

CALIFORNIA 2020 RETAIL PET STORE BILLS COMPARED TO EXISTING STATUTE, 2/23/2020

Existing Pet Store Animal Care Act	As proposed by SB 1117 (Wilk)	As proposed by AB 2152 (Gloria et al)
<p>HEALTH AND SAFETY CODE - HSC            DIVISION 105. COMMUNICABLE DISEASE            PREVENTION AND CONTROL [120100 - 122477] ( Division 105 added by Stats. 1995, Ch. 415, Sec. 7. )            PART 6. VETERINARY PUBLIC HEALTH AND SAFETY [121575 - 122388] ( Part 6 added by Stats. 1995, Ch. 415, Sec. 7. )</p> <p>CHAPTER 9. Pet Store Animal Care [122350 - 122361] ( Chapter 9 added by Stats. 2007, Ch. 703, Sec. 3. )</p> <p>122350. As used in this act, the following definitions apply:            (a) "Adequate space" means sufficient height and sufficient floorspace for the animals to stand up, sit down, turn about freely using normal body movements without the head touching the top of the primary enclosure, lie down with limbs outstretched, exercise normal postural movement, move about freely as appropriate for the species, age, size, and condition of the animal, and, when appropriate, to experience socialization with other animals, if any, in the primary enclosure. However, when freedom of movement would endanger the animal, temporarily and appropriately restricting movement of the animal in a humane manner is permitted.            (b) "Animal" means any nonhuman vertebrate species housed, offered for sale or adoption, or both, in the pet store, including, but not limited to, mammals, birds, reptiles, amphibians, fish, and</p>		

<p>also invertebrates housed, sold, or adopted as pets.</p> <p>(c) "Disposition" means the transfer of an animal from a pet store to another location, including the sale or adoption of the animal, the return of the animal to the person who supplied the animal to the pet store, or removal from the pet store of an animal that is deceased for any reason, including euthanasia.</p> <p>(d) "Enrichment" means providing objects or activities, appropriate to the needs of the species, as well as the age, size, and condition of the animal, that stimulate the animal and promote the animal's well-being.</p> <p>(e) "Euthanasia" or "euthanize" means the humane destruction of an animal in compliance with the requirements set forth in paragraph (5) of subdivision (b) of Section 122354.</p> <p>(f) "Impervious to moisture" means a surface that prevents the absorption of fluids and that can be thoroughly and repeatedly sanitized, will not retain odors, and from which fluids bead up and run off or can be removed without being absorbed into the surface material.</p> <p>(g) "Intact" means an animal that retains its sexual organs or ability to procreate and has not been sterilized.</p> <p>(h) "Person" means an individual, partnership, firm, joint-stock company, corporation, association, trust, estate, or other legal entity.</p> <p>(i) "Pet store" means a retail establishment open to the public and selling or offering for sale animals, including, but not limited to, animals for use as pets or animals intended as food for other animals. "Pet store" does not include a retail establishment open to the public and selling or</p>		
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<p>offering for sale animals to agricultural operations for purposes that are directly related to the raising of livestock or poultry on a farm or ranch. A person who sells, exchanges, or otherwise transfers only animals that were bred or raised, or both, by the person, or sells or otherwise transfers only animals kept primarily for reproduction, shall be considered a breeder and not a pet store.</p> <p>(j) "Pet store operator" or "operator" means a person who owns or operates a pet store, or both.</p> <p>(k) "Primary enclosure" means a structure used to immediately restrict an animal or animals to a limited amount of space, such as a room, pen, cage, aquarium, terrarium, habitat compartment, or hutch, where the animal or animals reside until their sale, transfer, or other disposition.</p> <p>(l) "Rodent" means an animal of the order Rodentia, such as a guinea pig, rat, mouse, chinchilla, or hamster.</p> <p>(m) "Sanitize" means to make physically clean and to destroy, to the extent practical, agents injurious to health.</p> <p>(n) "Temporary enclosure" means a confined space used by the pet store to house an animal when the animal is not in its primary enclosure for a period not to exceed four consecutive hours. The temporary enclosure shall allow the animals to stand up, lie down, and turn around. An enclosure used by the pet store to house an animal for longer than four consecutive hours shall meet the requirements of a primary enclosure.</p> <p>(o) "Time of sale" means the calendar date the retail purchaser removes the animal from the premises of the pet store following the retail sale of that animal.</p>		
