HOUSE . . . . . No. 4328

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, July 21, 2014.

The committee on Ways and Means, to whom was referred the Bill relative to the penalty for killing, maiming or poisoning of animals (House, No. 4244), reports recommending that the same ought to pass with an amendment substituting therefor the accompanying bill (House, No. 4328).

For the committee,

BRIAN S. DEMPSEY.

HOUSE . . . . . No. 4328

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:

SECTION 1. Chapter 112 of the General Laws is hereby amended by striking section 58B, as appearing in the 2012 Official Edition, and inserting in place thereof the following section:-

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

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

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

SECTION 2. Section 77 of chapter 272 of the General Laws, as so appearing,, is hereby amended by striking out, in line 19, the figure “5” and inserting in place thereof the following figure:- 7

SECTION 3. Said section 77 of said chapter 272 is hereby further amended by striking out, in line 21, the figure “$2,500” and inserting in place thereof the following figure:- $5,000

SECTION 4. (a) There shall be a task force established to complete a systematic review of the laws pertaining to animal cruelty and protection. The task force shall consist of the attorney general or a designee; the president of the district attorneys association or a designee;

23 the colonel of the Massachusetts state police or a designee; the commissioner of the department
24 of agricultural resources or a designee; a designee from the Massachusetts Society for the
25 Prevention of Cruelty to Animals; a designee from the Animal Rescue League of Boston; a
26 designee from the Massachusetts bar association; and 2 members appointed by the governor, 1 of
27 whom shall be an animal control officer or representative of an association organized in the
28 commonwealth for animal control officers, and 1 whom shall be a veterinarian or member of a
29 veterinary medical association organized in the commonwealth. Said members of the task force
30 shall appoint a chair.

31 (b) The task force shall:

32 (i) assess the adequacy, effectiveness, and necessity of laws pertaining to animal cruelty
33 and protection, including but not limited to the laws pertaining to the protection of animals
34 contained in chapters 266 and 272 of the General Laws and duties of the Massachusetts Society
35 for the Prevention of Cruelty to Animals and Animal Rescue League of Boston under chapter
36 129 of the General Laws, the process of charging for animal cruelty, and the issuing of citations
37 under section 174E of chapter 140;

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

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

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

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

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

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

53 (c) The task force shall submit a report of its findings and legislative recommendations to
54 the clerks of the senate and house of representatives and the chairs of the joint committee on the
55 judiciary not later than 18 months after the effective date of this act. The task force shall
56 determine if subsequent reports are necessary in order to properly address animal cruelty and
57 protection.