

WEST VIRGINIA LEGISLATURE

2019 REGULAR SESSION

Introduced

House Bill 3068

BY DELEGATES C. THOMPSON, ANGELUCCI,
FLEISCHAUER, LAVENDER-BOWE AND PYLES

[Introduced February 12, 2019; Referred
to the Committee on the Judiciary.]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new article,
 2 designated §19-2G-1, §19-2G-2, §19-2G-3, and §19-2G-4, all relating to sales by pet
 3 stores of dogs, cats or rabbits; providing definitions; requiring all such animals to be
 4 obtained from an animal control agency or shelter; maintaining records; and civil penalty.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2G. SALES BY PET STORES.

§19-2G-1. Definitions.

1 (a) "Animal shelter" means a public animal control facility or any other facility that is
 2 operated by an organization or individual for the purpose of protecting animals from cruelty,
 3 neglect or abuse.

4 (b) "Pet store" means a place or premises where birds, fish, mammals or reptiles are kept
 5 for the purpose of sale, at either wholesale or retail, import, export, barter, exchange or gift.

6 (c) "Rescue group" means an organization that is tax exempt under Section 501(c)(3) of
 7 the Internal Revenue Code, and that does not obtain animals from breeders or brokers for
 8 compensation.

§19-2G-2. Pet store sale of dog, cat or rabbit.

1 A pet store operator may not sell a live dog, cat, or rabbit in a pet store unless the dog,
 2 cat, or rabbit was obtained from a public animal control agency or shelter, society for the
 3 prevention of cruelty to animals shelter, humane society shelter, or rescue group that is in a
 4 cooperative agreement with at least one private or public shelter.

§19-2G-3. Maintenance of records.

1 Each pet store shall maintain records sufficient to document the source of each dog, cat,
 2 or rabbit the pet store sells or provides space for, for at least one year. Additionally, each pet
 3 store shall post, in a conspicuous location on the cage or enclosure of each animal, a sign listing
 4 the name of the public animal control agency or shelter, society for the prevention of cruelty to
 5 animals shelter, humane society shelter, or nonprofit from which each dog, cat, or rabbit was

6 obtained. Public animal control agencies or shelters may periodically require pet stores engaged
7 in sales of dogs, cats, or rabbits to provide access to these records.

§19-2G-4. Civil penalty for violation.

1 A pet store operator who violates this section is subject to a civil penalty of \$500. Each
2 animal offered for sale in violation of this section constitutes a separate violation.

NOTE: The purpose of this bill is to regulate sales by pet stores of dogs, cats or rabbits by requiring all such animals to be obtained from an animal control agency or shelter.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.