

CHAPTER 215
HB 250 - FINAL VERSION

7Apr2021... 0350h
05/13/2021 1290s

2021 SESSION

21-0297
08/10

HOUSE BILL **250**

AN ACT relative to pet vendors.

SPONSORS: Rep. Pearl, Merr. 26; Rep. Abramson, Rock. 37; Rep. Lang, Belk. 4; Rep. Kennedy, Merr. 7; Rep. G. Griffin, Hills. 5; Rep. Moffett, Merr. 9

COMMITTEE: Environment and Agriculture

AMENDED ANALYSIS

This bill sets the limit of dogs, cats, and ferrets that may be transferred without a pet vendor license. This bill also creates an exemption from the requirement to obtain a pet vendor license for certain breeders of dogs and cats, and authorizes the suspension of licenses for violations.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears ~~[in brackets and struckthrough]~~
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT relative to pet vendors.

Be it Enacted by the Senate and House of Representatives in General Court convened:

215:1 Pet Vendor; Definition. Amend RSA 437:1, IV to read as follows:

IV. "Pet vendor" means any person, firm, corporation, or other entity that transfers ~~[25]~~ **30** or more dogs, ~~[25]~~ **30** or more cats, 30 or more ferrets, or 50 or more birds, live animals or birds customarily used as household pets to the public, with or without a fee or donation required, and whether or not a physical facility is owned by the licensee in New Hampshire, when transfer to the final owner occurs within New Hampshire, between ~~[July 1 and June 30]~~ **January 1 and December 31** of each year. Pet vendor also means any person, firm, corporation, or other entity that transfers amphibians, reptiles, fish, or small mammals customarily used as household pets to the public in quantities set in rules adopted by the department, with or without a fee or donation required, and whether or not a physical facility is owned by the licensee in New Hampshire between ~~[July 1 and June 30]~~ **January 1 and December 31** of each year. Nothing in this paragraph shall be construed to alter or affect the municipal zoning regulations that a pet vendor shall conform with under RSA 437:3.

215:2 Exemptions; Commercial Kennel Deleted. Amend RSA 437:7 to read as follows:

437:7 Exceptions.

I. The license provisions of this subdivision shall not apply to breeders of dogs or cats that do not meet the definition of pet vendor in RSA 437:1, veterinarians, or the transfer of livestock or poultry.

II.(a) *A person who has previously not met the requirements for licensure as a pet vendor but who intends to transfer more than 30 dogs or 30 cats in a year may apply to the commissioner for an exemption from licensure as a pet vendor if he or she meets the following criteria:*

(1) *The person has transferred fewer than 30 dogs or 30 cats annually in the previous 4 12-month periods beginning January 1 and running through the following December 31; and*

(2) *The person has not been required to register as a pet vendor in the previous 4 12-month periods beginning January 1 and running through the following December 31.*

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1 ***(b) The commissioner shall make a determination on such exemption within 15***
2 ***days of its submission. Such exemption shall expire on the June 30 following its issuance.***

3 ***(c) A person exempt from licensure as a pet vendor under this paragraph may***
4 ***transfer no more than 15 dogs or 15 cats in addition to the 30 dog or 30 cat limit in***
5 ***subparagraph (a) within the period his or her exemption is valid.***

6 215:3 Requirements for Sale of Animals. Amend the introductory paragraph of RSA 437:3 to
7 read as follows:

8 No pet vendor shall transfer animals or birds without a license. A pet vendor shall apply to the
9 commissioner for a license, giving such information as the commissioner shall require. [~~The~~
10 ~~application~~] ***A pet vendor that transfers more than 50 or more dogs, 50 or more cats, 50 or***
11 ***more ferrets, or 50 or more birds*** shall include proof that the zoning enforcement official of the
12 municipality wherein any facility is to be maintained has certified that the facility conforms to the
13 municipal zoning regulations ***in his or her application.*** The application shall be accompanied by a
14 non-refundable \$200 fee. All licenses shall expire on June 30 of each year and be subject to renewal
15 upon submission of a new application. No licenses shall be transferable. A pet vendor licensed
16 under this subdivision shall:

17 215:4 Transfer of Animals; Suspensions. Amend RSA 437:4 to read as follows:

18 437:4 Refusal to Issue; Revocation ***or Suspension*** of License. The commissioner, after notice to
19 the licensee and opportunity for hearing, as set forth in the rules adopted under RSA 437:9, may
20 deny an application, ***or suspend*** or revoke a license for any of the following reasons:

21 I. The applicant or licensee violated the statutes of the state of New Hampshire or of the
22 United States or any rule adopted by the commissioner pursuant to this chapter;

23 II. The applicant made false or misleading statements in his or her application for a license;

24 III. The licensee knowingly transferred any animal affected with a communicable disease
25 except as allowed under RSA 437:5 and RSA 437:8, II;

26 IV. The licensee ceased to operate the business for which the license was issued; or

27 V. The applicant or licensee held any similar license issued in another jurisdiction which
28 was revoked or suspended by that jurisdiction as a result of engaging in conduct prohibited by RSA
29 437 during the preceding 5 years.

 215:5 Effective Date. This act shall take effect upon its passage.

Approved: August 17, 2021

Effective Date: August 17, 2021