

HOUSE BILL 403

C2

5lr0834

By: **Delegates Luedtke, Barkley, Carr, Fraser–Hidalgo, Frush, Glenn, Impallaria, Kramer, S. Robinson, Smith, Stein, and Waldstreicher**

Introduced and read first time: February 6, 2015

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Business Regulation – Sales of Dogs and Cats – Required Health Certificate**

3 FOR the purpose of requiring a certain person who sells a dog or cat to provide the
4 purchaser with a health certificate issued by a certain veterinarian within a certain
5 period of time; requiring a certain person who sells a dog or cat to disclose certain
6 health information about the dog or cat to a purchaser at a certain time; providing
7 that certain false or misleading statements in a certain health certificate for a dog
8 or cat for sale is an unfair or deceptive trade practice; providing for certain penalties
9 for certain violations; providing for the application of this Act; and generally relating
10 to a required health certificate for the sale of dogs and cats.

11 BY adding to

12 Article – Business Regulation

13 Section 19–901 through 19–903 to be under the new subtitle “Subtitle 9. Health
14 Certification of Dogs and Cats for Sale”

15 Annotated Code of Maryland

16 (2010 Replacement Volume and 2014 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
18 That the Laws of Maryland read as follows:

19 **Article – Business Regulation**

20 **SUBTITLE 9. HEALTH CERTIFICATION OF DOGS AND CATS FOR SALE.**

21 **19–901.**

22 **THIS SUBTITLE DOES NOT APPLY TO:**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(1) A NONPROFIT ORGANIZATION ESTABLISHED TO PROMOTE ANIMAL**
2 **WELFARE THAT HAS RECEIVED TAX EXEMPT STATUS UNDER § 501(C)(3) OF THE U.S.**
3 **INTERNAL REVENUE CODE AND IS REGISTERED TO DO BUSINESS IN THE STATE;**

4 **(2) AN ANIMAL SHELTER OPERATED BY A COUNTY OR A**
5 **MUNICIPALITY; OR**

6 **(3) A FOR-PROFIT RETAIL PET STORE OPEN TO THE PUBLIC THAT**
7 **SELLS OR OFFERS FOR SALE DOMESTIC ANIMALS TO BE KEPT AS HOUSEHOLD PETS.**

8 **19-902.**

9 **(A) A PERSON WHO SELLS A DOG OR CAT SHALL PROVIDE TO THE**
10 **PURCHASER AT THE TIME OF THE SALE A HEALTH CERTIFICATE, FROM A**
11 **VETERINARIAN LICENSED IN THE STATE, ISSUED NOT MORE THAN 30 DAYS BEFORE**
12 **THE DATE OF SALE.**

13 **(B) A PERSON WHO SELLS A DOG OR CAT AND WHO KNOWS OR SHOULD HAVE**
14 **KNOWN OF ANY ILLNESS, DISEASE, OR CONGENITAL OR HEREDITARY CONDITION OF**
15 **THE DOG OR CAT SHALL DISCLOSE THAT INFORMATION TO THE PURCHASER AT THE**
16 **TIME OF SALE.**

17 **(C) IT IS AN UNFAIR OR DECEPTIVE TRADE PRACTICE WITHIN THE MEANING**
18 **OF TITLE 13 OF THE COMMERCIAL LAW ARTICLE FOR A PERSON TO INCLUDE ANY**
19 **FALSE OR MISLEADING STATEMENTS IN THE HEALTH CERTIFICATE PROVIDED TO A**
20 **PURCHASER UNDER SUBSECTION (A) OF THIS SECTION.**

21 **19-903.**

22 **A VIOLATION OF THIS SUBTITLE:**

23 **(1) IS AN UNFAIR OR DECEPTIVE TRADE PRACTICE WITHIN THE**
24 **MEANING OF TITLE 13 OF THE COMMERCIAL LAW ARTICLE; AND**

25 **(2) IS SUBJECT TO THE ENFORCEMENT AND PENALTY PROVISIONS**
26 **CONTAINED IN TITLE 13 OF THE COMMERCIAL LAW ARTICLE.**

27 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect**
28 **October 1, 2015.**