

**HOUSE . . . . . No. 3692**

**The Commonwealth of Massachusetts**

PRESENTED BY:

***Louis L. Kafka***

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to animal cruelty.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Louis L. Kafka</i>	<i>8th Norfolk</i>	
<i>William C. Galvin</i>	<i>6th Norfolk</i>	<i>9/25/2013</i>
<i>Ronald Mariano</i>	<i>3rd Norfolk</i>	<i>10/2/2013</i>
<i>Bruce J. Ayers</i>	<i>1st Norfolk</i>	<i>10/1/2013</i>
<i>Kathi-Anne Reinstein</i>	<i>16th Suffolk</i>	<i>9/27/2013</i>
<i>Cory Atkins</i>	<i>14th Middlesex</i>	<i>9/27/2013</i>
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>	<i>9/27/2013</i>
<i>Jennifer E. Benson</i>	<i>37th Middlesex</i>	<i>9/26/2013</i>
<i>John H. Rogers</i>	<i>12th Norfolk</i>	<i>9/25/2013</i>
<i>Peter J. Durant</i>	<i>6th Worcester</i>	<i>9/26/2013</i>
<i>Christine E. Canavan</i>	<i>10th Plymouth</i>	<i>9/26/2013</i>
<i>Linda Campbell</i>	<i>15th Essex</i>	<i>9/27/2013</i>
<i>Lori A. Ehrlich</i>	<i>8th Essex</i>	<i>9/26/2013</i>
<i>Timothy R. Madden</i>	<i>Barnstable, Dukes and Nantucket</i>	<i>9/26/2013</i>
<i>Steven S. Howitt</i>	<i>4th Bristol</i>	<i>9/27/2013</i>
<i>Diana DiZoglio</i>	<i>14th Essex</i>	<i>9/26/2013</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>	<i>9/26/2013</i>
<i>Claire D. Cronin</i>	<i>11th Plymouth</i>	<i>9/26/2013</i>

<i>John W. Scibak</i>	<i>2nd Hampshire</i>	<i>9/25/2013</i>
<i>Elizabeth A. Poirier</i>	<i>14th Bristol</i>	<i>10/1/2013</i>
<i>Daniel B. Winslow</i>	<i>9th Norfolk</i>	<i>9/25/2013</i>
<i>Paul R. Heroux</i>	<i>2nd Bristol</i>	<i>9/25/2013</i>
<i>Walter F. Timilty</i>	<i>7th Norfolk</i>	<i>9/26/2013</i>
<i>James J. Dwyer</i>	<i>30th Middlesex</i>	
<i>Sean Curran</i>	<i>9th Hampden</i>	<i>9/25/2013</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	
<i>Timothy J. Toomey, Jr.</i>	<i>26th Middlesex</i>	<i>9/26/2013</i>
<i>Leonard Mirra</i>	<i>2nd Essex</i>	
<i>Gale D. Candaras</i>	<i>First Hampden and Hampshire</i>	

**HOUSE . . . . . No. 3692**

By Mr. Kafka of Stoughton, a petition (subject to Joint Rule 12) of Louis L. Kafka and others relative to animal cruelty. The Judiciary.

**The Commonwealth of Massachusetts**

**In the Year Two Thousand Thirteen**

An Act relative to animal cruelty.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Section 77 of chapter 272 of the General Laws, as appearing in the 2012  
2 Official Edition, is hereby amended by, in line 2, striking out the words, “,tortures, torments...  
3 cruelly”

4 SECTION 2. Section 77 of chapter 272 of the General Laws, as appearing in the 2012  
5 Official Edition, is hereby amended by, in line 3, striking out the words, “beats, mutilates or kills  
6 an animal”

7 SECTION 3. Section 77 of chapter 272 of the General Laws, as appearing in the 2012  
8 Official Edition, is hereby amended by, in line 4, striking out the word, “tortured”

9 SECTION 4. Section 77 of chapter 272 of the General Laws, as appearing in the 2012  
10 Official Edition, is hereby amended by, in line 5, striking out the words, “tormented, cruelly  
11 beaten, mutilated or killed”

12 SECTION 5. Section 77 of chapter 272 of the General Laws, as appearing in the 2012  
13 Official Edition, is hereby amended by, in line 17, striking out the words, “unnecessary torture”

14 SECTION 6. Section 77 of Chapter 272 of the General Laws, as appearing in the 2012  
15 Official Edition, is hereby amended by inserting after the first paragraph the following  
16 paragraph:-

17 Whoever tortures, torments, cruelly beats, mutilates or kills an animal, or causes or  
18 procures an animal to be tortured, tormented, cruelly beaten, mutilated or killed, or knowingly  
19 and willfully authorizes or permits it to be subjected to unnecessary torture shall be punished by  
20 imprisonment in the state prison for not more than 10 years or imprisonment in the house of

21 correction for not more than 2.5 years or by a fine of not more than \$25,000, or by both such fine  
22 and imprisonment. In addition to any other sentence it may impose, a court shall order the  
23 defendant to undergo a psychiatric, psychological or mental health evaluation, and if warranted  
24 by the condition of the defendant, shall order the defendant to undergo appropriate care or  
25 treatment. All costs of the evaluation, care and treatment shall be borne by the defendant. In  
26 addition to any other penalty provided by law, upon conviction for any violation of this section  
27 or of sections seventy-seven A, seventy-eight, seventy-eight A, seventy-nine A, seventy-nine B,  
28 eighty A, eighty B, eighty C, eighty D, eighty F, eighty-six, eighty-six A, eighty-six B or ninety-  
29 four the defendant shall forfeit to the custody of any society, incorporated under the laws of the  
30 commonwealth for the prevention of cruelty to animals or for the care and protection of  
31 homeless or suffering animals, the animal whose treatment was the basis of such conviction.