

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2019

H.B. 856  
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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH10445-ML-53

Short Title: That Doggie in the Window is not for Lease. (Public)

Sponsors: Representatives Russell, Clark, Harris, and Hunt (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO PROHIBIT CERTAIN LEASES, OFFERS TO LEASE, SALES, OR OFFERS TO  
3 SELL A LIVING ANIMAL FOR PERSONAL, FAMILY, OR HOUSEHOLD USE.

4 Whereas, a practice known as "pet leasing," where a customer enters into a contractual  
5 agreement requiring monthly payments in exchange for leasing a pet such as a dog, is on the rise;  
6 and

7 Whereas, scrutiny on this process has increased due to customers being misled into  
8 entering a pet leasing arrangement instead of a loan arrangement, being charged exorbitant fees,  
9 and either (i) not owning the pet at the end of the payment schedule despite paying in excess of  
10 the value of the pet or (ii) having the pet repossessed by the financing company upon failure to  
11 make a payment in accordance with the terms of the lease; and

12 Whereas, the American Kennel Club "supports a ban on predatory pet leasing  
13 schemes," stating that "[l]easing arrangements may allow a financial company to avoid  
14 regulatory oversight and consumer protection laws that protect both dogs and dog owners"; and

15 Whereas, three states (Nevada, New York, and California) have enacted laws  
16 restricting or prohibiting pet leasing, and three other states (Connecticut, Florida, and Rhode  
17 Island) have considered legislation that would restrict or prohibit pet leasing; and

18 Whereas, it is the intent of the General Assembly to protect both pets and pet owners  
19 by prohibiting the predatory practice of pet leasing; Now, therefore,  
20 The General Assembly of North Carolina enacts:

21 **SECTION 1.** Chapter 19A of the General Statutes is amended by adding a new  
22 Article to read:

23 "Article 7.

24 "Miscellaneous Provisions.

25 "**§ 19A-80. Prohibition on certain leases, offers to lease, sales, and offers to sell living**  
26 **animals.**

27 (a) Prohibition. – A person shall not lease, offer to lease, sell, or offer to sell any living  
28 animal for personal, family, or household use if the lease, offer to lease, sale, or offer to sell  
29 includes or is subject to any provision authorizing the use of the living animal as security where  
30 the living animal may be repossessed by the seller or lender contingent on the purchaser making  
31 payments.

32 (b) Penalty. – A person who violates subsection (a) of this section is guilty of a Class 2  
33 misdemeanor.

34 (c) Unfair and Deceptive Trade Practice. – A violation of subsection (a) of this section  
35 shall constitute an unfair and deceptive trade practice in violation of G.S. 75-1.1.



- 1        (d) Nullification and Voiding. – Any provision in a contract or other agreement that
- 2 violates subsection (a) of this section shall be null and void.
- 3        (e) Construction. – Nothing in subsection (a) of this section shall be construed to prohibit
- 4 the purchase of a living animal through an unsecured personal loan."
- 5        **SECTION 2.** G.S. 19A-80(d), as enacted by Section 1 of this act, becomes effective
- 6 December 1, 2019, and applies to contracts or other agreements entered into on or after that date.
- 7 The remainder of this act becomes effective December 1, 2019, and applies to offenses
- 8 committed on or after that date.