

SENATE BILL 625

C2

0lr1273

By: **Senators Kramer, Beidle, Benson, Feldman, Guzzone, Hayes, Hershey, Klausmeier, Lam, Lee, Washington, West, and Young**

Introduced and read first time: February 3, 2020

Assigned to: Finance

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 7, 2020

CHAPTER _____

1 AN ACT concerning

2 **Business Regulation – Retail Pet Stores – ~~Internet Sales of Domestic Animals~~**
3 **Modifications**
4 **(No More Puppy- and Kitten-Mills Act of 2020)**

5 FOR the purpose of altering the definition of “retail pet store” to include a ~~for-profit~~
6 ~~establishment that, by Internet transaction, sells domestic animals to be kept as~~
7 ~~household pets~~ broker that transfers dogs for resale by another person for purposes
8 of certain provisions of law regulating retail pet stores; clarifying a certain
9 prohibition on the sale of cats or dogs by retail pet stores; repealing a certain
10 statement of intent of the General Assembly; altering a certain definition; repealing
11 a certain definition; and generally relating to retail pet stores.

12 ~~BY repealing and reenacting, without amendments,~~
13 ~~Article – Business Regulation~~
14 ~~Section 19-701(a) and 19-703~~
15 ~~Annotated Code of Maryland~~
16 ~~(2015 Replacement Volume and 2019 Supplement)~~

17 BY repealing and reenacting, with amendments,
18 Article – Business Regulation
19 Section ~~19-701(g)~~ 19-701 and 19-703
20 Annotated Code of Maryland
21 (2015 Replacement Volume and 2019 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 BY repealing

2 Chapter 237 of the Acts of the General Assembly of 2018

3 Section 2

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

6 **Article – Business Regulation**

7 19–701.

8 (a) In this subtitle the following words have the meanings indicated.

9 (b) “Animal control unit” has the meaning stated in § 10–617 of the Criminal Law
10 Article.

11 (c) (1) “Animal welfare organization” means a nonprofit organization:

12 (i) that has tax exempt status under § 501(c)(3) of the U.S. Internal
13 Revenue Code; and

14 (ii) whose mission and practice is the rescue of animals and the
15 placement of those animals in permanent homes.

16 (2) “Animal welfare organization” does not include an organization that
17 obtains animals from a breeder or broker in exchange for payment or compensation.

18 (d) “Breeder” means a person who breeds or raises dogs to sell, exchange, or
19 otherwise transfer to the public.

20 (e) “Broker” means a person who transfers dogs for resale by another person.

21 (f) “Offer for sale” includes to sell, offer to transfer, offer for adoption, advertise
22 for the sale, barter, auction, give away, or otherwise dispose of a domestic animal.]

23 ~~(g)~~ **(F) (1)** “Retail pet store” means:

24 ~~(1)~~ **(I)** a for-profit establishment ~~open to the public~~ that sells or offers
25 for sale domestic animals to be kept as household pets; ~~AND OR~~

26 ~~(2)~~ **(II)** ~~A FOR-PROFIT ESTABLISHMENT THAT, BY INTERNET~~
27 ~~TRANSACTION, SELLS DOMESTIC ANIMALS TO BE KEPT AS HOUSEHOLD PETS A~~
28 ~~BROKER.~~

29 **(2)** “RETAIL PET STORE” DOES NOT INCLUDE AN ESTABLISHMENT AT
30 WHICH:

1 **(I) THE ANIMALS SOLD AT THE ESTABLISHMENT WERE BORN AT**
2 **THE ESTABLISHMENT; AND**

3 **(II) A COMPLETED SALE, TRANSFER, OR DISPOSITION OF A CAT**
4 **OR DOG IS CONDUCTED IN PERSON WITH BOTH PARTIES PHYSICALLY PRESENT AT**
5 **THE SAME LOCATION.**

6 19-703.

7 (a) A retail pet store may not ~~offer for sale~~ **SELL** or otherwise transfer or dispose
8 of cats or dogs.

9 (b) This section may not be construed to prohibit a retail pet store from
10 collaborating with an animal welfare organization or animal control unit to offer space for
11 these entities to showcase cats or dogs for adoption.

12 **Chapter 237 of the Acts of 2018**

13 **[SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the General**
14 **Assembly that:**

15 (1) animal welfare organizations initiate contact with retail pet stores, as
16 provided under § 19-703(b) of the Business Regulation Article, as enacted by Section 1 of
17 this Act, that will no longer be able to offer for sale cats and dogs, to facilitate collaboration
18 to showcase cats and dogs for:

19 (i) adoption from an animal control unit or an animal welfare
20 organization; or

21 (ii) purchase from local breeders; and

22 (2) the Senate Finance Committee and the House Economic Matters
23 Committee monitor the implementation of this Act.]

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
25 1, 2020.