

SENATE BILL REPORT

SB 6716

As of January 31, 1996

Title: An act relating to the domestic animal fit for purchase certificate.

Brief Description: Requiring a domestic animal fit for purchase certificate for sales of dogs or cats.

Sponsors: Senators Thibaudeau, Wood and Drew.

Brief History:

Committee Activity: Labor, Commerce & Trade: 2/1/96.

SENATE COMMITTEE ON LABOR, COMMERCE & TRADE

Staff: Katie Healy (786-7403)

Background: Concern has been expressed that regulation of sellers of dogs and cats is needed to protect consumers.

Summary of Bill: A new section is added to the statutes regarding prevention of cruelty to animals. Every dog or cat sold by a seller must have a domestic animal fit for purchase certificate. A seller is defined as a party in the business of selling dogs and cats, and who is subject to taxes as a result. Humane societies, city and county pounds, animal control agencies, and similar nonprofit organizations are excluded.

The certificate is only issued if the animal meets a number of criteria. The dog or cat must be free of communicable diseases or congenital or hereditary conditions, and must be appropriately inoculated. The certificate may not be waived, and must be signed by the seller and a veterinarian who examines the animal for purposes of the certificate.

At the time of purchase, the seller must provide information about the breeder of the animal, the animal's medical and physical history, and information about the seller or broker if the animal was originally acquired from a federally licensed seller or broker. This information must be available to the purchaser of the animal and law enforcement personnel for at least one year after the sale of the animal.

Before the dog or cat can be placed with other animals, it must be free from communicable diseases other than external parasites. Quarantine of the animal is required if it is diseased or has a broken bone. Licensed veterinarian care may not be delayed if needed. An automatic fire suppression system is required in areas where animals are kept.

If the dog or cat dies within one year from the date of purchase and a licensed veterinarian determines the animal had a disease or condition at the time of sale which resulted in the animal's death, the purchaser receives the full purchase price, or a replacement animal up to twice the original price. In both instances, the purchaser is entitled to receive

reimbursement for veterinary expenses not to exceed the original purchase price. If the animal gets sick within one year of the purchase and determination is made by a licensed veterinarian that the cause existed at the time of sale, the purchaser has similar options.

A violation of these requirements constitutes an unfair or deceptive act, and the purchaser may seek recourse under the Consumer Protection Act. These requirements may be enforced by a prosecutor, the Department of Agriculture, or the purchaser.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.