

STATE OF MAINE

IN THE YEAR OF OUR LORD
TWO THOUSAND NINETEEN

S.P. 309 - L.D. 1049

An Act Regarding the Sale of Cats and Dogs with Health Problems

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 7 MRSA §4155, sub-§3, ¶¶B and C, as enacted by PL 1995, c. 589, §1, are amended to read:

B. Exchange of the animal for an animal of the purchaser's choice of equivalent value, ~~providing if~~ a replacement is available; ~~or~~

C. Retainment of the animal and reimbursement for 1/2 of the reasonable veterinary fees not to exceed 1/2 of the original purchase price of the animal; ~~or~~

Sec. 2. 7 MRSA §4155, sub-§3, ¶D is enacted to read:

D. For an animal with less than one year of life expectancy, as determined by a veterinarian pursuant to subsection 1, retainment of the animal and a full refund of the original purchase price of the animal. Reimbursement of veterinary fees by the seller is not required under this paragraph.

Sec. 3. 7 MRSA §4155, sub-§5, as amended by PL 2007, c. 702, §27, is further amended to read:

5. Sellers not exempt. Sellers may not, contractually or otherwise, exempt themselves from the remedies provided by this section for deaths or health problems in animals caused by infectious, contagious, parasitic or communicable disease or for deaths or health problems in animals caused by hereditary or congenital defects as described in subsection 1.

Sec. 4. 7 MRSA §4156, sub-§2, as amended by PL 2007, c. 702, §29, is further amended to read:

2. Refund. If the purchaser wishes to receive a full refund for the animal, the purchaser must return the animal no later than 2 business days after receipt of a written statement from a veterinarian indicating that the animal is unfit due to a health problem. With respect to a dead animal, the purchaser must provide the seller with a written

statement from a veterinarian indicating that the animal died from a health problem that existed on or before the receipt of the animal by the purchaser. This subsection does not apply to a refund requested pursuant to section 4155, subsection 3, paragraph D.