

**HOUSE . . . . . No. 1930**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Steven G. Xiarhos and Timothy R. Whelan*

*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 promote safe dog ownership.**

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Steven G. Xiarhos</i>	<i>5th Barnstable</i>	<i>1/20/2021</i>
<i>Timothy R. Whelan</i>	<i>1st Barnstable</i>	<i>1/21/2021</i>
<i>Mathew J. Muratore</i>	<i>1st Plymouth</i>	<i>2/22/2021</i>
<i>Michael J. Soter</i>	<i>8th Worcester</i>	<i>2/25/2021</i>
<i>Susan L. Moran</i>	<i>Plymouth and Barnstable</i>	<i>2/26/2021</i>
<i>Norman J. Orrall</i>	<i>12th Bristol</i>	<i>2/26/2021</i>

**HOUSE . . . . . No. 1930**

By Messrs. Xiarhos of Barnstable and Whelan of Brewster, a petition (accompanied by bill, House, No. 1930) of Steven G. Xiarhos, Timothy R. Whelan and others relative to penalties for neglectful dog ownership. The Judiciary.

**The Commonwealth of Massachusetts**

**In the One Hundred and Ninety-Second General Court  
(2021-2022)**

An Act to promote safe dog ownership.

*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 155 of Chapter 140 of the General Laws, as appearing in the 2016 Official  
2 Edition, is hereby amended by striking the section in its entirety and inserting in place thereof the  
3 following:

4 If any dog owner negligently permits their dog to cause damage to the property of any  
5 person, including their pet, companion animal, or service animal, or to cause injury to any  
6 person, then the owner or keeper thereof; or if the owner or keeper be a minor, the parent or  
7 guardian of such owner or keeper thereof, shall be punished by a fine of not more than \$2,500.

8 A conviction or findings of sufficient facts on any charge brought under this section shall  
9 be prima facie evidence of liability in any action brought in connection with the following:

10 a. Any damage to any property, whether privately or publicly owned;

11           b. Any injury, illness, transmission of disease (such as rabies), or death to any person or  
12 animal which is reasonably attributable to or caused by a violation of this section;

13           But no such evidence of civil liability shall be found if such damage shall have been  
14 occasioned to the body or property of a person who, at the time such damage was sustained, was  
15 committing a trespass or other tort, or was teasing, tormenting or abusing such dog. If a minor,  
16 on whose behalf an action under this section is brought, is under seven years of age at the time  
17 the damage was done, there shall be a rebuttable presumption that such minor was not  
18 committing a trespass or other tort, or teasing, tormenting or abusing such dog.