

# SENATE . . . . . No. 504

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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>Patrick M. O'Connor</i> | <i>Plymouth and Norfolk</i>        | <i>1/29/2019</i> |
| <i>Marc R. Pacheco</i>     | <i>First Plymouth and Bristol</i>  | <i>1/30/2019</i> |
| <i>Michael D. Brady</i>    | <i>Second Plymouth and Bristol</i> | <i>1/31/2019</i> |
| <i>Michael O. Moore</i>    | <i>Second Worcester</i>            | <i>2/1/2019</i>  |

# SENATE . . . . . No. 504

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By Mr. Montigny, a petition (accompanied by bill, Senate, No. 504) of Mark C. Montigny, Patrick M. O'Connor, Marc R. Pacheco, Michael D. Brady and others for legislation to prevent animal suffering by irresponsible breeding practices. Environment, Natural Resources and Agriculture.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. 460 OF 2017-2018.]

## The Commonwealth of Massachusetts

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

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   2016 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

available at the kennel. No licensing authority shall issue a kennel license to any person convicted under sections 77, 80 ½, 94 or 95 of chapter 272

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

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

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

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

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

A person maintaining a kennel while such license is suspended shall be punished by a fine of not less than \$500 and revocation of such license. A person maintaining a kennel without a license, or after the license to maintain a kennel has been so revoked, shall be punished by a fine of not less than \$2,500. In lieu of such fine, an animal control officer, in his discretion, may request such person relinquish ownership of all dogs on the premises to animal control or other appropriate law enforcement agency. If such person does not own one or more dogs on the

premises, then such person may relinquish custody along with the owner's name and address to animal control or other appropriate law enforcement agency.

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

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

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

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

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