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<p>(p) "Transfer" means the release of an animal by its owner to another person by sale, gift, adoption, or other disposition, including the exchange of animals between pet stores.</p> <p>(q) "Veterinary treatment" means treatment by or at the direction of a California-licensed veterinarian.</p> <p>(Amended by Stats. 2009, Ch. 446, Sec. 1. (AB 490) Effective January 1, 2010.)</p> <p>122351. Each pet store operator shall be responsible for all of the following:</p> <p>(a) Maintaining the entire pet store facility in good repair.</p> <p>(b) Restricting the entry of pests from outside, ensuring the containment of animals within the pet store, and, in the event that animals escape, being responsible for reporting this fact, as necessary, to local authorities and making reasonable efforts to capture the animals that have escaped.</p> <p>(c) Ensuring that the pet store's interior building surfaces, including walls and floors, are constructed in a manner that permits them to be readily cleaned and maintained.</p> <p>(d) Uniformly distributing light, by natural or artificial means, in a manner that permits routine inspection and cleaning, and the proper care and maintenance of the animals.</p> <p>(e) When dog or cat grooming services are offered by a pet store, separating the grooming work area from the store's primary animal enclosures, animal food storage areas, and isolation areas for housing sick animals. The grooming area shall be cleaned and maintained at least once daily.</p>		
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<p>(f) With respect to dogs, complying with all of the requirements of Section 122155. Sections 122356 and 122358 do not apply to a violation of Section 122155. (Added by Stats. 2007, Ch. 703, Sec. 3. Effective January 1, 2008. Section operative January 1, 2009, pursuant to Section 122361.)</p> <p>122352. (a) Primary enclosures shall comply with all of the following structural standards: (1) Primary and temporary enclosures shall be structurally sound and maintained in good repair to protect the animals from injury, to contain the animals, to keep other animals out, and to promote the health and well-being of the enclosed animals. Primary enclosures shall be constructed so they can be routinely maintained to allow animals to stay clean. (2) The floor of the primary enclosure shall be constructed to prevent injury. A solid surface, platform, or shelf shall be provided when a grid-flooring system is used. (3) Primary enclosures shall be constructed of materials that are impervious to moisture and can be sanitized. (4) All primary enclosures shall provide adequate space for the animal or animals housed in the enclosure. (5) Each primary enclosure shall provide animals with an enrichment device or devices appropriate for the species, age, size, and condition of the animal. (b) In addition to the requirements set forth in subdivision (a), primary enclosures for cats shall provide an elevated platform as appropriate for the size of the cat.</p>		
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<p>(c) In addition to the requirements set forth in subdivision (a), primary enclosures for birds shall be designed to ensure all of the following:</p> <p>(1) A bird can fully extend both of its wings at the same time without contacting the sides of the enclosure.</p> <p>(2) Perches are provided in a diameter that is appropriate for the species, age, size, and condition of the bird, and for the size of the enclosure.</p> <p>(3) There is sufficient space to enable each bird to fully extend its wings in every direction while all birds are simultaneously perched.</p> <p>(d) Primary enclosures for prey species shall be located where they cannot be directly seen by predator animals for that species.</p> <p>(Added by Stats. 2007, Ch. 703, Sec. 3. Effective January 1, 2008. Section operative January 1, 2009, pursuant to Section 122361.)</p> <p>122353. (a) When a primary or temporary enclosure is being cleaned in a manner, or with a substance, that is or may be harmful to the animals within the enclosure, those animals shall be removed from the enclosure.</p> <p>(b) Primary enclosures shall be observed at least once daily, and animal and food wastes, used bedding, debris, and any other organic wastes shall be removed as necessary to prevent contamination of the animals and to reduce disease hazards and odors.</p> <p>(c) Pest control measures shall be implemented to effectively control infestation of vermin, insects, or other pests.</p>		
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(Added by Stats. 2007, Ch. 703, Sec. 3. Effective January 1, 2008. Section operative January 1, 2009, pursuant to Section 122361.)

