

SENATE No. 3014

The Commonwealth of Massachusetts

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

SENATE, March 12, 2026.

The committee on Senate Ways and Means to whom was referred the Senate Bill banning the retail sale of dogs, cats, and rabbits in pet shops (Senate, No. 2720) (also based on Senate, Nos. 640, 1022 and 1190), - reports, recommending that the same ought to pass with an amendment substituting a new draft entitled "An Act promoting pet equity, treatment and safety (Senate, No. 3014).

For the committee,
Michael J. Rodrigues

SENATE No. 3014

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

An Act promoting pet equity, treatment and safety.

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 35WW of chapter 10 of the General Laws, as appearing in the 2024
2 Official Edition, is hereby amended by inserting after the figure “62”, in line 17, the following
3 words:- , fines collected pursuant to section 37 of chapter 129.

4 SECTION 2. Chapter 23B of the General Laws is hereby amended by inserting following
5 new section:-

6 Section 37. (a) For the purposes of this section, the term “pet” shall mean any
7 domesticated animal that is commonly kept in a household.

8 (b) The executive office of housing and livable communities shall establish a program of
9 pet ownership for residents of state-aided public housing for: (i) the elderly; and (ii) residents
10 who are able to reasonably care for a pet, in accordance with all applicable public health, animal
11 control animal-cruelty laws and regulations and the reasonable requirements of the state-aided
12 public housing; provided, however, that reasonable requirements may include, but shall not be
13 limited to: (i) requiring a pet deposit which shall be the lesser of \$160 or one month’s rent; (ii)

14 limitations on the number of pets permitted in a unit, based on unit size; (iii) restrictions or
15 prohibitions based on size and type of building, project or unit; (iv) a requirement that pets be
16 spayed or neutered; (v) a requirement that a tenant maintain an adequate care plan for the pet,
17 including veterinarian care and designation of an emergency contact that can care for the pet in
18 the event the tenant is unable to do so; (vi) a requirement that the pet be registered with the state-
19 aided public housing facility; and (vii) any other requirements deemed necessary or appropriate
20 by the executive office of housing and livable communities.

21 (c) No state-aided public housing facility shall: (i) impose an outright prohibition on the
22 keeping of pets by tenants; (ii) discriminate solely based on a pet's breed, size, weight or
23 appearance; (iii) require pet declawing as a condition of allowing a pet on the premises; or (iv)
24 evict a tenant based solely on the presence of a pet, where such tenant has otherwise adhered to
25 the facility's requirements and policies pursuant to this section.

26 (d) Nothing in this section shall require a state-aided housing facility to allow for the
27 keeping of a dog that has been declared dangerous by a municipality pursuant to section 157 of
28 chapter 140 or has a known history of biting or injuring a person or domestic animal.

29 (e) The executive office of housing and livable communities shall promulgate regulations
30 to implement this section; provided, however, that the executive office shall consult with local
31 housing authorities and local tenant organizations in state-aided public housing in developing
32 said regulations.

33 SECTION 3. Section 37 of chapter 129 of the General Laws, as appearing in the 2024
34 Official Edition, is hereby amended by inserting after the fourth sentence the following

35 sentence:- A fine assessed under this section shall be deposited into the Homeless Animal
36 Prevention and Care Fund established in section 35WW of chapter 10.

37 SECTION 4. Section 39A of said chapter 129, as so appearing, is hereby amended by
38 striking out, in line 1, the word “Every” and inserting in place thereof the following words:- (a)
39 Every.

40 SECTION 5. Said section 39A of said chapter 129, as so appearing, is hereby further
41 amended by striking out, in line 13, the word “section”, and inserting in place thereof the
42 following word:- subsection.

43 SECTION 6. Said section 39A of said chapter 129 is hereby further amended by inserting
44 the following 2 subsections:-

45 (b) No person engaged in the business of operating a pet shop for which a license must be
46 obtained pursuant to subsection (a) shall sell or offer for sale a dog or cat; provided, however,
47 that a pet shop may offer space to an animal rescue or shelter organization to showcase dogs or
48 cats for adoption if said pet shop has no ownership interest in the animals offered for adoption.

49 (c) Notwithstanding section 43 of this chapter, a person who violates subsection (b) of
50 this section shall be: (i) assessed a civil penalty of not more than \$1,000 for the first offense, not
51 more than \$2,500 for the second offense and not more than \$5,000 for the third and subsequent
52 offenses; and (ii) subject to suspension or revocation of the person’s pet shop license. Each
53 advertisement or offer for sale or actual sale of a dog or cat in violation of subsection (b) shall
54 constitute a separate violation.

55 SECTION 7. Section 174E of chapter 140 of the General Laws, as so appearing, is
56 hereby amended striking out subsections (f) and (g) and inserting in place thereof the following
57 subsections:-

58 (f) No person owning or keeping a household pet shall subject such pet to cruel
59 conditions.

60 For the purposes of this subsection, “cruel conditions” shall include, but shall not be
61 limited to, the following:

62 (i) exposure to excessive animal waste, garbage, non-potable water, excessive noxious
63 odors that create a health threat to people or animals, dangerous objects or other animals that
64 could injure or kill an animal upon contact, other circumstances that could cause harm to the
65 health or safety of the animal based on species, age or physical condition; or failure to provide
66 access to appropriate food and water based on the animal’s species, age or physical condition;
67 and

68 (ii) lack of protection when wind or environmental or weather conditions pose an adverse
69 risk to the health or safety of the animal based on the animal’s species, age or physical condition.

