



NEW YORK STATE SENATOR

John J. Flanagan

Senator Flanagan Works To Protect Pet Owners

JOHN J. FLANAGAN June 11, 2013

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The New York State Senate today passed legislation sponsored by Senator John Flanagan (2nd Senate District) that would allow consumers more protections when purchasing a pet.

The bill (S.3723B) would provide consumers with more information about the origins of their pet, and more protections should their pet become ill, under what is known as the “pet lemon law”.

“Too many times, New York consumers welcome a pet into their home as a part of their family only to realize that the animal has a serious or fatal medical condition. This legislation is aimed at helping provide these families with some reassurance that their new ‘family’ member is healthy and, if that is not the case, provide them with an ability to recover their costs. While this legislation cannot help protect families from the sadness they will feel if an animal becomes ill, it will provide them with some needed financial protection when dealing with pet shops,” stated Senator Flanagan.

The “pet lemon law” gives rights to consumers on their newly purchased pets. If a pet is diagnosed with a congenital malformation, is ill, or has a contagious infection or disease, current state law covers consumers within fourteen business days. However, many times these congenital defects or illnesses do not show up in very young animals.

The legislation Senator Flanagan sponsored would protect consumers for up to six months if the animal is diagnosed with a congenital defect or illness. In addition, the measure calls for the pet broker’s name and address, in addition to the breeder’s name and address, which is already required under the law.

It would also require pet dealers to disclose the location where they receive their dogs, which current law already requires for cat purchases. Additionally, the legislation would increase the minimum fines for violations from \$50 to \$100.

Most importantly for impacted families, the bill will require pet shops to provide consumers with a refund of the full purchase price, including any taxes, or the option to select another animal of equivalent value. The consumer shall also be provided with payment of any reasonable veterinary costs that were expended.

While this measure is largely consumer friendly, the legislation also provides pet shop owners with a financial incentive that will hopefully encourage them to deal solely with reputable breeders who provide great care to the animals under their control. By fining those who sell sick animals, the legislation will send a clear message to pet shops throughout the state that New York State is working to make sure they operate in a humane and proper way and that those who deal sick or maltreated animals will not be tolerated.

Currently, twenty states have “pet lemon laws”, and fourteen of these states protect consumers for more than fourteen days after the purchase of a pet.

The bill will be sent to the Assembly.