122354. (a) The pet store operator or at least one of his or her employees shall be present in the store at least once daily, regardless of whether the store is open, for care and maintenance of the animals in the pet store.

(b) A pet store operator shall comply with the following animal care requirements:

(1) House only compatible animals in the same enclosure.

(2) Observe each animal at regular intervals, at least once a day, in order to recognize and evaluate general symptoms of sickness, injury, or abnormal behavior.

(3) Take reasonable measures to house intact mammals that have reached sexual maturity in a manner to prevent unplanned reproduction.

(4) (A) Maintain and abide by written animal husbandry procedures that address animal care, management and safe handling, disease prevention and control, routine care, preventative care, emergency care, veterinary treatment, euthanasia, and disaster planning, evacuation, and recovery that is applicable to the location of the pet store. These procedures shall be reviewed with employees who provide animal care and shall be present, in writing, either electronically or physically, in the store and made available to all store employees.

(B) Sections 122356 and 122358 do not apply to subparagraph (A) where there are other local, state, or federal laws that apply to those procedures.

<p>(5) (A) If there is a determination that an animal may need to be euthanized, ensure that veterinary treatment is provided without delay.</p> <p>(B) Notwithstanding subparagraph (A), a rodent or rabbit intended as food for another animal may be destroyed by a pet store operator or an employee of a pet store only if the animal is euthanized by a method that is performed in a humane manner, appropriate for the species, authorized by state law, and in compliance with the American Veterinary Medical Association (AVMA) Guidelines on Euthanasia, dated June 2007, published by the AVMA.</p> <p>(C) The euthanasia performed pursuant to subparagraph (B) may be performed by a pet store operator or an employee of a pet store only if a California-licensed veterinarian has certified, in writing, that the pet store operator or employee is properly trained and proficient in performing the method of euthanasia on that particular species. The certification shall be valid for a period of not more than three years, and may be recertified for additional periods of three years. Each certification of a pet store operator or employee shall be retained by the pet store for three years, unless a longer period is otherwise required under state law. The certification shall be made available, upon request, to appropriate law enforcement officers exercising authority pursuant to Section 122356.</p> <p>(D) It is the responsibility of the pet store operator to ensure that euthanasia is performed in compliance with this section.</p> <p>(E) Subparagraphs (A) to (D), inclusive, shall be implemented in a manner consistent with California law and in accordance with Chapter 11</p>		
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<p>(commencing with Section 4800) of Division 2 of the Business and Professions Code.</p> <p>(6) Isolate and not offer for sale those animals that have or are suspected of having a contagious condition. This paragraph shall not apply to those animals that are effectively isolated by their primary enclosure, including, but not limited to, fish, provided that a sign is posted on the enclosure that indicates that these animals are not for sale, or otherwise marked in a manner to prevent their sale to customers during their treatment for the contagious condition.</p> <p>(7) Have a documented program of routine care, preventative care, emergency care, disease control and prevention, and veterinary treatment and euthanasia, as outlined in paragraph (5), that is established and maintained by the pet store in consultation with a licensed veterinarian employed by the pet store or a California-licensed veterinarian, to ensure adherence to the program with respect to each animal. The program shall also include a documented onsite visit to the pet store premises by a California-licensed veterinarian at least once a year.</p> <p>(8) Ensure that each diseased, ill, or injured animal is evaluated and treated without delay. If necessary for the humane care and treatment of the animal, the animal shall be provided with veterinary treatment without delay.</p> <p>(9) In the event of a natural disaster, an emergency evacuation, or other similar occurrence, the humane care and treatment of each animal is provided for, as required by this chapter, to the extent access to the animal is reasonably available.</p> <p>(c) Subdivisions (a) and (b) shall be implemented to the extent consistent with California law.</p>		