70 (g) A person who violates this section shall: (i) for a first offense, be issued a written
71 warning or punished by a fine of not more than \$50; (ii) for a second offense, be punished by a
72 fine of not more than \$200; and (iii) for a third or subsequent offense, be punished by a fine of
73 not more than \$500; provided, however, that for a third or subsequent offense, the animal may be
74 subject to impoundment in a local shelter or appropriate facility at the owner’s, keeper’s or
75 guardian’s expense pending compliance with this section or the owner, keeper or guardian may
76 lose ownership of the animal.

77 SECTION 8. Said section 174E of said chapter 140, as so appearing, is hereby further
78 amended by inserting after the word “special”, in line 100, the following word:- state.

79 SECTION 9. Said section 174E of said chapter 140, as so appearing, is hereby further
80 amended by striking out, in line 102, the word “and” and inserting in place thereof the following
81 word:- or.

82 SECTION 10. Said section 174E of said chapter 140, as so appearing, is hereby further
83 amended by adding the following subsection:-

84 (j) Nothing in this section shall preclude prosecution pursuant to section 77 of chapter
85 272.

86 SECTION 11. Said chapter 140 is hereby further amended by inserting after section
87 174H the following section:-

88 Section 174I.

89 (a) As used in this section, the following words shall have the following meanings unless
90 the context clearly requires otherwise:

91 “Alternative test method”, a process or procedure, implemented to obtain information
92 regarding the biological effects of exposure to a chemical or agent, that does not employ the use
93 of an animal and results in the gathering of information that would otherwise be acquired
94 through the use of a traditional animal test method, including, but not limited to, computational
95 toxicology, bioinformatics, high-throughput screening methods, chemical substances testing,
96 tiered testing methods, in vitro studies and systems biology.

97 “Animal”, a vertebrate nonhuman animal.

98 “Commissioner”, the commissioner of the department of public health.

99 “Contract testing facility”, a partnership, corporation, association or other legal entity that
100 tests chemicals, ingredients, product formulations or products.

101 “Manufacturer”, a partnership, corporation, association, or other legal entity that
102 produces products, product formulations, chemicals or ingredients.

103 “Medical research”, investigations, experiments or studies to discover, develop or verify
104 knowledge relating to the causes, diagnosis, treatment, prevention or control of physical or
105 mental diseases and impairments of humans or animals or relating to the development of
106 biomedical products, devices or pharmaceuticals.

107 “Traditional animal test method”, a process or procedure using animals to obtain
108 information regarding the biological effects of exposure to a chemical or agent.

109 (b) No manufacturer or contract testing facility shall use a traditional animal test method
110 for which a valid alternative test method exists when testing a cosmetic or household product,
111 product formulation, chemical or ingredient in the commonwealth.

112 (c) The commissioner shall promulgate regulations to implement, enforce and administer
113 this section and shall establish standards for alternative test methods to ensure safety and
114 comparable validity of results to traditional animal test methods. The commissioner shall
115 consider the Organisation for Economic Co-operation and Development’s guidelines for the
116 testing of chemicals when establishing said standards.

117 (d) This section shall not apply to a test method conducted for the purposes of medical
118 research.

119 SECTION 12. Chapter 175 of the General Laws is hereby amended by inserting after
120 section 4C the following section:-

121 Section 4C1/2. (a) No insurer licensed to write and engaged in the writing of
122 homeowners insurance in the commonwealth nor the joint underwriting association, formed
123 under chapter 175C, shall, when deciding whether to provide, renew or cancel a homeowner's
124 policy, or when establishing the premium for such policy, take into consideration the breed or
125 mixture of breeds of any dog kept on the insured property. No such insurer or joint underwriting
126 association shall inquire of an applicant or insured about the breed or mixture of breeds of a dog
127 kept on the insured's property; provided, however, that an insurer or joint underwriting
128 association may inquire whether any such dog has been declared dangerous by a municipality
129 pursuant to section 157 of chapter 140 or has a known history of biting or injuring a person or
130 domestic animal.

131 (b) Nothing in this section shall prohibit an insurer or joint underwriting association from
132 taking into consideration whether any such dog has been declared dangerous by a municipality
133 pursuant to section 157 of chapter 140, or has a known history of biting or injuring a person or
134 domestic animal when making any underwriting or rating decision.

135 SECTION 13. The executive office of housing and livable communities shall conduct a
136 study and develop recommendations regarding the prevalence and effects of pet-related fees
137 charged to residents of state-aided and privately-owned rental housing in the commonwealth.
138 The study shall include, but not be limited to: (i) the prevalence and range of such pet-related fee
139 practices among state-aided and privately-owned rental housing providers in the commonwealth;
140 (ii) the effects of such pet-related fees on housing stability and access for pet-owning

141 households, including households in state-aided public housing; (iii) the relationship between
142 such pet-related fees and rates of pet relinquishment to animal shelters in the commonwealth;
143 (iv) existing fee or security deposit limitations or prohibitions on pet ownership for tenants in
144 other states and their effects on housing access, animal shelter intake and landlord practices; and
145 (v) any other information deemed relevant by the executive office. For the purposes of this study,
146 the term “pet” shall mean any domesticated animal that is commonly kept in a household.

147 Not later than December 31, 2027, the executive office shall publish the results of the
148 study on its website and submit a copy to the clerks of the senate and house of representatives
149 and to the joint committee on housing.

150 SECTION 14. Sections 4, 5 and 6 shall take effect 180 days after the passage of this act.

151 SECTION 15. The commissioner of public health shall promulgate regulations to
152 implement section 174I of chapter 140 of the General Laws, as inserted by section 11, not more
153 than 180 days following passage of this act.