

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act Regarding the Sale of Dogs with Health Problems

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

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

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

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

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

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

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

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

SUMMARY

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