Senator Klein from the Committee on Commerce and Consumer Protection, to which was referred

S.F. No. 1943: A bill for an act relating to commerce; prohibiting pet shops from selling cats and dogs; amending Minnesota Statutes 2024, sections 325F.79; 325F.791, subdivisions 1, 5; 325F.792, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 325F.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2024, section 325F.79, is amended to read:

325F.79 DEFINITIONS.

For purposes of sections 325F.79 to 325F.792, the following definitions apply:

(a) "Advertisement" means an oral, written, graphic, or pictorial statement made in the course of soliciting business. Advertisement includes without limitation a statement or representation:

(1) made in a newspaper, magazine, or other public publication;

(2) contained in a notice, sign, billboard, poster, display, circular, pamphlet, or letter; or

(3) made on radio, television, or the Internet.

~~(a)~~ (b) "Animal" means a dog, wholly or in part of the species Canis familiaris, or a cat, wholly or in part of the species Felis domesticus.

~~(b)~~ (c) "Pet dealer" means any person, firm, partnership, corporation, or association, including breeders, that is required to collect sales tax for the sale of animals to the public. Pet dealer does not include humane societies, nonprofit organizations performing the functions of humane societies, or animal control agencies.

~~(c)~~ (d) "Breeder" means any person, firm, partnership, corporation, or association that breeds animals for direct or indirect sale to the public.

~~(d)~~ (e) "Broker" means a person, firm, partnership, corporation, or association that purchases animals for resale to other brokers or pet dealers.

~~(e)~~ (f) "Health problem" means any disease, illness, or congenital or hereditary condition which would impair the health or function of the animal that is apparent at the time of sale, or which should have been apparent to the seller from the veterinary history of the animal.

(g) "Pet shop" means a pet dealer that operates a physical retail store from which animals are sold or offered for sale to the general public, whether through an appointment or otherwise.

~~(f)~~ (h) "Veterinarian" means a licensed veterinarian in the state of Minnesota.

EFFECTIVE DATE. This section is effective August 1, 2026, and applies to acts committed on or after that date.

Sec. 2. Minnesota Statutes 2024, section 325F.791, subdivision 1, is amended to read:

Subdivision 1. **Disclosure.** (a) Every pet dealer shall deliver to each retail purchaser of an animal written disclosure as follows:

~~(a)~~ (1) the name, address, and USDA license number of the breeder and any broker who has had possession of the animal; the date of the animal's birth; the date the pet dealer received the animal; the breed, sex, color, and identifying marks of the animal; the individual identifying tag, tattoo, or collar number; the name and registration number of the sire and dam and the litter number; and a record of inoculations, worming treatments, and medication received by the animal while in the possession of the pet dealer~~.~~;

~~(b)~~ (2) a statement signed by the pet dealer that the animal has no known health problem, or a statement signed by the pet dealer disclosing any known health problem and a statement signed by a veterinarian that recommends necessary treatment~~.~~; and

(3) a copy of all available state or federal inspection reports for the animal's breeder for all inspections that occurred during the three years preceding the date the animal was purchased.

(b) The disclosure shall be made part of the statement of consumer rights set forth in subdivision 10. The disclosure required in paragraph (a), clause (1), need not be made for mixed breed animals if the information is not available and cannot be determined by the pet dealer.

EFFECTIVE DATE. This section is effective August 1, 2026, and applies to acts committed on or after that date.

Sec. 3. Minnesota Statutes 2024, section 325F.791, subdivision 5, is amended to read:

Subd. 5. **Responsibilities of purchaser.** (a) To obtain the remedies provided in subdivision 6, the purchaser shall with respect to an animal with a health problem:

~~(a)~~ (1) notify the pet dealer, within two business days, of the diagnosis by a veterinarian of the purchaser's choosing of a health problem and provide the pet dealer with the name and telephone number of the veterinarian and a copy of the veterinarian's report on the animal~~.~~; and

~~(b)~~ (2) if the purchaser wishes to receive a full refund for the animal, return the animal no later than two business days after receipt of a written statement from a veterinarian indicating the animal is unfit due to a health problem.

