

SENATE No. 651

The Commonwealth of Massachusetts

PRESENTED BY:

Patrick M. O'Connor

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

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | |
|------------------------------|---|------------------|
| <i>Patrick M. O'Connor</i> | <i>First Plymouth and Norfolk</i> | |
| <i>Michael O. Moore</i> | <i>Second Worcester</i> | <i>2/4/2025</i> |
| <i>Marcus S. Vaughn</i> | <i>9th Norfolk</i> | <i>2/5/2025</i> |
| <i>Michael D. Brady</i> | <i>Second Plymouth and Norfolk</i> | <i>2/7/2025</i> |
| <i>John C. Velis</i> | <i>Hampden and Hampshire</i> | <i>2/7/2025</i> |
| <i>James K. Hawkins</i> | <i>2nd Bristol</i> | <i>2/7/2025</i> |
| <i>Manny Cruz</i> | <i>7th Essex</i> | <i>2/12/2025</i> |
| <i>Vanna Howard</i> | <i>17th Middlesex</i> | <i>2/18/2025</i> |
| <i>Adam Gómez</i> | <i>Hampden</i> | <i>2/20/2025</i> |
| <i>Patricia D. Jehlen</i> | <i>Second Middlesex</i> | <i>2/20/2025</i> |
| <i>Bruce E. Tarr</i> | <i>First Essex and Middlesex</i> | <i>2/26/2025</i> |
| <i>Paul W. Mark</i> | <i>Berkshire, Hampden, Franklin and Hampshire</i> | <i>2/27/2025</i> |
| <i>Kathleen R. LaNatra</i> | <i>12th Plymouth</i> | <i>3/5/2025</i> |
| <i>Robyn K. Kennedy</i> | <i>First Worcester</i> | <i>3/5/2025</i> |
| <i>Adam J. Scanlon</i> | <i>14th Bristol</i> | <i>3/5/2025</i> |
| <i>Steven S. Howitt</i> | <i>4th Bristol</i> | <i>3/5/2025</i> |
| <i>Bradley H. Jones, Jr.</i> | <i>20th Middlesex</i> | <i>3/5/2025</i> |

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|---------------------------------|--|-------------------|
| <i>Paul K. Frost</i> | <i>7th Worcester</i> | <i>3/5/2025</i> |
| <i>David F. DeCoste</i> | <i>5th Plymouth</i> | <i>3/6/2025</i> |
| <i>Ryan C. Fattman</i> | <i>Worcester and Hampden</i> | <i>3/6/2025</i> |
| <i>Joanne M. Comerford</i> | <i>Hampshire, Franklin and Worcester</i> | <i>3/6/2025</i> |
| <i>John F. Keenan</i> | <i>Norfolk and Plymouth</i> | <i>3/31/2025</i> |
| <i>John J. Cronin</i> | <i>Worcester and Middlesex</i> | <i>4/24/2025</i> |
| <i>Pavel M. Payano</i> | <i>First Essex</i> | <i>6/25/2025</i> |
| <i>William J. Driscoll, Jr.</i> | <i>Norfolk, Plymouth and Bristol</i> | <i>7/7/2025</i> |
| <i>Dylan A. Fernandes</i> | <i>Plymouth and Barnstable</i> | <i>7/9/2025</i> |
| <i>James B. Eldridge</i> | <i>Middlesex and Worcester</i> | <i>7/24/2025</i> |
| <i>Bruce J. Ayers</i> | <i>1st Norfolk</i> | <i>10/20/2025</i> |
| <i>Angelo J. Puppolo, Jr.</i> | <i>12th Hampden</i> | <i>10/22/2025</i> |

SENATE No. 651

By Mr. O'Connor, a petition (accompanied by bill, Senate, No. 651) of Patrick M. O'Connor, Michael O. Moore, Marcus S. Vaughn, Michael D. Brady and other members of the General Court for legislation to ban the retail sale of dogs, cats, and rabbits in new pet shops. Environment and Natural Resources.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 549 OF 2023-2024.]

The Commonwealth of Massachusetts

—————
**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**
—————

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, in line 1, before the word “Every”, the
3 following letter:- (a)

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

6 SECTION 3. Said section 39A is hereby further amended by inserting after subsection (a)
7 the following 4 subsections:-

8 (b) No person engaged in the business of operating a pet shop regulated under 330 CMR
9 12.00 for which a license must be obtained pursuant to subsection (a) shall sell or offer for sale a
10 dog, cat, or rabbit.

11 (c) Subsection (b) shall not be construed to prohibit a pet shop regulated under 330 CMR
12 12.00 from offering space to an animal rescue or shelter organization to showcase dogs, cats, or
13 rabbits for adoption so long as the pet shop does not have an ownership interest in the animals
14 offered for adoption.

15 (d) Subsection (b) shall not apply to a pet shop lawfully selling or offering for sale dogs,
16 cats, or rabbits in the Commonwealth on or before the effective date of this act, provided that: (i)
17 the pet shop maintains a valid license to operate and engage in such sales; (ii) the pet shop
18 remains in the same ownership as existed on the effective date of this act; (iii) the pet shop sells
19 or offers for sale dogs, cats, or rabbits only from the location listed on the applicable license; and
20 (iv) the specific type of animal sold by the pet shop, whether dog, cat, or rabbit, is an animal that
21 the pet shop is documented to have engaged in selling or offering for sale for at least one year
22 prior to the effective date of this act.

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

29 SECTION 4. Nothing in section 39A of chapter 129 of the General Laws shall affect the
30 authority of any town, city, or other locality to regulate or prohibit the sale of dogs, cats, or
31 rabbits.

32 SECTION 5. This act shall take effect on January 1, 2027.