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<p>(Amended by Stats. 2009, Ch. 446, Sec. 2. (AB 490) Effective January 1, 2010.)</p> <p>122354.5. (a) A pet store operator shall not sell a live dog, cat, or rabbit in a pet store unless the animal was obtained from a public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group that is in a cooperative agreement with at least one private or public shelter pursuant to Section 31108, 31752, or 31753 of the Food and Agricultural Code.</p> <p>(b) All sales of dogs and cats authorized by this section shall be in compliance with paragraph (1) of subdivision (a) of Section 30503 of, subdivision (b) of Section 30520 of, paragraph (1) of subdivision (a) of Section 31751.3 of, and subdivision (b) of Section 31760 of, the Food and Agricultural Code.</p> <p>(c) Each pet store shall maintain records sufficient to document the origin of each dog, cat, or rabbit the pet store sells or provides space for, for at least one year. Additionally, each pet store shall post, in a conspicuous location on the cage or enclosure of each animal, a sign listing the name of the public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or nonprofit from which each animal was obtained. Public animal control agencies or shelters may periodically require pet stores engaged in sales of these animals to provide access to the records.</p> <p>(d) A pet store operator shall maintain written records sufficient to document the health, status, and disposition of each animal for a period of not less than two years after the animal is sold. These</p>	<p>Section 122354.5 of the Health and Safety Code is amended to read:</p> <p><b>122354.5.</b></p> <p>(a) A pet store operator shall not sell a live dog, cat, or rabbit in a pet store unless the animal was obtained from a public animal control agency or <del>shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group that is in a cooperative agreement with at least one private or public</del> shelter pursuant to Section 31108, 31752, or 31753 of the Food and Agricultural Code.</p> <p>(b) All sales of dogs and cats authorized by this section shall be in compliance with paragraph (1) of subdivision (a) of Section 30503 of, subdivision (b) of Section 30520 of, paragraph (1) of subdivision (a) of Section 31751.3 of, and subdivision (b) of Section 31760 of, the Food and Agricultural Code.</p> <p>(c) Each pet store shall maintain records sufficient to document the origin of each dog, cat, or rabbit the pet store sells or provides space for, for at least one year. Additionally, each pet store shall post, in a conspicuous location on the cage or enclosure of each animal, a sign listing the name of the public animal control agency or <del>shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or nonprofit</del> shelter from which each animal was obtained. Public animal control agencies or shelters may periodically require pet stores engaged in sales of these animals to provide access to the records.</p> <p>(d) A pet store operator shall maintain written records sufficient to document the health, status, and disposition of each animal for a period of not less than two years after the animal is sold. These records shall be available to humane officers,</p>	<p>REPEAL 122354.5 in its entirety</p> <p>ADD a new 122354.5</p> <p><u>122354.5.</u></p> <p><u>(a) A pet store operator shall not sell a live dog, cat, or rabbit in a pet store. This section does not restrict a pet store operator from providing space to a public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group to showcase adoptable animals if the pet store operator does not have an ownership in the animal and does not receive any compensation for providing space for the adoption of the animal.</u></p> <p><u>(b) A pet store operator who is subject to this section is exempt from the requirements set forth in Article 2 (commencing with Section 122125) of Chapter 5, except for the requirements set forth in Sections 122135 and 122137, paragraphs (3) and (4) of subdivision (a) of, and paragraphs (5) and (6) of subdivision (b) of, Section 122140, and Section 122155. *</u></p> <p><u>(c) For purposes of this section, a “rescue group” is an organization that is tax exempt under Section 501(c)(3) of the Internal Revenue Code, and that does not breed animals or obtain animals from breeders or brokers for compensation.</u></p> <p><u>(d) This section does not prohibit a local governing body from adopting requirements that are more protective of animal welfare than those set forth in this section.</u></p> <p><b>*Refers to Lockyer-Polanco-Farr Pet Protection Act</b></p>
