

# MAINE STATE LEGISLATURE

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# 127th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2015

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Legislative Document

No. 335

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H.P. 229

House of Representatives, February 10, 2015

### **An Act To Prohibit the Sale of Dogs and Cats in Pet Shops**

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Reference to the Committee on Agriculture, Conservation and Forestry suggested and ordered printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative MONAGHAN of Cape Elizabeth.  
Cosponsored by Senator GERZOFSKY of Cumberland and  
Representatives: CHENETTE of Saco, CHIPMAN of Portland, HAMANN of South Portland,  
HICKMAN of Winthrop, MAKER of Calais, MAREAN of Hollis, POWERS of Naples,  
SAUCIER of Presque Isle.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 7 MRSA §4164** is enacted to read:

3 **§4164. Prohibition of sale in pet shops**

4 **1. Prohibition of sale in pet shops.** Except as provided in subsection 2, a pet shop  
5 may not sell, deliver, offer for sale, barter, auction or otherwise dispose of a cat or dog.

6 **2. Exceptions.** The following are exceptions to the provisions of subsection 1:

7 **A.** A public or private charitable nonprofit animal shelter, humane society or animal  
8 rescue organization. For purposes of this paragraph, "humane society" has the same  
9 meaning as in Title 17, section 1011, subsection 15-A;

10 **B.** A pet shop offering a cat or dog owned by an entity in paragraph A for purposes  
11 of adoption of the cat or dog by a member of the public; or

12 **C.** A pet shop offering for sale a cat or dog that was born and raised by the owner of  
13 the pet shop in a separate facility.

14 **3. Penalties.** A person who violates this section commits a civil violation for which  
15 a fine of \$2,500 must be adjudged and is subject to the penalties under section 4162,  
16 subsection 2.

17 **SUMMARY**

18 This bill prohibits a pet shop from selling cats or dogs that have not been born and  
19 raised in the pet shop. The prohibition does not apply to a public or private charitable  
20 nonprofit animal shelter, humane society or animal rescue organization, a pet shop where  
21 a dog or cat owned by a public or private organization excepted by the law is being  
22 offered for adoption or a pet shop that is selling a cat or dog that was born and raised by  
23 the owner of the pet shop in a separate facility. The penalty for violating these provisions  
24 is \$2,500 and the pet shop's license may be revoked.