xxviii)

Annotated Code of Maryland

(2005 Replacement Volume and 2011 Supplement)

BY adding to

Article – Commercial Law

(Over)

Section 13-301(14)(xxix)
Annotated Code of Maryland
(2005 Replacement Volume and 2011 Supplement)".

AMENDMENT NO. 2

On page 5, strike in their entirety lines 15 through 30, inclusive, and substitute:

“(A) A RETAIL PET STORE SHALL PROVIDE TO A PURCHASER AT THE TIME OF A SALE OF A DOG:

(1) A HEALTH CERTIFICATE FROM A VETERINARIAN LICENSED IN THE STATE ISSUED WITHIN 30 DAYS BEFORE THE DATE OF SALE CERTIFYING THAT THE DOG:

(I) HAS NO KNOWN DISEASE, ILLNESS, OR CONGENITAL OR HEREDITARY CONDITION WHICH IS DIAGNOSABLE WITH REASONABLE ACCURACY; AND

(II) DOES NOT APPEAR TO BE CLINICALLY ILL FROM PARASITIC INFECTION AT THE TIME OF THE EXAMINATION;

(2) THE WRITTEN RECORD ABOUT THE DOG MAINTAINED BY THE RETAIL PET STORE UNDER § 19-703(A)(2) OF THIS SUBTITLE; AND

(3) A STATEMENT NOTIFYING THE PURCHASER OF THE SPECIFIC RIGHTS AVAILABLE TO THE PURCHASER UNDER THIS SUBTITLE.

(B) IT IS AN UNFAIR OR DECEPTIVE TRADE PRACTICE WITHIN THE MEANING OF TITLE 13 OF THE COMMERCIAL LAW ARTICLE FOR A RETAIL PET STORE TO INCLUDE ANY FALSE OR MISLEADING STATEMENTS IN THE HEALTH

CERTIFICATE OR WRITTEN RECORD PROVIDED TO A PURCHASER UNDER
SUBSECTION (A) OF THIS SECTION.

On page 6, in line 5, strike "LICENSED"; in the same line, after "VETERINARIAN" insert "LICENSED IN THE STATE"; in line 10, strike "1 YEAR" and substitute "180 DAYS"; and in line 26, strike "TWO TIMES".

On pages 6 and 7, strike beginning with "VETERINARY" in line 28 on page 6 down through "(3)" in line 4 on page 7.

On page 7, in line 8, strike "(C)(1)" and substitute "(C)"; in line 9, strike "(1)"; strike beginning with the colon in line 10 down through "(II)" in line 15; in line 16, after "STORE" insert ", WITHIN 5 BUSINESS DAYS AFTER RECEIPT,"; strike beginning with "WITHIN" in line 16 down through "VETERINARIAN" in line 17; and in line 21, strike the semicolon and substitute a period.

On pages 7 and 8, strike in their entirety the lines beginning with line 22 on page 7 through line 13 on page 8, inclusive.

On page 8, in line 23, after "DIAGNOSIS;" insert "OR"; and strike beginning with the semicolon in line 25 down through "DOG" in line 27.

On pages 9 and 10, strike in their entirety the lines beginning with line 1 on page 9 through line 19 on page 10, inclusive.

On page 10, in lines 20 and 30, strike "19-708." and "19-709.", respectively, and substitute "19-706." and "19-707.", respectively.

On page 11, after line 10, insert:

"Article – Commercial Law

(Over)

13-301.

Unfair or deceptive trade practices include any:

(14) Violation of a provision of:

Article; [or] (xxvii) Section 7-405(e)(2)(ii) of the Health Occupations

Article; or (xxviii) Title 12, Subtitle 10 of the Financial Institutions

(xxix) TITLE 19, SUBTITLE 7 OF THE BUSINESS
REGULATION ARTICLE; OR”.