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<p>records shall be available to humane officers, animal control officers, law enforcement officers, prospective purchasers, or the purchaser of the animal for inspection during normal business hours.</p> <p>(e) A pet store operator shall provide to the prospective purchaser, in writing, the pet return policy of the pet store. The return policy shall include the circumstances, if any, under which the pet store will provide followup veterinary care for the animal in the event of illness.</p> <p>(f) At the request of the pet store operator, the public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group that supplies an animal to the pet store shall provide, in writing, the terms under which the animal is being transferred to the pet store, including policies on returning a sick animal, and information related to the animal, including the origin of the animal, if known, and any veterinary records.</p> <p>(g) A pet store operator shall provide to the prospective purchaser or purchaser of an animal, a copy of the veterinary medical records of the animal, if any, including, but not limited to, records obtained pursuant to the requirements set forth in Section 122135.</p> <p>(h) A pet store operator who is subject to this section is exempt from the requirements set forth in Article 2 (commencing with Section 122125) of Chapter 5, except for the requirements set forth in Sections 122135 and 122137, paragraphs (3) and (4) of subdivision (a) of, and paragraphs (5) and (6) of subdivision (b) of, Section 122140, and Section 122155.</p>	<p>animal control officers, law enforcement officers, prospective purchasers, or the purchaser of the animal for inspection during normal business hours.</p> <p>(e) A pet store operator shall provide to the prospective purchaser, in writing, the pet return policy of the pet store. The return policy shall include the circumstances, if any, under which the pet store will provide followup veterinary care for the animal in the event of illness.</p> <p>(f) At the request of the pet store operator, the public animal control agency or <del>shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group</del> <i>shelter</i> that supplies an animal to the pet store shall provide, in writing, the terms under which the animal is being transferred to the pet store, including policies on returning a sick animal, and information related to the animal, including the origin of the animal, if known, and any veterinary records.</p> <p>(g) A pet store operator shall provide to the prospective purchaser or purchaser of an animal, a copy of the veterinary medical records of the animal, if any, including, but not limited to, records obtained pursuant to the requirements set forth in Section 122135.</p> <p>(h) A pet store operator who is subject to this section is exempt from the requirements set forth in Article 2 (commencing with Section 122125) of Chapter 5, except for the requirements set forth in Sections 122135 and 122137, paragraphs (3) and (4) of subdivision (a) of, and paragraphs (5) and (6) of subdivision (b) of, Section 122140, and Section 122155.</p> <p>(i) A pet store operator who violates this section <u>is guilty of a misdemeanor, as described in Section 122357, and is</u> subject to a civil penalty of five hundred dollars (\$500). Each animal offered for</p>	
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<p>(i) A pet store operator who violates this section is subject to a civil penalty of five hundred dollars (\$500). Each animal offered for sale in violation of this section constitutes a separate violation.</p> <p>(j) For purposes of this section, a “rescue group” is an organization that is tax exempt under Section 501(c)(3) of the Internal Revenue Code, and that does not obtain animals from breeders or brokers for compensation.</p> <p>(k) This section does not prohibit a local governing body from adopting requirements that are more protective of animal welfare than those set forth in this section.</p> <p>(l) This section shall become operative on January 1, 2019. (Amended by Stats. 2019, Ch. 497, Sec. 174. (AB 991) Effective January 1, 2020.)