

SENATE No. 2820

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Third General Court
(2023-2024)

SENATE, June 13, 2024.

The committee on Environment and Natural Resources, to whom was referred the petitions (accompanied by bill, Senate, No. 549) of Patrick M. O'Connor, Adam Scanlon, Jack Patrick Lewis, Michael O. Moore and other members of the General Court for legislation to ban the retail sale of dogs, cats, and rabbits in new pet shops; (accompanied by bill, Senate, No. 550) of Patrick M. O'Connor, Angelo J. Puppolo, Jr., Steven S. Howitt, John F. Keenan and other members of the General Court for legislation banning the retail sale of dogs, cats, and rabbits in pet shops; and (accompanied by bill, House, No. 826) of Natalie M. Higgins, Kimberly N. Ferguson and others for legislation to further regulate the retail sale of certain domestic animals in new pet shops, report the accompanying bill (Senate, No. 2820).

For the committee,
Rebecca L. Rausch

SENATE No. 2820

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**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act banning the retail sale of dogs, cats, and rabbits in new pet shops.

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. Section 39A of Chapter 129 of the General Laws, as appearing in the 2022
2 Official Edition, is hereby amended by inserting before the word “Every”, in line 1, the letter:-
3 (a).

4 SECTION 2. Said section 39A is hereby further amended by striking out the word
5 “section”, in line 13, and inserting in place thereof the following word:- paragraph.

6 SECTION 3. Said section 39A is hereby further amended by inserting after paragraph (a)
7 the following new paragraphs:-

8 (b) No person engaged in the business of operating a pet shop for which a license must be
9 obtained pursuant to paragraph (a) shall sell or offer for sale a dog, cat, or rabbit.

10 (c) Paragraph (b) shall not be construed to prohibit a pet shop from offering space to an
11 animal rescue or shelter organization to showcase dogs, cats, or rabbits for adoption so long as
12 the pet shop does not have an ownership interest in the animals offered for adoption.

13 (d) Nothing in paragraphs (b) or (c) shall affect the authority of any town, city, or other
14 locality to regulate or prohibit the sale of dogs, cats, or rabbits.

15 (e) Notwithstanding the provisions of section 43 of this chapter, a person who violates
16 paragraph (b) of this section shall be: (i) assessed a civil penalty of not more than \$1,000 for the
17 first offense, not more than \$2,500 for the second offense, and not more than \$5,000 for third and
18 subsequent offenses; and (ii) subject to suspension or revocation of the person's pet shop license.
19 Each advertisement or offer for sale or actual sale of an animal in violation of paragraph (b) shall
20 constitute a separate violation.

21 SECTION 4. The provisions of paragraph (b) of section 39A of Chapter 129 of the
22 General Laws shall not apply to a pet shop lawfully offering dogs, cats, or rabbits for sale in the
23 Commonwealth on or before the effective date of this act, provided that the pet shop: (i)
24 maintains a valid license to operate and engage in such sales; (ii) remains in the same ownership
25 as existed on the effective date of this act; and (iii) sells dogs, cats, and rabbits only from the
26 location listed on the applicable license.

27 SECTION 5. This act shall take effect on January 1, 2025.