HOUSE DOCKET, NO. 2213 FILED ON: 1/19/2023

HOUSE . . . . . No. 198

The Commonwealth of Massachusetts

PRESENTED BY:

Jack Patrick Lewis

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 relative to animal welfare and DCF regulations.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Jack Patrick Lewis	*7th Middlesex*	*1/19/2023*
Natalie M. Higgins	*4th Worcester*	*1/20/2023*
Lindsay N. Sabadosa	*1st Hampshire*	*1/25/2023*
Vanna Howard	*17th Middlesex*	*2/3/2023*
Samantha Montaño	*15th Suffolk*	*2/4/2023*
Angelo J. Puppolo, Jr.	*12th Hampden*	*2/6/2023*
David Henry Argosky LeBoeuf	*17th Worcester*	*2/6/2023*
Thomas M. Stanley	*9th Middlesex*	*2/7/2023*
William C. Galvin	*6th Norfolk*	*2/7/2023*
Michelle M. DuBois	*10th Plymouth*	*2/8/2023*
Edward R. Philips	*8th Norfolk*	*2/14/2023*
Patrick M. O'Connor	*First Plymouth and Norfolk*	*2/15/2023*
John Barrett, III	*1st Berkshire*	*2/16/2023*
James K. Hawkins	*2nd Bristol*	*3/2/2023*
Tram T. Nguyen	*18th Essex*	*3/2/2023*
Bruce J. Ayers	*1st Norfolk*	*3/9/2023*
Michael O. Moore	*Second Worcester*	*3/15/2023*
Mike Connolly	*26th Middlesex*	*6/8/2023*

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HOUSE . . . . . No. 198

By Representative Lewis of Framingham, a petition (accompanied by bill, House, No. 198) of Jack Patrick Lewis and others that investigations of applications for adoption or foster parenting conducted by the Department of Children and Families include veterinary records of animals maintained on the premises. Children, Families and Persons with Disabilities.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Third General Court
(2023-2024)

An Act relative to animal welfare and DCF regulations.

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

SECTION 1. Section 42 of Chapter 19A, as appearing in the 2018 Official Edition of the General Laws, is hereby amended by striking out, in line 52, the words “During any investigation or evaluation reported under section 18, any” and replacing with the following word: -

Any

SECTION 2. Section 14 of Chapter 19C, as appearing in the 2018 Official Edition of the General Laws, is hereby amended by striking out, in line 1, the words “During any investigation or evaluation reported under section 5, any” and replacing with the following word: -

Any

SECTION 3. Section 85 of Chapter 119, as appearing in the 2018 Official Edition of the General Laws, is hereby amended by striking out, in line 1, the words “During any investigation or evaluation reported under section 51A, any” and replacing with the following word: -

Any

SECTION 4. Chapter 119, as appearing, is hereby amended by adding the following new section:-

Section 26D.

The Department reserves the right to request that a foster/pre-adoptive parent applicant or foster/pre-adoptive parent obtain and provide a copy of a behavior/temperament assessment and/or provide veterinary records on any animal maintained on the premises used as a foster/pre-adoptive home. The cost of the behavior/temperament assessment will be borne by the foster/pre-adoptive parent or applicant. The Department shall not restrict placement of a child solely based on the presence of any particular breed of dog in the home. The department may consider:

(a) The age, size, and sex of the child;

(b) Any prior incidents of dangerous behavior between child and animals in previous placements;

(c) Dog is free from disease and parasites and licensed and vaccinated as prescribed by law;

(d) The age, sex, and size of the dog;

(e) Whether the dog has been neutered;

(f) A copy of a behavior/temperament assessment, the cost of which should be borne by the foster/pre-adoptive parent or applicant;

(g) Veterinary records and contact information of veterinarian of any animal on the premises used as a foster/pre-adoptive home;

(h) Any prior incidents of dangerous behavior/incidents by the dog;

(i) Behavioral aspects of the child(ren);

(j) Number of dogs on the premises; and

(k) Whether the dog is penned or caged at any time, and if so, under what circumstances and for what purpose.

The Department reserves the right to request that the foster/pre-adoptive parent applicant or foster/pre-adoptive parent obtain and provide any other information deemed necessary to the safety and well-being of the children as it relates to the status of animals in the home.

SECTION 5. Notwithstanding any general or special law to the contrary, the department of children and families may promulgate regulations for the purpose of implementing this Act.