

HOUSE No. 4365

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, August 4, 2025.

The committee on Municipalities and Regional Government, to whom was referred the petition (accompanied by bill, House, No. 2253) of Daniel Cahill and others relative to updating animal health inspections, reports recommending that the accompanying bill (House, No. 4365) ought to pass.

For the committee,

JACK PATRICK LEWIS.

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**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act relative to updating animal health inspections.

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 is hereby further
2 amended in the definition of “Kennel” by adding, in line 53, after the phrase “domestic
3 charitable corporation kennel,” the phrase:- personal breeder kennel,

4 SECTION 2. Section 136A of Chapter 140 of the General Laws is hereby further
5 amended by inserting the following definition:-

6 “Personal breeder kennel”, a pack or collection of 3 or more intact female dogs on a
7 single premise kept for the purpose of breeding and selling the offspring to breeders or end
8 consumers, provided that this does not include a personal kennel where animals are only bred for
9 private personal use and not offered for sale or exchange, nor a commercial breeder kennel
10 where animals are sold or exchanged to wholesalers, brokers or pet shops in return for
11 consideration. A dog shall be considered kept for breeding if the animal has given birth in the
12 twelve months preceding the license application date.

13 SECTION 3. Chapter 140 of the General Laws is hereby further amended by inserting
14 after section 174H, the following section:-

15 Section 174I.

16 (a) The department shall promulgate rules and regulations for commercial and personal
17 breeder kennels to ensure that the animals, including breeding animals and their offspring, have
18 proper housing, which shall include requirements for adequate space, temperature, solid flooring
19 and a prohibition on the stacking of cages, and proper nutrition, hydration, enrichment,
20 grooming, staffing, handling, health and veterinary care, exercise, socialization and other general
21 standards of care and fitness for purchase. The department shall consider the definitions of a
22 commercial breeder kennel personal breeder kennel in determining regulations, including the
23 comparative scale and often home-based nature of personal breeder kennels.

24 (b) The inspection of a kennel to enforce the rules and regulations promulgated by this
25 section may be done by the commissioner or an authorized inspector and shall take place
26 between the hours of 7:00 a.m. and 7:00 p.m. unless an alternate time is mutually agreed upon by
27 the inspector and the operator. The operator or an authorized agent of the operator shall be
28 present during the inspection and the operator shall be given a reasonable notice prior to the
29 inspection; provided, however, that the commissioner or other authorized inspector may
30 determine that it is not appropriate to provide advance notice to the operator before arriving at
31 the facility if necessary to adequately perform the inspection. If a kennel regulated under this
32 section is located at a private residence, only the areas of the residence that are used for kennel
33 purposes or for the maintenance of kennel records shall be required to be available for
34 inspection. If, in the judgment of the commissioner or an authorized inspector, a kennel is not

35 being maintained in a sanitary and humane manner or if records have not been properly kept as
36 required by law and in compliance with this section and relevant regulations, the commissioner
37 or authorized inspector shall, by order, depending on the severity of the offense, suspend or
38 revoke the license for the kennel or issue to the operator a written citation or notice which
39 explains the noncompliant issue and requires the operator to come into compliance within a
40 reasonable, specified timeframe. If the operator fails to come into compliance within the time
41 period specified by the commissioner or authorized inspector, the commissioner or authorized
42 inspector shall, by order, revoke the license for the kennel.

43 (c) Enforcement under this section by an animal control officer or authorized inspector
44 may be appealed within 21 days of the suspension, citation, or revocation to the district court in
45 the judicial district in which the kennel is maintained. Enforcement under this section by the
46 commissioner may be appealed within 21 days of the suspension, citation, or revocation to the
47 division of administrative law appeals pursuant to chapter 30A.

48 SECTION 4. The department of agricultural resources shall promulgate the regulations
49 required under section 174I of chapter 140 of the General Laws not more than 18 months after
50 the effective date of this act. The department shall provide an updated list of the regulations
51 under said section 174I of said chapter 140 and any relevant education or training programs to
52 local licensing authorities, animal control officers and any other applicable local officials for the
53 enforcement of regulations.