

**GENERAL ASSEMBLY OF NORTH CAROLINA**  
**SESSION 2007**

S

2

**SENATE BILL 1330**  
**Agriculture/Environment/Natural Resources Committee Substitute Adopted**  
**5/10/07**

Short Title: Sale of Dogs and Cats at Specialty Markets.

(Public)

---

Sponsors:

---

Referred to:

---

March 26, 2007

A BILL TO BE ENTITLED

1 AN ACT TO REQUIRE OWNERS AND OPERATORS OF SPECIALTY MARKETS  
2 WHERE DOGS OR CATS ARE SOLD OR GIVEN AWAY TO OBTAIN A  
3 CERTIFICATE OF REGISTRATION FROM, AND PAY A REGISTRATION FEE  
4 TO, THE DEPARTMENT OF REVENUE; TO REQUIRE THE DEPARTMENT  
5 OF REVENUE TO PROVIDE NOTIFICATION OF THE REGISTRATION TO  
6 THE SHERIFF OR CHIEF OF POLICE OF THE JURISDICTION WHERE THE  
7 SPECIALTY MARKET IS LOCATED; AND TO REQUIRE THESE SPECIALTY  
8 MARKETS TO MEET THE STANDARDS APPLICABLE TO PET SHOPS.

9 The General Assembly of North Carolina enacts:

10 **SECTION 1.** G.S. 66-252 reads as rewritten:

11 **"§ 66-252. Display and possession of certificate of registration.**

12 (a) When Required. – A person who sells tangible personal property at a  
13 specialty market, other than the person's own household personal property, is considered  
14 a retailer under G.S. 105-164.4 and must obtain a certificate of registration from the  
15 Department of Revenue before the person may engage in business. An itinerant  
16 merchant must keep the merchant's certificate of registration conspicuously and  
17 prominently displayed, so as to be visible for inspection by patrons of the itinerant  
18 merchant at the places or locations at which the goods are to be sold or offered for sale.  
19 A peddler must carry the peddler's certificate of registration when the peddler offers  
20 goods for sale and must produce the certificate upon the request of any customer, State  
21 or local revenue agent, or law enforcement agent. A specialty market vendor must keep  
22 the certificate of registration conspicuously and prominently displayed, so as to be  
23 visible for inspection by patrons of the specialty market vendor at the places or locations  
24 at which the goods are to be sold or offered for sale. A specialty market operator must  
25 have its certificate of registration, if any, available for inspection during all times that  
26 the specialty market is open and must produce it upon the request of any customer, State  
27 or local revenue agent, or law enforcement agent.  
28

1        (a1) Registration of Specialty Markets That Permit the Sale or Transfer of Dogs  
2 and Cats. – The operator of a specialty market where dogs or cats are sold or given  
3 away shall, prior to the sale or transfer of a dog or cat, obtain a certificate of registration  
4 from the Department of Revenue as required by this section. An operator of a specialty  
5 market shall pay a fee of one hundred dollars (\$100.00) to the Department of Revenue  
6 for a certificate of registration under this subsection. The Department of Revenue shall  
7 send a copy of the certificate of registration to the sheriff of the county in which the  
8 specialty market is located or, if the specialty market is located in a city, to the chief of  
9 police of the city.

10        (b) Compliance. – The requirement that a certificate of registration be displayed  
11 is satisfied if the vendor displays either of the following:

12            (1) A copy of the certificate.

13            (2) Evidence that the certificate has been applied for and the applicable  
14 registration fee has been paid within 30 days before the date the  
15 certificate was required to be displayed."

16        **SECTION 2.** Article 32 of Chapter 66 of the General Statutes is amended by  
17 adding a new section to read:

18 **"§ 66-254.2. Sale or transfer of dogs and cats.**

19        (a) A specialty market where dogs or cats are sold or given away shall meet the  
20 standards applicable to pet shops under Chapter 19A of the General Statutes but shall  
21 not be required to be licensed under that Chapter. No owner or operator of a specialty  
22 market shall allow the sale or transfer of a dog or cat in violation of this section.

23        (b) This section may be enforced by any justice officer, as defined in G.S. 17E-2,  
24 or by any criminal justice officer, as defined in G.S. 17C-2, who has territorial  
25 jurisdiction over the site of the violation.

26        (c) Any person who violates this section shall be guilty of a Class 3  
27 misdemeanor."

28        **SECTION 3.** This act becomes effective 1 December 2007 and applies to  
29 offenses committed on or after that date.