HOUSE No. 1273

The Commonwealth of Massachusetts

PRESENTED BY:

Lori A. Ehrlich

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 to Protect the Health and Safety of Animals in Cars.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Lori A. Ehrlich	8th Essex	1/15/2015
David Paul Linsky	5th Middlesex	9/16/2019
Jason M. Lewis	Fifth Middlesex	9/16/2019
Mark J. Cusack	5th Norfolk	9/16/2019
Susan Williams Gifford	2nd Plymouth	9/16/2019
Louis L. Kafka	8th Norfolk	9/16/2019
Ann-Margaret Ferrante	5th Essex	9/16/2019
Kenneth I. Gordon	21st Middlesex	9/16/2019
John J. Lawn, Jr.	10th Middlesex	9/16/2019
Paul Tucker	7th Essex	9/16/2019
Colleen M. Garry	36th Middlesex	9/16/2019
Barbara A. L'Italien	Second Essex and Middlesex	9/16/2019
Peter V. Kocot	1st Hampshire	9/16/2019
Alan Silvia	7th Bristol	9/16/2019
Michelle M. DuBois	10th Plymouth	9/16/2019
Jay D. Livingstone	8th Suffolk	9/16/2019
Angelo J. Puppolo, Jr.	12th Hampden	9/16/2019
Joseph W. McGonagle, Jr.	28th Middlesex	9/16/2019

Angelo L. D'Emilia 8th Plymouth 9/16/2019 Carole A. Fiola 6th Bristol 9/16/2019 Carolyn C. Dykema 8th Middlesex 9/16/2019 Ihomas J. Catler 12th Plymouth 9/16/2019 Immes M. Cantwell 4th Plymouth 9/16/2019 William Smitty Pignatelli 4th Berkshire 9/16/2019 William N. Brownsberger Second Suffolk and Middlesex 9/16/2019 William C. Galvin 6th Norfolk 9/16/2019 William C. Garlick 13th Norfolk 9/16/2019 Paul R. Heroux 2nd Bristol 9/16/2019 Paul R. Heroux 2nd Bristol 9/16/2019 Villiam C. Galvin 15th Essex 9/16/2019 Villiam C. Galvin 15th Morfolk 9/16/2019 Villiam R. C. Speliotis 15th Essex 9/16/2019 Villiam C. Galvin 15th Morfolk 9/16/2019 Villiam C. Galvin 15th Morfolk 9/16/2019 Villiam R. C. Speliotis 15th Essex 9/16/2019 Villiam C. Galvin 15th Morfolk 9/16/2019 Villiam C. Galvin 15th Morfolk 9/16/2019 Villiam P. Villiam 15th Morfolk 9/16/2019 Villiam C. Galvin 15th Morfolk	Marjorie C. Decker	25th Middlesex	9/16/2019
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Michael S. Day 31st Middlesex 9/16/2019 Kathleen O'Connor Ives First Essex 9/16/2019 Kate Hogan 3rd Middlesex 9/16/2019 Marc R. Pacheco First Plymouth and Bristol 9/16/2019	Theodore C. Speliotis	13th Essex	9/16/2019
Kathleen O'Connor IvesFirst Essex9/16/2019Kate Hogan3rd Middlesex9/16/2019Marc R. PachecoFirst Plymouth and Bristol9/16/2019	Harold P. Naughton, Jr.	12th Worcester	9/16/2019
Kate Hogan3rd Middlesex9/16/2019Marc R. PachecoFirst Plymouth and Bristol9/16/2019	Michael S. Day	31st Middlesex	9/16/2019
Marc R. Pacheco First Plymouth and Bristol 9/16/2019	Kathleen O'Connor Ives	First Essex	9/16/2019
Marc R. Pacheco First Plymouth and Bristol 9/16/2019	Kate Hogan	3rd Middlesex	9/16/2019
	Marc R. Pacheco	First Plymouth and Bristol	9/16/2019
	Daniel Cullinane	12th Suffolk	9/16/2019

Brian M. Ashe	2nd Hampden	9/16/2019
Alice Hanlon Peisch	14th Norfolk	9/16/2019
Paul Brodeur	32nd Middlesex	9/16/2019
David M. Rogers	24th Middlesex	9/16/2019
James M. Murphy	4th Norfolk	9/16/2019
Kay Khan	11th Middlesex	9/16/2019
James Arciero	2nd Middlesex	9/16/2019
Daniel J. Ryan	2nd Suffolk	9/16/2019
Bruce J. Ayers	1st Norfolk	9/16/2019
Chris Walsh	6th Middlesex	9/16/2019
Timothy J. Toomey, Jr.	26th Middlesex	9/16/2019

HOUSE No. 1273

By Ms. Ehrlich of Marblehead, a petition (accompanied by bill, House, No. 1273) of Lori A. Ehrlich and others relative to confining animals in a motor vehicle. The Judiciary.

The Commonwealth of Massachusetts

In the One Hundred and Eighty-Ninth General Court (2015-2016)

An Act to Protect the Health and Safety of Animals in Cars.

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

- 1 Chapter 272 of the Massachusetts General Laws is hereby amended by inserting, after
- 2 Section 77B, the following new section:
- 3 Section 77C:
- 4 (a) No owner or person shall confine an animal in a motor vehicle in a manner that could 5 reasonably be expected to threaten the health of the animal due to exposure to extreme heat or
- 6 cold. without proper ventilation or other protection from such heat or cold.
- 7 (b) In order to protect the health and safety of an animal, an animal control officer, law
- 8 enforcement officer or fire fighter who has probable cause to believe that this section is being
- 9 violated shall have the authority to enter such motor vehicle by any reasonable means necessary
- under the circumstances, after making a reasonable effort under the circumstances to locate the
- owner or other responsible person. A law enforcement officer or animal control officer may enter

the motor vehicle for the sole purpose of release of the animal and may not search the vehicle unless otherwise permitted by law.

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- (c) An animal control officer, law enforcement or fire fighter animal control officer who removes an animal in accordance with this section shall, in a secure and conspicuous location on or within the motor vehicle, leave written notice bearing the officer's or agent's name and office, and the address of the location where the animal may be retrieved. The owner may retrieve the animal only after payment of all charges that have accrued for the maintenance, care, medical treatment, and impoundment of the animal.
- (d) A law enforcement or animal control officer who removes an animal from a motor vehicle pursuant to this section is immune from criminal or civil liability that might otherwise result from the removal.
- (e) A law enforcement or animal control officer may seek a complaint against the owner or keeper of an animal who is found to have violated the provisions of this section. This section shall be subject to enforcement under the provisions of section 21D of Chapter 40.
 - 1. The penalty for the first violation shall be \$75;
 - 2. The penalty for the second violation shall be \$100 dollars;
- 28 3. The penalty for the third and each subsequent violation shall be \$300.
- (f) Nothing in this section shall preclude prosecution for a violation of section 77 of
 Chapter 272 of the Massachusetts General Laws.