

Regular Session, 2012

HOUSE BILL NO. 231

BY REPRESENTATIVE LIGI

CRIME/MISDEMEANOR: Prohibits the sale of dogs and cats at certain public locations

1 AN ACT

2 To enact R.S. 14:102.27, relative to offenses affecting public sensibility; to create the crime
3 of unlawful sale of a live dog or cat at certain locations; to provide for definitions;
4 to provide for penalties; to provide for exceptions; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:102.27 is hereby enacted to read as follows:

7 §102.27. Unlawful sale of a live dog or cat at certain locations

8 A. It shall be unlawful for any person to offer for sale, sell, offer for
9 exchange, or exchange any dog or cat on any highway, right-of-way, flea market,
10 commercial or retail parking lot, public park, public playground, public swimming
11 pool, any other public recreational area, or adjacent property to such locations,
12 regardless of whether or not access to those locations is authorized.

13 B. The provisions of this Section shall not apply to:

14 (1) Bona fide humane societies, animal welfare groups, animal control
15 agencies, or nonprofit organizations sponsoring animal adoption events.

16 (2) The offering of dogs or cats for sale at a private residence.

17 (3) The offering of dogs or cats for sale by a paid entrant to a competitive cat
18 show or dog show, provided that the sale occurs on the premises and within the
19 confines of the show.

20 (4) Any retail pet store or licensed breeder.

1 (5) Any raffle or drawing for a dog or cat which is a fundraising event for
 2 a waterfowl, wetland, or natural resources conservation organization.

3 C.(1) Whoever violates the provisions of this Section shall be fined not more
 4 than two hundred fifty dollars for a first offense.

5 (2) Whoever violates the provisions of this Section for a second or
 6 subsequent offense shall be fined not more than one thousand dollars per violation.

7 D. For the purposes of this Section:

8 (1) "Highway" means the entire width between the boundary lines of every
 9 way or place of whatever nature publicly maintained and open to the use of the
 10 public for the purpose of vehicular travel, including bridges, causeways, tunnels, and
 11 ferries; synonymous with the word "street".

12 (2) "Right-of-way" means the privilege of the immediate use of the highway.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Ligi

HB No. 231

Abstract: Creates the crime of unlawful sale of dogs and cats at certain locations.

Proposed law provides that it shall be unlawful for any person to offer for sale, sell, offer for exchange, or exchange any live dog or cat on any highway, right-of-way, public park, public playground, public swimming pool, any other public recreational area, flea market, commercial or retail parking lot, or adjacent property to such locations.

Proposed law creates exceptions for animal adoption days sponsored by animal welfare groups, sales occurring entirely on private property, sales at competitive cat or dog shows, and raffles for a dog or cat at certain fundraising events. Proposed law shall not apply to a retail pet store or licensed breeder.

Proposed law provides penalties of a fine of not more than \$250 for a first violation and not more than \$1,000 for second or subsequent violations.

(Adds R.S. 14:102.27)

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the original bill.

1. Added exception for retail pet stores and registered breeders.
2. Amended proposed law to make it applicable to all animals.

3. Added definition of "animal".
4. Deleted proposed law provisions regarding donations of animals.

House Floor Amendments to the engrossed bill.

1. Added exception for raffles or drawings for a dog or cat which is a fundraising event for a waterfowl, wetland, or natural resources conservation organization.
2. Amended proposed law to make it applicable to only dogs and cats.
3. Deleted the definition of "animal".