</p> <p>122355. (a) Each pet store operator shall ensure that records of all veterinary visits to the pet store are documented in writing. Veterinary treatment records shall be kept for each animal or group of animals that receives medications or immunizations while in the care of the pet store. These records shall include summaries of direction received orally from veterinarians, and shall include all of the following, to the extent it is provided by the veterinarian:</p> <ol style="list-style-type: none"> <li>(1) Identification of the animal or group of animals receiving medical treatment.</li> <li>(2) Name of the medication or immunization used.</li> <li>(3) Amount of medication used.</li> <li>(4) Time and date on which the medication or immunization was administered.</li> </ol> <p>(b) Records required by subdivision (a) shall be made available, upon request, to a person who</p>	<p>sale <i>per day</i> in violation of this section constitutes a separate violation.</p> <p><del>(j) For purposes of this section, a “rescue group” is an organization that is tax exempt under Section 501(c)(3) of the Internal Revenue Code, and that does not obtain animals from breeders or brokers for compensation.</del></p> <p><del>(k)</del></p> <p><i>(i)</i> This section does not prohibit a local governing body from adopting requirements that are more protective of animal welfare than those set forth in this section.</p> <p><del>(l) This section shall become operative on January 1, 2019.</del></p>	
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<p>purchases a cat or dog, or any individually housed animal.</p> <p>(c) The pet store shall provide to the purchaser of an animal at the time of sale information concerning the store’s animal return policy, which shall be made available to customers either through in-store signs or handouts to customers. The pet store shall also provide to purchasers of cats, dogs, and all individually housed animals all of the following information:</p> <p>(1) Spay or neuter procedures performed on the animal.</p> <p>(2) Vaccinations, medical treatment, and veterinary treatment administered to the animal during its stay in the store.</p> <p>(3) Any identification device on the animal.</p> <p>(4) With respect to dogs and cats, all information required to be disclosed under Section 122140. Sections 122356 and 122358 do not apply to a violation of Section 122140.</p> <p>(5) With respect to dogs, all information required to be disclosed under Sections 122190 and 122310. This information shall be contained in separate documents. Sections 122356 and 122358 do not apply to a violation of Section 122190 or 122310.</p> <p>(6) With respect to birds, all information required to be disclosed under Section 122321. Section 122356 and Section 122358 do not apply to a violation of Section 122321.</p> <p>(d) Each pet store operator shall maintain records for identification purposes of the person from whom the animals in the pet store were acquired, including that person’s name, address, and telephone number, and the date the animal was acquired.</p>		
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<p>(e) All records required by this section shall be maintained by the pet store for two years from the date of disposition of the animal, and shall be made available upon request to appropriate enforcement officers exercising authority pursuant to Section 122356. (Added by Stats. 2007, Ch. 703, Sec. 3. Effective January 1, 2008. Section operative January 1, 2009, pursuant to Section 122361.)</p> <p>122356. (a) An animal control officer, as defined in Section 830.9 of the Penal Code, a humane officer qualified pursuant to Section 14502 or 14503 of the Corporations Code, or a peace officer who detects a violation of Section 122351, subdivision (b) or (c) of Section 122353, paragraphs (3) or (4) of subdivision (b) of Section 122354, or Section 122355 shall issue a single notice to correct, which shall contain all of the following information: (1) Specify each violation of this chapter found in the inspection. (2) Identify the corrective action for each violation. (3) Include a specific period of time during which the listed violation or violations must be corrected. (b) After issuing a notice to correct pursuant to this section, the officer or another qualified officer of the issuing agency shall verify compliance with this chapter by conducting a subsequent investigation of the pet store in violation of this chapter within a reasonable period of time. (c) An exact, legible copy of the notice to correct shall be delivered to the pet store operator at the time he or she signs the notice. In the alternative, the issuing agency may personally deliver the notice to the pet store operator within 48 hours of its issuance, excluding holidays and weekends. The</p>		
