

**SENATE . . . . . No. 460**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Mark C. Montigny***

*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 prevent animal suffering by irresponsible breeding practices.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Mark C. Montigny</i>	<i>Second Bristol and Plymouth</i>	
<i>James M. Cantwell</i>	<i>4th Plymouth</i>	<i>2/2/2017</i>
<i>Paul R. Heroux</i>	<i>2nd Bristol</i>	<i>2/2/2017</i>
<i>Patricia A. Haddad</i>	<i>5th Bristol</i>	<i>2/3/2017</i>
<i>Jack Lewis</i>	<i>7th Middlesex</i>	<i>2/8/2017</i>

**SENATE . . . . . No. 460**

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By Mr. Montigny, a petition (accompanied by bill, Senate, No. 460) of Mark C. Montigny, James M. Cantwell, Paul R. Heroux, Patricia A. Haddad and others for legislation to prevent animal suffering by irresponsible breeding practices. Environment, Natural Resources and Agriculture.

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**The Commonwealth of Massachusetts**

**In the One Hundred and Ninetieth General Court  
(2017-2018)**

An Act to prevent animal suffering by irresponsible breeding practices.

*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 136A of chapter 140 of the General Laws, as so appearing in the  
2 2014 Official Edition, is hereby amended by inserting after the word “kennel” in line 77 the  
3 following words: - “at least 1 or more dogs bred on a residential property or”

4 SECTION 2. Section 137A of chapter 140 of the General Laws, as so appearing, is  
5 hereby amended by inserting after the word “officer” in line 11 the following words:-

6 , conducted at least once per calendar year. Each inspection shall, at a minimum, ensure  
7 the premises contains safe, sanitary and humane conditions including, but not limited to,  
8 adequate space per animal, sufficient food and water, shelter to protect against environmental  
9 elements, and records of animal health and vaccinations. A copy of said license shall be readily  
10 available at the kennel. No licensing authority shall issue a kennel license to any person  
11 convicted under sections 77, 80 ½, 94 or 95 of chapter 272

12 SECTION 3. Section 137A of chapter 140 of the General Laws, as so appearing, is  
13 hereby amended by striking, in lines 24 through 25, the words “and shall further determine the  
14 fee for the issuance and renewal of the license” and insert in place thereof the following words:-

15 provided further that no kennel license shall be valid for a time period greater than one  
16 year. The issuing city or town shall charge no less than \$100 for the issuance and renewal of  
17 said license.

18 SECTION 4. Section 137B of chapter 140 of the General Laws, as so appearing, is  
19 hereby amended by inserting after the word “shall” in line 8 the following:-

20 inform the recipient of its responsibility to license the dog within two weeks,

21 SECTION 5. Section 137C of chapter 140 of the General Laws, as so appearing, is  
22 hereby amended by striking the last sentence and inserting in place thereof the following 3  
23 sentences:-

24 A person maintaining a kennel while such license is suspended shall be punished by a  
25 fine of not less than \$500 and revocation of such license. A person maintaining a kennel without  
26 a license, or after the license to maintain a kennel has been so revoked, shall be punished by a  
27 fine of not less than \$2,500. In lieu of such fine, an animal control officer, in his discretion, may  
28 request such person relinquish ownership of all dogs on the premises to animal control or other  
29 appropriate law enforcement agency. If such person does not own one or more dogs on the  
30 premises, then such person may relinquish custody along with the owner’s name and address to  
31 animal control or other appropriate law enforcement agency.

32 SECTION 6. Chapter 140 of the General Laws, as so appearing, is hereby amended by  
33 inserting after section 137D the following section:-

34 Section 137E. (a) No person shall sell, exchange, or otherwise transfer a dog or cat less  
35 than 8 weeks of age, except for animals used for law enforcement purposes or as service or  
36 assistance animals.

37 (b) No person shall allow any dog or cat to whelp more than 6 litters over its lifetime.

38 (c) Any violation of this section shall result in a fine of no less than \$2,500 per offense.

39 SECTION 7. Section 141 of chapter 140 of the General Laws, as so appearing, is hereby  
40 amended by striking the figure "137A" in line 1.