

HB 1179 – AS AMENDED BY THE HOUSE

6Mar2014... 0668h

2014 SESSION

14-2028  
08/05

HOUSE BILL            **1179**

AN ACT                relative to health certificates for transferred animals.

SPONSORS:            Rep. Gardner, Straf 15

COMMITTEE:          Environment and Agriculture

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ANALYSIS

This bill requires certain animals offered for transfer to be issued an official health certificate by an accredited veterinarian.

This bill removes the exemption for animal shelters regarding requirements prior to the transfer of dogs, cats, and ferrets.

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Explanation:          Matter added to current law appears in ***bold italics***.  
                                Matter removed from current law appears [~~in brackets and struck through~~].  
                                Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Fourteen*

AN ACT relative to health certificates for transferred animals.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1 1 Transfer of Dogs, Cats, and Ferrets. Amend RSA 437:10, I-III to read as follows:

2 I. No dog, cat, or ferret shall be offered for transfer by a licensee without first being  
3 protected against infectious diseases using a vaccine approved by the state veterinarian. No dog, cat,  
4 bird, or ferret shall be offered for transfer by a licensee unless accompanied by an official health  
5 certificate issued by [~~a licensed~~] ***an accredited*** veterinarian ***as defined by RSA 436:93***. No  
6 transfer shall occur unless the transferred animal or bird is accompanied by a health certificate  
7 issued within the prior 14 days. Said certificate shall be in triplicate, one copy of which shall be sent  
8 to the state veterinarian, one copy of which shall be for the licensee's records, and one copy of which  
9 shall be given to the transferee upon transfer as provided in paragraph II. If an official health  
10 certificate is produced, it shall be prima facie evidence of transfer.

11 II. The original of the official health certificate accompanying the dog, cat, or ferret offered  
12 for transfer by a licensee shall be kept on the premises where dogs, cats, and ferrets are displayed,  
13 and made available for inspection upon request. The public will be informed of their right to inspect  
14 the health certificate for each dog, cat, or ferret by a sign prominently displayed in the area where  
15 the dogs, cats, or ferrets are displayed. Upon transfer of the dog, cat, or ferret, this health certificate  
16 shall be updated by the licensee ***with the animals full medical history, if known, and*** if any  
17 other medication or treatment has been given by a licensed veterinarian or the licensee to the dog,  
18 cat, or ferret and shall be given to the transferee in addition to any other documents which are  
19 customarily delivered to the transferee. The transferee may accept a dog, cat, or ferret that has a  
20 noncontagious illness that has caused it to fail its examination by a licensed veterinarian for an  
21 official health certificate under paragraph I; the transferee shall sign a waiver that indicates the  
22 transferee has knowledge of the dog, cat, or ferret's noncontagious medical condition and then submit  
23 such waiver to the licensee who shall send a copy to the state veterinarian. ***A person who buys or***  
24 ***adopts an animal subject to this section shall have 14 days after the transfer to take the***  
25 ***animal to a licensed veterinarian of his or her choice for examination. If such***  
26 ***veterinarian states that the transferred animal does not meet the criteria necessary to***  
27 ***receive a health certificate under this section due to the existence of an infectious or***  
28 ***contagious condition, then the new owner may return the animal to the licensee for a full***  
29 ***refund. The new owner may elect to keep the animal and provide treatment under the***  
30 ***direction of a licensed veterinarian. In this case, the licensee will reimburse the new owner***

1 *for the cost of veterinary care only up to the original purchase price of the animal.*

2 III.(a) Animal shelter facilities, as defined in RSA 437:2, I, ~~[are exempt from the~~  
3 ~~requirements of this section relative to transferring dogs, cats, and ferrets except that:~~

4 ~~(a) All animal shelter facilities]~~ shall have on premises a microchip scanner and shall  
5 maintain a file of recognized pet retrieval agencies including but not limited to national tattoo or  
6 microchip registries.

7 (b) Where an owner is not known, all animal shelter facilities shall inspect for tattoos,  
8 ear tags, or other permanent forms of positive identification and shall scan for a microchip upon  
9 admission of an unclaimed or abandoned animal as defined in RSA 437:18, IV and prior to  
10 transferring ownership of an unclaimed or abandoned animal.

11 (c) All animal shelters shall comply with the provisions of RSA 437:10, V and  
12 RSA 437:13-a, IV.

13 2 Health Certificates. Amend RSA 437:13-a, I-II to read as follows:

14 I. No dog, cat or ferret shall be transferred by any person in the state or out of the state for a  
15 fee without first being inoculated against infectious diseases using a vaccine approved by the state  
16 veterinarian. No dog, cat, bird, or ferret shall be transferred by any person in the state or out of the  
17 state for a fee unless accompanied by an official health certificate issued by ~~[a licensed]~~ **an**  
18 **accredited** veterinarian **as defined by RSA 436:93** within 14 days. Said health certificate shall be  
19 in triplicate, of which one copy shall be sent to the state veterinarian in accordance with RSA 437:8,  
20 one copy shall be kept by the person transferring ownership of said dog, cat, bird, or ferret for a  
21 period of at least 3 years, and one copy shall be given to the new owner.

22 II. For purposes of this section, an official health certificate means a certificate signed by ~~[a~~  
23 ~~licensed]~~ **an accredited** veterinarian **as defined by RSA 436:93** on a form approved by the state  
24 veterinarian, containing the name and address of the person transferring ownership of the dog, cat,  
25 bird, or ferret, the age, sex, breed, and description of the dog, cat, bird, or ferret, a list of all types of  
26 vaccines or medication administered to the dog, cat, bird, or ferret, and the certification of the  
27 veterinarian that the dog, cat, bird, or ferret is free from visual evidence of any communicable  
28 diseases or internal or external parasites.

29 3 Animal Shelters. Amend RSA 437:13-a, IV to read as follows:

30 IV. ~~[All incorporated or chartered humane societies with operating shelters in the state of~~  
31 ~~New Hampshire are exempt from the requirements of this section relative to transferring dogs, cats,~~  
32 ~~birds, or ferrets except that]~~ All dogs, cats, birds, or ferrets transferred out of an animal shelter  
33 facility shall have a form of positive identification, including but not limited to a tattoo, collar,  
34 microchip, ear tag, or any other permanent form of identification approved by the commissioner of  
35 agriculture, markets, and food and dogs, cats, and ferrets shall be vaccinated against rabies in  
36 accordance with RSA 436. All dogs, cats, birds, or ferrets shall be accompanied by an official health  
37 certificate if the dog, cat, bird, or ferret was imported into the state for transfer with or without a fee.

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1           4 Effective Date. This act shall take effect July 1, 2014.