Date of Hearing: May 10, 2017

ASSEMBLY COMMITTEE ON APPROPRIATIONS
Lorena Gonzalez Fletcher, Chair
AB 1138 (Maienschein) – As Amended April 17, 2017

Policy Committee: Privacy and Consumer Protection Vote: 9 - 0

Urgency: No State Mandated Local Program: Yes Reimbursable: No

SUMMARY:

This bill prohibits false or misleading advertising, as specified, related to the sale of dogs and cats and makes violations of this provision a misdemeanor punishable by up to six months in county jail and/or a fine of up to $2,500.

FISCAL EFFECT:

Nonreimbursable local incarceration costs, potentially offset to some extent by fine revenue.

COMMENTS:

Background and Purpose. According to the author, "Despite laws prohibiting false advertising, online buyers of dogs and cats commonly fall victim to it. The internet has made it much easier for sellers to use deceptive practices, including the source and health of the pet and, at times, even the existence of the pet. Buyers are saddled with unanticipated veterinary costs and are devastated when a happy event turns to a costly and emotional outcome. Many consumers do not seem to understand that they have remedies under the law for deceptive marketing. AB 1138 would clarify the law to ensure that deceived buyers know that they have a remedy under California laws."

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