



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-2265/1
MCP:cdc&amn

2019 ASSEMBLY BILL 298

June 13, 2019 - Introduced by Representatives L. MYERS, OHNSTAD, ANDERSON, STEFFEN, SINICKI, EMERSON, POPE, CABRERA and BILLINGS, cosponsored by Senators L. TAYLOR, SMITH and HANSEN. Referred to Committee on Criminal Justice and Public Safety.

1 **AN ACT to amend** 173.41 (15) (b) 1. and 173.41 (15) (c); and **to create** 173.41 (9m)
2 and 173.41 (15) (am) of the statutes; **relating to:** sales of dogs and cats by pet
3 stores and providing a penalty.

Analysis by the Legislative Reference Bureau

This bill prohibits a pet store from selling dogs and cats beginning on January 1, 2020. A person who violates this prohibition is subject to a civil forfeiture of up to \$10,000 for the first offense and up to \$25,000 for the second or any subsequent offense.

For further information see the ***state and local*** fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

4 **SECTION 1.** 173.41 (9m) of the statutes is created to read:
5 173.41 **(9m)** PET STORES. (a) In this subsection:
6 1. "Breeder" means a person who breeds or raises any number of dogs or cats
7 to sell, exchange, or otherwise transfer to a person other than a breeder or dealer.

ASSEMBLY BILL 298**SECTION 1**

1 2. “Dealer” means a person who, for compensation, buys, sells, or negotiates the
2 purchase of a dog, or delivers for transport or transports a dog. “Dealer” does not
3 include a person who transports a dog only as a carrier.

4 3. “Pet store” means a for-profit establishment that is open to the public and
5 that sells or offers for sale domestic animals to be kept as household pets. “Pet store”
6 does not include an animal control facility or animal shelter that holds a valid license
7 under sub. (2); or a humane society, animal welfare society, animal rescue group, or
8 other nonprofit group whose mission and practice is the rescue of animals and the
9 placement of those animals in permanent homes and that does not obtain animals
10 from a breeder or dealer in exchange for compensation.

11 (b) No person may sell, offer for sale, or transfer a dog or cat from a pet store.

12 (c) Notwithstanding par. (b), nothing in this subsection shall be construed as
13 prohibiting a pet store from allowing an animal control facility, animal shelter,
14 humane society, animal welfare society, animal rescue group, or other nonprofit
15 group from showcasing, in the pet store, animals that are available for adoption.

16 **SECTION 2.** 173.41 (15) (am) of the statutes is created to read:

17 173.41 (15) (am) A person who violates sub. (9m) or a rule promulgated under
18 this section relating to sub. (9m) may be required to forfeit not more than than
19 \$10,000 for the first offense and may be required to forfeit not more than \$25,000 for
20 the 2nd or any subsequent offense. If a violation under this paragraph involves the
21 sale, offer for sale, or transfer of a dog or cat in violation of sub. (9m) (b), each sale,
22 offer for sale, or transfer of a dog or cat constitutes a separate violation.

23 **SECTION 3.** 173.41 (15) (b) 1. of the statutes is amended to read:

24 173.41 (15) (b) 1. Except as provided under ~~par.~~ pars. (a) and (am), a person who
25 violates this section or a rule promulgated under this section may be required to

