

SENATE BILL NO. 337

BY SENATOR MARTINY

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AN ACT

To enact Part VIII of Chapter 17 of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:2511, relative to retail pet stores; to provide relative to the sale of dogs and cats by retail pet stores; to prohibit the sale of certain dogs and cats in retail pet stores; to require certain signs and records; to provide for definitions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Part VIII of Chapter 17 of Title 3 of the Louisiana Revised Statutes of 1950, comprised of R.S. 3:2511, is hereby enacted to read as follows:

PART VIII. RETAIL PET SALES

§2511. Restrictions on the retail sale of dogs and cats

A. As used in this Part, the following terms are defined as follows:

(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

1 thereof.

2 (6) "Offer for sale" means to sell, offer for sale or adoption, barter,
3 auction, give away, or otherwise dispose of a dog or cat.

4 (7) "Retail pet store" means a retail establishment where dogs or cats are
5 sold, exchanged, bartered, or offered for sale as pet animals to the general
6 public at retail. Such definition shall not include an animal care facility or
7 animal rescue organization.

8 (8) "USDA" means the United States Department of Agriculture.

9 B. A retail pet store shall offer for sale only dogs and cats that have been
10 obtained from the following sources:

11 (1) A breeder that is in compliance with R.S. 3:2772(H).

12 (2) A breeder that has not received from the USDA, pursuant to the
13 Animal Welfare Act, 7 U.S.C. 2131 et seq., or regulations adopted thereunder,
14 any of the following:

15 (a) A citation on an inspection report for a direct violation during the
16 three-year period prior to the purchase of the dog or cat by the pet store.

17 (b) A citation on an inspection report during the three-year period prior
18 to the purchase of the animal by the pet store for three or more indirect
19 violations.

20 (c) A citation on the two most recent inspection reports prior to the
21 purchase of the animal by the pet store for no-access violations.

22 (3) An animal care facility.

23 (4) An animal rescue organization.

24 C. A retail pet store shall not offer for sale a dog or cat that is younger
25 than eight weeks old.

26 D. Each retail pet store offering dogs or cats for sale shall post, in a
27 conspicuous location on the cage or enclosure for each dog or cat, a sign
28 containing the name of the breeder, the breeder's USDA license number, and,
29 if the breeder is required to be licensed in the state in which the breeder is
30 located, the breeder's state license number.

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

7 F. Nothing contained in this Section shall prohibit a municipality or
 8 parish from enacting ordinances or regulations establishing more stringent
 9 restrictions governing the sale of animals at retail pet stores.

10 Section 2. This Act shall become effective upon signature by the governor or, if not
 11 signed by the governor, upon expiration of the time for bills to become law without signature
 12 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 13 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 14 effective on the day following such approval.

 PRESIDENT OF THE SENATE

 SPEAKER OF THE HOUSE OF REPRESENTATIVES

 GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____