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## ARTICLE IV: RETAIL SALE OF ANIMALS

### § 6-16 COMMERCE IN LIVE ANIMALS.

(a) A person commits an offense if the person exchanges a cat or dog for consideration, regardless of the age of the cat or dog, at a location other than where the cat or dog was born.

(b) A person commits an offense if the person sells, trades, barter, leases, rents, gives away, or displays for a commercial purpose a live animal on a roadside, public right-of-way, parkway, median, park, playground, swimming pool, other recreation area, commercial or retail parking lot, or at an outdoor special sale, swap meet, flea market, parking lot sale, or similar event.

(c) A person commits an offense if the person exchanges a dog or cat for consideration and fails to implant in the dog or cat an identification microchip and register the microchip with a national registry with the name, address and contact information of the new owner.

(d) This section does not apply to:

(1) The animal care and control center or an animal care and control center certified partner or a not-for-profit 501(c)(3) animal welfare organization;

(2) An event primarily for the exhibition and judging of cats or dogs; or

(3) A mobile pet adoption event at which consideration is paid if it is operated by an organization that is exempt pursuant to subsection (d) (1) of this section.

(e) It is an affirmative defense to prosecution under subsection (a) above that the person is working on the behalf of a veterinary clinic; animal hospital; animal shelter; not-for-profit 501(c)(3) animal welfare, rescue or adoption organization; bona fide zoological park; circus; educational institution; museum; licensed laboratory; publicly owned nature center; bona fide educational or scientific association or society approved by the director of health; or organization holding permits from an agency of the state or the United States for the care and keeping of animals for