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<p>signing of the notice is an acknowledgment of receipt, and does not constitute an admission of guilt.</p> <p>(d) A pet store operator who fails to comply with a notice to correct is guilty of an infraction.</p> <p>(e) A pet store operator who violates the same provision of this chapter on more than one occasion within a 12-month period, at the same location, is not eligible to receive a notice to correct, and is guilty of an infraction on the second violation, and is guilty of a misdemeanor on the third or subsequent violation.</p> <p>(f) Notwithstanding subdivision (a), a pet store operator is guilty of a misdemeanor if the pet store operator violates any provision listed in subdivision (a), and by doing so, the pet store operator causes or allows harm or injury to an animal, or allows an animal to be subject to an unreasonable risk of harm or injury.</p> <p>(Added by Stats. 2007, Ch. 703, Sec. 3. Effective January 1, 2008. Section operative January 1, 2009, pursuant to Section 122361.)</p> <p>122357. A pet store operator who violates any provision of this chapter that is not specified in subdivision (a) of Section 122356 and is not proscribed by Section 122354.5 is guilty of a misdemeanor.</p> <p>(Amended by Stats. 2017, Ch. 740, Sec. 3. (AB 485) Effective January 1, 2018.)</p> <p>122358. An infraction is punishable by a fine not to exceed two hundred fifty dollars (\$250) per violation. A misdemeanor is punishable by a fine not to exceed one thousand dollars (\$1,000) per</p>	<p><b>122357.</b></p> <p>A pet store operator who violates any provision of this chapter that is not specified in subdivision (a) of Section 122356 <del>and is not proscribed by Section 122354.5</del> is guilty of a misdemeanor.</p>	<p><b>122357.</b></p> <p>A pet store operator who violates any provision of this chapter that is not specified in subdivision (a) of Section 122356 <del>and is not proscribed by Section 122354.5</del> is guilty of a misdemeanor.</p>
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<p>violation. The court shall weigh the gravity of the offense in setting the penalty.                  (Added by Stats. 2007, Ch. 703, Sec. 3. Effective January 1, 2008. Section operative January 1, 2009, pursuant to Section 122361.)</p> <p>122359. (a) Except as otherwise provided in Section 599 of the Penal Code, a pet store shall not offer any live animal as a prize or give away any animal as an inducement to enter any contest, game, or other competition.                  (b) Except as otherwise provided in Section 597z of the Penal Code, a pet store shall not sell, offer for sale, trade, or barter any dog or cat that is under eight weeks of age. Except as otherwise provided in any other provision of law, dogs or cats over eight weeks of age may be sold, offered for sale, traded, or bartered only if the animal is weaned. Pet stores shall not sell any animal before it is weaned, except for animals intended to be used as food for other animals.                  (Added by Stats. 2007, Ch. 703, Sec. 3. Effective January 1, 2008. Section operative January 1, 2009, pursuant to Section 122361.)</p> <p>122360. (a) Nothing in this chapter shall be construed to in any way limit or affect the application or enforcement of any other law that protects animals or the rights of consumers, including, but not limited to, the Lockyer-Polanco-Farr Pet Protection Act contained in Article 2 (commencing with Section 122125) of Chapter 5 of Part 6 of Division 105, or Sections 597 and 5971 of the Penal Code.                  (b) Nothing in this chapter limits or authorizes any act or omission that violates Section 597 or 5971</p>		
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<p>of the Penal Code, or any other local, state, or federal law. The procedures set forth in this chapter shall not apply to any civil violation of any other local, state, or federal law that protects animals or the rights of consumers, or to a violation of Section 597 or 5971 of the Penal Code, which is cited or prosecuted pursuant to one or both of those sections, or to a violation of any other local, state, or federal law that is cited or prosecuted pursuant to that law. (Added by Stats. 2007, Ch. 703, Sec. 3. Effective January 1, 2008. Section operative January 1, 2009, pursuant to Section 122361.)</p> <p>122361. This chapter shall become operative on January 1, 2009. (Added by Stats. 2007, Ch. 703, Sec. 3. Effective January 1, 2008. Note: This section prescribes a delayed operative date (Jan. 1, 2009) for Chapter 9, commencing with Section 122350.)</p>		
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