

HOUSE No. 849

The Commonwealth of Massachusetts

PRESENTED BY:

Jack Patrick Lewis and Josh S. Cutler

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 prohibiting the sale of fur products.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | DATE ADDED: |
|---------------------------------|-----------------------------------|------------------|
| <i>Jack Patrick Lewis</i> | <i>7th Middlesex</i> | <i>1/18/2023</i> |
| <i>Josh S. Cutler</i> | <i>6th Plymouth</i> | <i>1/25/2023</i> |
| <i>Lindsay N. Sabadosa</i> | <i>1st Hampshire</i> | <i>1/25/2023</i> |
| <i>Brian W. Murray</i> | <i>10th Worcester</i> | <i>1/30/2023</i> |
| <i>Vanna Howard</i> | <i>17th Middlesex</i> | <i>1/31/2023</i> |
| <i>Carol A. Doherty</i> | <i>3rd Bristol</i> | <i>2/3/2023</i> |
| <i>Steven George Xiarhos</i> | <i>5th Barnstable</i> | <i>2/5/2023</i> |
| <i>Thomas M. Stanley</i> | <i>9th Middlesex</i> | <i>2/7/2023</i> |
| <i>Michelle M. DuBois</i> | <i>10th Plymouth</i> | <i>2/8/2023</i> |
| <i>Paul McMurtry</i> | <i>11th Norfolk</i> | <i>2/8/2023</i> |
| <i>Samantha Montaño</i> | <i>15th Suffolk</i> | <i>2/16/2023</i> |
| <i>James K. Hawkins</i> | <i>2nd Bristol</i> | <i>3/2/2023</i> |
| <i>James C. Arena-DeRosa</i> | <i>8th Middlesex</i> | <i>3/2/2023</i> |
| <i>Patrick M. O'Connor</i> | <i>First Plymouth and Norfolk</i> | <i>3/2/2023</i> |
| <i>David Paul Linsky</i> | <i>5th Middlesex</i> | <i>3/2/2023</i> |
| <i>Angelo J. Puppolo, Jr.</i> | <i>12th Hampden</i> | <i>3/3/2023</i> |
| <i>Jessica Ann Giannino</i> | <i>16th Suffolk</i> | <i>3/3/2023</i> |
| <i>Carmine Lawrence Gentile</i> | <i>13th Middlesex</i> | <i>3/7/2023</i> |

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| <i>Jennifer Balinsky Armini</i> | <i>8th Essex</i> | <i>3/7/2023</i> |
| <i>Christopher Hendricks</i> | <i>11th Bristol</i> | <i>3/7/2023</i> |
| <i>Natalie M. Higgins</i> | <i>4th Worcester</i> | <i>3/7/2023</i> |
| <i>Margaret R. Scarsdale</i> | <i>1st Middlesex</i> | <i>3/7/2023</i> |
| <i>Patrick Joseph Kearney</i> | <i>4th Plymouth</i> | <i>3/7/2023</i> |
| <i>Kenneth I. Gordon</i> | <i>21st Middlesex</i> | <i>3/8/2023</i> |
| <i>Rodney M. Elliott</i> | <i>16th Middlesex</i> | <i>3/9/2023</i> |
| <i>James Arciero</i> | <i>2nd Middlesex</i> | <i>3/9/2023</i> |
| <i>James B. Eldridge</i> | <i>Middlesex and Worcester</i> | <i>3/13/2023</i> |
| <i>Simon Cataldo</i> | <i>14th Middlesex</i> | <i>3/14/2023</i> |
| <i>David Henry Argosky LeBoeuf</i> | <i>17th Worcester</i> | <i>3/20/2023</i> |
| <i>Tackey Chan</i> | <i>2nd Norfolk</i> | <i>3/28/2023</i> |
| <i>Danillo A. Sena</i> | <i>37th Middlesex</i> | <i>5/1/2023</i> |

HOUSE No. 849

By Representatives Lewis of Framingham and Cutler of Pembroke, a petition (accompanied by bill, House, No. 849) of Jack Patrick Lewis, Josh S. Cutler and others for legislation to prohibit the sale of fur products. Environment and Natural Resources.

The Commonwealth of Massachusetts

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

An Act prohibiting the sale of fur products.

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. New Chapter 110I to Title XV Regulation of Trade of the General Laws is
2 hereby added:

3 Chapter 110I: Trade of Fur Products

4 § 1. Terms defined

5 For the purposes of this chapter the following terms have the following meanings

6 (a) “Fur”, any animal skin or part thereof with hair, fleece, or fur fibers attached
7 thereto, either in its raw or processed state.

8 (b) (1) “Fur product”, any article of clothing or covering for any part of the body, or
9 any fashion accessory, including, but not limited to, handbags, shoes, slippers, hats, earmuffs,
10 scarves, shawls, gloves, jewelry, keychains, toys, and home accessories and décor, that is made
11 in whole or part of fur.

- 12 (2) “Fur product” does not include any of the following:
- 13 (i) An animal skin or part thereof that is to be converted into leather, or which in
14 processing will have the hair, fleece, or fur fiber completely removed;
- 15 (ii) Cowhide with the hair attached thereto;
- 16 (iii) Lambskin or sheepskin with the fleece attached thereto; or
- 17 (iv) The pelt or skin of any animal that is preserved through taxidermy or for the
18 purpose of taxidermy.
- 19 (c) “Non-profit organization”, any corporation that is organized under 26 U.S.C. §
20 501(c)(3) that is created for charitable, religious, philanthropic, educational, or similar purposes.
- 21 (d) “Taxidermy”, the practice of preparing and preserving the skin of an animal that
22 is deceased and stuffing and mounting it in a lifelike form.
- 23 (e) “Ultimate consumer”, an individual who buys a fur product for their own use, or
24 the use of another, but not for resale or trade.
- 25 (f) “Used fur product”, a fur product that has been worn or used by an ultimate
26 consumer.

27 § 2. Fur Product Prohibition; exemptions; penalties

- 28 (a) Notwithstanding M.G.L.A. 266 § 79 or any other provision of law, it is unlawful
29 to sell, offer for sale, display for sale, trade, or otherwise distribute for monetary or nonmonetary
30 consideration a fur product in the Commonwealth of Massachusetts. For purposes of this section,
31 the sale of a fur product shall be deemed to occur in the Commonwealth of Massachusetts if: (1)

32 the buyer takes physical possession of the fur product in Massachusetts; or (2) the seller is
33 located in the Commonwealth of Massachusetts.

34 (b) The prohibitions outlined in this Section do not apply to the sale, offer for sale,
35 displaying for sale, trade, or distribution of:

36 (1) a used fur product by an individual (excluding a retail transaction), non-profit
37 organization, or second-hand store, including a pawn shop;

38 (2) a fur product used for traditional tribal, cultural, or spiritual purposes by a
39 member of a federally recognized or state-recognized Native American tribe; or

40 (3) a fur product where the activity is expressly authorized by federal or state law.

41 (c) A person convicted of a violation of this Chapter shall be fined no less than five
42 hundred dollars nor more than five thousand dollars per fur product.

43 SECTION 2. Severability.

44 If any section, subsection, or paragraph of this Act shall be held unconstitutional either on
45 its face or as applied, the unconstitutionality of the section, subsection, or paragraph, or of the
46 application thereof, shall not affect the other sections, subsections, and paragraphs of this Act,
47 and the applications thereof; and to that end the sections, subsections, and paragraphs of this Act
48 are intended to be severable.

49 SECTION 3. Effective date.

50 This Act shall take effect no later than 180 days following the passage of this Act.