



127th MAINE LEGISLATURE

FIRST REGULAR SESSION-2015

Legislative Document

No. 335

H.P. 229

House of Representatives, February 10, 2015

An Act To Prohibit the Sale of Dogs and Cats in Pet Shops

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

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative MONAGHAN of Cape Elizabeth.
Cosponsored by Senator GERZOFSKY of Cumberland and
Representatives: CHENETTE of Saco, CHIPMAN of Portland, HAMANN of South Portland,
HICKMAN of Winthrop, MAKER of Calais, MAREAN of Hollis, POWERS of Naples,
SAUCIER of Presque Isle.

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

2 **Sec. 1. 7 MRSA §4164** is enacted to read:

3 **§4164. Prohibition of sale in pet shops**

4 **1. Prohibition of sale in pet shops.** Except as provided in subsection 2, a pet shop
5 may not sell, deliver, offer for sale, barter, auction or otherwise dispose of a cat or dog.

6 **2. Exceptions.** The following are exceptions to the provisions of subsection 1:

7 **A.** A public or private charitable nonprofit animal shelter, humane society or animal
8 rescue organization. For purposes of this paragraph, "humane society" has the same
9 meaning as in Title 17, section 1011, subsection 15-A;

10 **B.** A pet shop offering a cat or dog owned by an entity in paragraph A for purposes
11 of adoption of the cat or dog by a member of the public; or

12 **C.** A pet shop offering for sale a cat or dog that was born and raised by the owner of
13 the pet shop in a separate facility.

14 **3. Penalties.** A person who violates this section commits a civil violation for which
15 a fine of \$2,500 must be adjudged and is subject to the penalties under section 4162,
16 subsection 2.

17 **SUMMARY**

18 This bill prohibits a pet shop from selling cats or dogs that have not been born and
19 raised in the pet shop. The prohibition does not apply to a public or private charitable
20 nonprofit animal shelter, humane society or animal rescue organization, a pet shop where
21 a dog or cat owned by a public or private organization excepted by the law is being
22 offered for adoption or a pet shop that is selling a cat or dog that was born and raised by
23 the owner of the pet shop in a separate facility. The penalty for violating these provisions
24 is \$2,500 and the pet shop's license may be revoked.