

HOUSE No. 4244

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, July 7, 2014.

The committee on the Judiciary to whom were referred the petition (accompanied by bill, Senate, No. 767) of Mark C. Montigny and Benjamin Swan for legislation to prevent the cruel and inhumane treatment of animals, petition (accompanied by bill, Senate, No. 807) of Bruce E. Tarr, Bruce J. Ayers, Richard J. Ross and Michael R. Knapik for legislation to establish an animal abuse registry, petition (accompanied by bill, Senate, No. 1914) of Bruce E. Tarr, Robert L. Hedlund, Richard J. Ross, Linda Campbell and other members of the General Court for legislation to protect animal welfare and safety and petition (accompanied by bill, House, No. 1182) of Bruce J. Ayers relative to the penalty for killing, maiming or poisoning of animals, reports recommending that the accompanying bill (House, No. 4244) ought to pass.

For the committee,

CHRISTOPHER M. MARKEY.

HOUSE No. 4244

The Commonwealth of Massachusetts

In the Year Two Thousand Fourteen

An Act relative to the penalty for killing, maiming or poisoning of animals.

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 2010
2 Official Edition, is hereby amended by striking out, in line 19, the number “5” and inserting in
3 place thereof the following number:- 7

4 SECTION 2. Section 77 of chapter 272 of the General Laws, as appearing in the 2010
5 Official Edition, is hereby further amended by striking out, in line 21, the amount “\$2,500” and
6 inserting in place thereof the following amount:- \$5,000

7 SECTION 3. Section 58B of chapter 112 of the General Laws, as appearing in the 2012
8 Official Edition, is hereby amended by striking said section and inserting in place thereof the
9 following:-

10 Section 58B. A veterinarian who, while in the normal course of business, observes an
11 animal whom he or she knows or reasonably suspects has been the victim of animal cruelty
12 prohibited under section 77 or section 94 of chapter 272 shall report said suspected animal
13 cruelty to a police officer or a special state police officer appointed under section 57 of chapter
14 22C.

15 A veterinarian duly registered under section 55 who reports, in good faith and in the
16 normal course of business, a suspected act of cruelty to animals prohibited under section 77 or
17 section 94 of chapter 272 to a police officer, or a special state police officer appointed under
18 section 57 of chapter 22C, shall not be liable in a civil or criminal action for reporting such act.

19 Any veterinarian who fails to report such an act of cruelty shall be reported to the Board
20 of Registration in Veterinary Medicine.

21 SECTION 4.

22 (a) There shall be a task force established to complete a systematic review of the laws
23 pertaining to animal cruelty and protection. The task force shall consist of the attorney general or
24 a designee; the president of the district attorneys association or a designee; the colonel of the
25 Massachusetts state police or a designee; the commissioner of the department of agricultural
26 resources or a designee; a designee from the Massachusetts Society for the Prevention of Cruelty
27 to Animals; a designee from the Animal Rescue League of Boston; a designee from the
28 Massachusetts bar association; and 2 members appointed by the Governor, 1 of whom shall be an
29 animal control officer or representative of an association organized in the commonwealth for
30 animal control officers, and 1 whom shall be a veterinarian or member of a veterinary medical
31 association organized in the commonwealth. Said members of the task force shall appoint a
32 chair.

33 (b) The task force shall:

34 (i) assess the adequacy, effectiveness, and necessity of laws pertaining to animal cruelty
35 and protection, including but not limited to the laws pertaining to the protection of animals
36 contained in chapters 266, 272 and duties of the MSPCA and Animal Rescue League of Boston
37 under chapter 129, the process of charging for animal cruelty, and the issuing of citations under
38 Ch. 140 sec. 174E.

39 (ii) identify and review the existing services, facilities and funding to meet the needs of
40 animals seized in cruelty cases and explore interagency options for coordination and funding to
41 care for these animals.

42 (iii) evaluate approaches and offer recommendations for education and training
43 opportunities for law enforcement, animal control officers, judges, veterinarians and other
44 professionals, including but not limited to, methods to identify animal abuse, the link between
45 domestic violence and animal abuse and animal hoarding.

46 (iv) examine the feasibility and effectiveness of participating in a national animal abuse
47 registry or other similar registry, if created.

48 (v) examine existing methods to report animal abuse and explore additional mechanisms,
49 if needed, as well as ways to promote these reporting mechanisms.

50 (vi) recommend ways to develop and promulgate educational materials to children to
51 educate about animal abuse.

52 (vii) assess the impact of housing issues, including but not limited to homeowners
53 insurance and abandonment in vacated housing, on the surrender or abandonment of animals.

54 (viii) The task force shall submit a report of its findings and legislative recommendations
55 to the clerks of the senate and house of representatives and the chairs of the joint committee on
56 the judiciary not later than 18 months after the effective date of this act. The task force shall

57 determine if subsequent reports are necessary in order to properly address animal cruelty and
58 protection.