

# MAINE STATE LEGISLATURE

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# 129th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2019

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Legislative Document

No. 1049

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S.P. 309

In Senate, February 28, 2019

### An Act Regarding the Sale of Dogs with Health Problems

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

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT  
Secretary of the Senate

Presented by Senator LUCHINI of Hancock.  
Cosponsored by Representative GROHOSKI of Ellsworth.

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

2 **Sec. 1. 7 MRSA §4155, sub-§3-A** is enacted to read:

3 **3-A. Health problem; alternative remedies; dogs.** As an alternative to the  
4 remedies under subsection 3, the purchaser of a dog may select a remedy from a seller as  
5 follows:

6 A. For a dog with less than one year of life expectancy, as determined by a  
7 veterinarian pursuant to subsection 1, full reimbursement of the original purchase  
8 price of the dog; or

9 B. For a dog with one to 5 years of life expectancy, as determined by a veterinarian  
10 pursuant to subsection 1, reimbursement of 1/2 of the original purchase price of the  
11 dog.

12 Return of the dog to the seller and reimbursement of veterinary fees by the seller are not  
13 required under this subsection.

14 **Sec. 2. 7 MRSA §4155, sub-§5,** as amended by PL 2007, c. 702, §27, is further  
15 amended to read:

16 **5. Sellers not exempt.** Sellers may not, contractually or otherwise, exempt  
17 themselves from the remedies provided by this section for deaths or health problems  
18 caused by infectious, contagious, parasitic or communicable disease or for deaths or  
19 health problems in dogs caused by hereditary or congenital defects as described in  
20 subsection 1.

21 **SUMMARY**

22 This bill provides alternative remedies for a purchaser of a dog that has a health  
23 problem causing diminished life expectancy. For a dog with a life expectancy of less  
24 than one year as determined by a veterinarian, the purchaser may choose to receive a  
25 refund of the full purchase price of the dog. For a dog with a life expectancy of one to 5  
26 years as determined by a veterinarian, the purchaser may choose to receive a refund of  
27 1/2 of the purchase price of the dog. Return of the dog to the seller and reimbursement of  
28 veterinary fees by the seller are not required.