

HOUSE No. 3833

The Commonwealth of Massachusetts

PRESENTED BY:

Bruce J. Ayers, (BY REQUEST)

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 allowing civil complaints for emotional distress against those convicted of animal abuse.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

Sandra Lee

94 Newbury Ave Apt 205, Quincy MA 02171

David M. Rogers

24th Middlesex

HOUSE No. 3833

By Mr. Ayers of Quincy (by request), a petition (accompanied by bill, House, No. 3833) of Sandra Lee and David M. Rogers relative to civil complaints for emotional distress against those convicted of animal abuse. The Judiciary.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act allowing civil complaints for emotional distress against those convicted of animal abuse.

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 77 of chapter 272 of the General Laws, as appearing in the 2016 Official Edition,
2 is hereby amended by adding the following paragraph:-

3 Whoever overdrives, overloads, drives when overloaded, overworks, tortures, torments,
4 deprives of necessary sustenance, cruelly beats, mutilates or kills an animal, or causes or
5 procures an animal to be overdriven, overloaded, driven when overloaded, overworked, tortured,
6 tormented, deprived of necessary sustenance, cruelly beaten, mutilated or killed; and whoever
7 uses in a cruel or inhuman manner in a race, game, or contest, or in training therefor, as lure or
8 bait a live animal, except an animal if used as lure or bait in fishing; and whoever, having the
9 charge or custody of an animal, either as owner or otherwise, inflicts unnecessary cruelty upon it,
10 or unnecessarily fails to provide it with proper food, drink, shelter, sanitary environment, or
11 protection from the weather, and whoever, as owner, possessor, or person having the charge or
12 custody of an animal, cruelly drives or works it when unfit for labor, or willfully abandons it, or

13 carries it or causes it to be carried in or upon a vehicle, or otherwise, in an unnecessarily cruel or
14 inhuman manner or in a way and manner which might endanger the animal carried thereon, or
15 knowingly and willfully authorizes or permits it to be subjected to unnecessary torture, suffering
16 or cruelty of any kind shall be liable to another for the infliction of emotional distress, either
17 owner or otherwise, if: (1) the person intended, knew, or should have known that their conduct
18 would cause emotional distress; (2) the conduct was extreme and outrageous; (3) the conduct
19 caused emotional distress; and (4) the emotional distress was severe.