(b) With respect to a dead animal the purchaser must provide the pet dealer a written statement from a veterinarian, indicating the animal died from a health problem which existed on or before the receipt of the animal by the purchaser.

EFFECTIVE DATE. This section is effective August 1, 2026, and applies to acts committed on or after that date.

Sec. 4. **[325F.7915] SALE OF DOGS AND CATS PROHIBITED.**

Subdivision 1. **Prohibition.** A pet shop must not sell, offer to sell, barter, auction, or otherwise transfer ownership of an animal.

Subd. 2. **Adoption of animals.** A pet shop may provide space to a nonprofit humane society, animal control agency, or animal rescue and rehoming organization to offer animals for adoption if the society, agency, or organization qualifies as a nonprofit organization under section 501(c)(3) of the Internal Revenue Code.

Subd. 3. **Ownership interest and fees.** A pet shop is prohibited from having an ownership interest in an animal offered for adoption under subdivision 2 or receiving a fee for providing space for animal adoption.

Subd. 4. **Continued operation.** Notwithstanding subdivision 1, a pet shop that sold or offered for sale an animal from the pet shop's physical premises for at least one year before the effective date of this section may continue to operate as a pet shop and engage in the sale or offer for sale of animals if:

(1) an animal sold or offered for sale by the pet shop on or after the effective date of this section is obtained only from a state-licensed or USDA-licensed breeder; and

(2) in an advertisement to sell or offer for sale a specific animal, including on the animal's display cage or enclosure, the pet shop discloses the breeder's state license number or USDA license number.

Subd. 5. **Local authority.** Notwithstanding this section, a county, city, town, or township may enact and enforce by ordinance stricter regulations regarding the transfer of ownership of animals, including a prohibition on selling or offering for sale animals by a pet dealer or other entity.

Subd. 6. **Violations.** A pet shop that operates as a pet shop pursuant to subdivision 4 that violates this section on three separate occasions is prohibited from selling, offering to sell, bartering, auctioning, or otherwise transferring ownership of an animal.

EFFECTIVE DATE. This section is effective August 1, 2026, and applies to acts committed on or after that date.

Sec. 5. Minnesota Statutes 2024, section 325F.792, subdivision 2, is amended to read:

Subd. 2. **Civil penalty.** (a) A pet dealer who:

(1) sells an animal without delivery of the disclosure required in section 325F.791, subdivision 1;

(2) fails to maintain the records required by section 325F.791, subdivision 2;

(3) fails to provide registration papers as provided in section 325F.791, subdivision 3;

(4) fails to make or provide payment for the examinations required by section 325F.791, subdivision 4;

(5) fails to post the notice required by section 325F.791, subdivision 9; or

(6) fails to provide the statement of consumer rights required by section 325F.791, subdivision 10,

is subject to a civil fine of up to $1,000 per violation.

(b) A pet shop that violates section 325F.7915 is subject to a civil fine of up to $1,000 per violation. Each transfer of an animal's ownership in violation of section 325F.7915 is a separate violation.

~~(b)~~ (c) Civil fines collected under this subdivision shall be collected by the court and turned over to the prosecuting attorney.

EFFECTIVE DATE. This section is effective August 1, 2026, and applies to acts committed on or after that date.

Sec. 6. **SEVERABILITY.**

If a court of competent jurisdiction holds that any section is unconstitutional or otherwise invalid, the invalidity does not affect other sections that can be given effect without the invalid provisions or application, and to this end the sections are severable.

EFFECTIVE DATE. This section is effective August 1, 2026, and applies to acts committed on or after that date."

And when so amended the bill do pass and be re-referred to the Committee on Judiciary and Public Safety. Amendments adopted. Report adopted.

.....
(Committee Chair)

March 3, 2026.....
(Date of Committee recommendation)