



MARYLAND TO BAN SALE OF DOGS YOUNGER THAN NINE MONTHS

****Hearing Set for February 18th****

The Issue:

Maryland is proposing a bill (SB 505) that would prohibit retail pet stores from selling or taking certain other actions with a dog less than nine months old. Any pet store found in violation will be subject to fines of up to \$1,000.

The Impact:

Under this legislation, a “retail pet store” is defined as “a for profit establishment open to the public that sells or offers for sale domestic animals to be kept as household pets”.

SB 505 provides that any retail pet store in Maryland may not display, sell, deliver, offer for sale or adoption, barter, auction, give away or transfer or dispose of a dog **less than nine months old**.

The following establishments are exempted from this restriction:

- A person or establishment that breeds or raises animals to sell, exchange, broker or otherwise transfer to the public;
- A publicly or privately operated humane society or nonprofit animal adoption organization; or
- An adoption even operated by a humane society or nonprofit animal adoption organization out of or in connection with a retail pet store.

Any retail pet store owner or operator found in violation of these prohibitions is liable for a civil penalty of:

- \$500 for a first offense; or
- \$1,000 for each subsequent offense.

PIJAC Position:

Setting a nine month age limit is not justified by any science-based criteria. No state imposes such a limit. It is well-documented that placing young puppies in a home between three and 14 weeks of age (the “primary socialization period”) is best; that is when socialization is achieved.



SB 505 would do nothing more than shift the market for puppies from pet stores to humane society shelters which seek a steady supply of puppies to bolster their ostensibly non-profit, tax-exempt activities. One can only wonder why it would be acceptable for a shelter (where there is a mix of random source animals, many from unknown sources under one roof) to offer dogs under nine months of age for an adoption fee/sale. Such legislation is rank discrimination and anti-business.

Recommended Action:

As stated above, SB 505 is set to be heard before the Senate Finance Committee on Thursday, February 18th at 1:00 p.m. in Room 3 East Miller Building, Annapolis, MD.

We urge you to read the text of SB 505 in its entirety, found attached to the online version of this *PetAlert* on the 'Breaking News' page of the PIJAC website (<http://www.pijac.org/petinformation/breakingnews.asp>).

Those who wish to express an opinion or comment on this bill to their representative are encouraged to contact committee members (contact information below), or to visit PIJAC's [Legislative Action Center](#) where a message may be quickly and easily sent.

PIJAC also welcomes your comments to us on this bill. Contact PIJAC's Bambi Osborne by email at bambi@pijac.org or by phone at 1-800-553-PETS (7387) to express a viewpoint, or if you have questions or desire additional information. If you do contact your representative or decide to attend the hearing, please forward copies of your comments or testimony to PIJAC (info@pijac.org).

State of Maryland
Senate Committee on Finance
Miller Senate Building, #3 East Wing
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PIJAC Members! PIJAC Fans! Join US...

The Pet Industry Joint Advisory Council (PIJAC) has been protecting and promoting responsible pet ownership for nearly forty years. Follow our successes, events, and action alerts through Facebook and/or Twitter at PIJAC4pets. If you are not already a Member, please join us today by visiting www.pijac.org/membership. For additional information on PIJAC and its many exciting campaigns, please visit: www.pijac.org and www.dontmesswithmypet.org. Or, contact us at 1-800-553-PETS (1-800-553-7387); members@pijac.org.

On behalf of pets, responsible pet owners, and the pet industry, we thank you!

2010 MD S 505 **AUTHOR:** Gladden
 VERSION: Introduced
 VERSION DATE: 02/03/2010

STATE OF MARYLAND

SENATE BILL 505

By: Senators Gladden, Della, Madaleno, and Pugh

Introduced and read first time: February 3, 2010

Assigned to: Finance

A BILL ENTITLED

AN ACT concerning

Pet Stores - Sale of Dogs Less than 9 Months of Age Prohibited

FOR the purpose of prohibiting a retail pet store from selling or taking certain other actions with a dog less than a certain age; exempting certain establishments from the requirements of this Act; establishing a certain civil penalty for a violation of this Act; defining a certain term; providing a certain exception to the requirements of this Act; and generally relating to the sale of dogs less than 9 months of age in the State.

BY adding to

Article - Business Regulation

Section 19-601 to be under the new subtitle "Subtitle 6. Pet Stores"

Annotated Code of Maryland

(2004 Replacement Volume and 2009 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Business Regulation

SUBTITLE 6. PET STORES.

19-601.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "HUMANE SOCIETY" MEANS A SOCIETY OR ASSOCIATION INCORPORATED IN MARYLAND FOR THE PREVENTION OF CRUELTY TO ANIMALS.

(3) "RETAIL PET STORE" MEANS A FOR PROFIT ESTABLISHMENT OPEN TO THE PUBLIC THAT SELLS OR OFFERS FOR SALE DOMESTIC ANIMALS TO BE KEPT AS HOUSEHOLD PETS.

(B) THIS SECTION DOES NOT APPLY TO:

(1) A PERSON OR ESTABLISHMENT THAT BREEDS OR RAISES ANIMALS TO SELL, EXCHANGE, BROKER, OR OTHERWISE TRANSFER TO THE PUBLIC;

(2) A PUBLICLY OR PRIVATELY OPERATED HUMANE SOCIETY OR NONPROFIT ANIMAL ADOPTION ORGANIZATION; OR

(3) AN ADOPTION EVENT OPERATED BY A HUMANE SOCIETY OR NONPROFIT ANIMAL ADOPTION ORGANIZATION OUT OF OR IN CONNECTION WITH A RETAIL PET STORE.

(C) A RETAIL PET STORE IN THE STATE MAY NOT DISPLAY, SELL, DELIVER, OFFER FOR SALE OR ADOPTION, BARTER, AUCTION, GIVE AWAY, OR OTHERWISE TRANSFER OR DISPOSE OF A DOG LESS THAN MONTHS OF AGE.

(D) THE OWNER OR OPERATOR OF A RETAIL PET STORE THAT VIOLATES THIS SECTION IS LIABLE FOR A CIVIL PENALTY NOT EXCEEDING:

(1) \$500 FOR A FIRST OFFENSE; OR

(2) \$1,000 FOR EACH SUBSEQUENT OFFENSE.

SECTION 2. AND BE IT FURTHER ENACTED, That Section 1 of this Act does not apply to a dog that is in the possession of a retail pet store on the effective date of this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2010.