

RÉSUMÉ DIGEST

ACT 618 (SB 337)

2016 Regular Session

Martiny

New law provides for retail pet sales and defines the following items:

- (1) "Animal care facility" means an animal control center or animal shelter, maintained by or under contract with any state, parish, or municipality, whose mission or practice is protecting the welfare of animals and the placement of animals in permanent homes or with animal rescue organizations.
- (2) "Animal rescue organization" means any not-for-profit organization which has tax-exempt status under Section 501(c)(3) of the Internal Revenue Code, whose mission and practice is the rescue of animals and the placement of those animals in permanent homes, and which does not obtain dogs or cats from a breeder or broker for payment or compensation.
- (3) "Breeder" means a person who holds a class A license pursuant to the federal Animal Welfare Act, 7 U.S.C. 2131, et seq., that has not been suspended in the last five years.
- (4) "Cat" means a member of the Felis catus family.
- (5) "Dog" means a member of the Canis familiaris family, or hybrid thereof.
- (6) "Offer for sale" means to sell, offer for sale or adoption, barter, auction, give away or otherwise dispose of a dog or cat.
- (7) "Retail pet store" means a retail establishment where dogs or cats are sold, exchanged, bartered or offered for sale as pet animals to the general public at retail. Such definition shall not include an animal care facility or animal rescue organization.
- (8) "USDA" means the United States Department of Agriculture.

New law prohibits a retail pet store from offering for sale dogs and cats that have not been obtained from the following sources:

- (1) A breeder that is in compliance with prior law.
- (2) A breeder that has not received from the USDA, pursuant to the Animal Welfare Act, 7 U.S.C. 2131 et seq., or regulations adopted thereunder any of the following:
 - (a) A citation on an inspection report for a direct violation during the three-year period prior to the purchase of the dog or cat by the pet store.
 - (b) A citation on an inspection report during the three-year period prior to the purchase of the animal by the pet store for three or more indirect violations.
 - (c) A citation on the two most recent inspection reports prior to the purchase of the animal by the pet store for no-access violations.
- (3) An animal care facility.
- (4) An animal rescue organization.

New law prohibits a retail pet store from offering for sale a dog or cat that is younger than eight weeks old.

New law requires each retail pet store offering dogs or cats for sale to post, in a conspicuous location on the cage or enclosure for each dog or cat, a sign containing the name of the breeder, the breeder's USDA license number, and, if the breeder is required to be licensed in the state in which the breeder is located, the breeder's state license number.

New law requires retail pet stores offering dogs or cats for sale to maintain records of the source of each dog or cat, including a description of the dog or cat, the name, business address, email address, and USDA license number of the breeder for at least two years following the date of acquisition. Such records shall be made available, immediately upon request, to any law enforcement officer or animal control officer.

Effective upon signature of the governor (June 17, 2016).

(Adds R.S. 3:2511)