

HOUSE No. 634

The Commonwealth of Massachusetts

PRESENTED BY:

James M. Cantwell

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to pet grooming.

PETITION OF:

NAME:

James M. Cantwell

DISTRICT/ADDRESS:

4th Plymouth

HOUSE No. 634

By Mr. Cantwell of Marshfield, a petition (accompanied by bill, House, No. 634) of James M. Cantwell for legislation to establish a pet grooming license. Environment, Natural Resources and Agriculture.

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

An Act relative to pet grooming.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 129 of the General Laws, as appearing in the 2012 Official Edition,
2 is hereby amended by inserting after section 39G the following section:-

3 Section 39H. (a) For the purposes of this section, the following terms shall have the
4 following meanings:-

5 "Cage and Box Dryer", a product that is attached to or near a cage or box for the purpose
6 of drying or aiding in the drying of a pet contained in a cage or box, and which is capable of
7 functioning without a person manually holding a dryer.

8 "Division", the division of animal health of the department of agricultural resources.

9 "Pet", any dog or cat placed in the care of a pet groomer for grooming or styling.

10 "Pet Groomer", an individual who clips or styles a pet for financial remuneration.

11 “Pet Grooming”, clipping or styling a pet for financial remuneration.

12 “Pet Grooming Facility”, a commercial establishment where a pet may be bathed,
13 brushed, clipped, or styled.

14 (b) No person shall engage in the act of pet grooming without first obtaining a license.
15 The division shall grant pet grooming licenses.

16 (c) The division shall establish a testing procedure for applicants interested in obtaining a
17 pet grooming license. Applicants may only obtain a pet grooming license after completing said
18 test satisfactory to the standards put forth by the division.

19 (d) The division shall create and maintain a record of licensees based on information
20 obtained from applicants and the results of their testing. This record shall contain any history of
21 disciplinary action, suspension of license or revocation of license.

22 (e) The division shall issue the applicant a license as a pet groomer upon payment of an
23 initial licensure fee which shall be \$20. There shall be a subsequent biennial license renewal fee
24 of \$20.

25 (f) The division shall make yearly inspections of pet grooming facilities to ensure
26 compliance with the provisions of this section and to ensure compliance with any additional rules
27 and regulations promulgated by the division.

28 Any person making inspections shall be first provided training in the provisions of this
29 section, in the rules and regulations promulgated by the division, and the proper care of pets in
30 general.

31 (g) Upon investigation by the division, the division shall decline to grant or renew, or
32 shall suspend or revoke a pet groomer's license if they find that:

33 (i) the applicant or license holder made a false statement of a material fact in the
34 application for a license;

35 (ii) the applicant or license holder committed an act of gross negligence while pets
36 were in the license holder's care;

37 (iii) the applicant or license holder was convicted of, placed on probation for, granted
38 a continuance without a finding for or otherwise plead guilty to, admitted to a finding of
39 sufficient facts or received a dismissal upon payment of court costs for violating any provision of
40 section 77 of chapter 272.

41 (h) In addition to denial, revocation, suspension or refusal of renewal of a license, as
42 otherwise provided in this section, any violation of a provision of this section is a civil offense,
43 for which a penalty of not less than \$100 nor more than \$1,000 for each violation may be
44 imposed.

45 (i) No pet groomer shall use a cage or box dryer which contains a heating element for the
46 purpose of drying or aiding in the drying of a pet.

47 (j) The division may promulgate additional rules and regulations in order to ensure the
48 safety of pets while at a pet grooming facility.

49 (k) The division may retain all license fees and fines it collects under this section to be
50 deposited in a separate fund to be administered by the division to be known as the Pet Groomer
51 Enforcement Fund. The fund shall be credited with any monies transferred under this section

52 and any monies credited or transferred to the fund from any other fund or source and shall not be
53 subject to appropriation.

54 SECTION 2. The licensure requirement provision shall take effect beginning January 1,
55 2017.

56 SECTION 3. Section 1 shall take effect beginning January 1, 2016.