SENATE . . . . . No. 2757

The Commonwealth of Massachusetts

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

SENATE, May 2, 2024.

The committee on The Judiciary, to whom was referred the petitions (accompanied by bill, Senate, No. 1142) of John C. Velis, Patrick M. O'Connor, Jack Patrick Lewis, Steven George Xiarhos and other members of the General Court for legislation relative to the humane protection of animals; and (accompanied by bill, House, No. 1718) of Edward R. Philips, Jessica Ann Giannino and others for legislation relative to the humane protection of animals and establishing a task force to complete a systematic review of the laws pertaining to animal cruelty and protection, report the accompanying bill (Senate, No. 2757).

For the committee,
James B. Eldridge

FILED ON: 4/30/2024

SENATE . . . . . No. 2757

The Commonwealth of Massachusetts

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

An Act relative to the humane protection of animals.

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. Chapter 140 of the General Laws is hereby amended by inserting after section 141B the following 2 sections:-

Section 141C. (a) No person shall sell, exchange, trade, barter, lease or transfer for permanent physical placement possession a dog or cat that is under 8 weeks of age; provided, however, that this prohibition is not applicable to the transfer of dogs or cats between any shelter, municipal animal control facility or animal rescue organization licensed under section 39A or chapter 129. A violation of this subsection shall be punished by a fine of not more than $100. Each dog or cat sold, exchanged, traded, bartered or leased in violation of this section shall constitute a separate offense.

Section 141D. (a) No person shall sell, offer to sell, exchange, trade, barter, lease or transfer any dog or cat on any roadside, public right-of-way, parkway, median, park or other recreation area, flea market or other outdoor market, or commercial or retail parking lot.

(b) This section shall not apply to: (1) the transfer, regardless of payment or compensation, of a dog or cat by, or to, a shelter, municipal animal control facility or animal rescue organization licensed under section 39A of chapter 129; or (2) the display of a dog or cat as part of a state or county fair exhibition, a 4-H program or similar exhibition or educational program.

(c) A violation of this section shall be punished by a fine of not more than $50 for a first offense, a fine of not more than $100 for a second offense and a fine of not more than $300 for a third or subsequent offense. Each dog or cat sold, traded, bartered or leased in violation of this section shall constitute a separate offense.

(d) A city or town shall enforce this section through its animal control officers or police officers in a manner consistent with the disposition provisions in section 21D of chapter 40.