

Massachusetts House of Representatives Bill Summary

Bill #: H.4849

Title: An Act related to the enforcement of chapter 140

Sponsor: Rep. Brian Ashe

Committee: Municipalities and Regional Government

Hearing Date: March 3, 2026

Current Law: MGL Chapter 10, Section 35WW established the homeless animal prevention and care fund.

Chapter 129 regulates livestock disease control. Section 37 relates to enforcement actions; jurisdiction of the commissioner of agriculture; jurisdiction of district and superior courts.

Chapter 140 concerns licenses. Section 136A contains definitions applicable to the statutes regulating the licensure of animals.

Section 137 governs the licensing and registration of dogs.

Section 137A governs the licensing of kennels.

Section 137B regulates the sale or other delivery of unlicensed dogs by a kennel licensee; process and requirements.

Section 137C concerns the Inspection of kennels; revocation, suspension and reinstatement of license; nuisance.

Section 137D relates to the surrender of a license or tag for offenses against animals.

Section 145B requires dogs, cats and ferrets to be vaccinated against rabies.

Chapter 272, Section 85A regulates certain crimes against animals and prescribes penalties for such violations.

Summary: This bill makes several corrective changes or amendments to the provisions of Chapter 213 of the Acts of 2024 (Ollie's Law), summarized as follows (some information provided by the MSPCA and Animal Rescue League):

€ **Technical Corrections:** Updates definitions and reinstates critical language ensuring kennels maintain sanitary and humane conditions for animals.

- ⊄ **Enhanced Safety Measures:** Removes the collar and tag requirement for dogs in kennels, replacing it with safer identification methods to prevent injuries.
- ⊄ **Dog Licensing Clarifications:** These sections clarify that a commercial boarding or training kennel does not have to license a dog who is boarding, even when the kennel is considered the “keeper”; requires owners or keepers who have a kennel license to obtain individual dog licenses for those dogs kept on the premises who are over 6 months of age in most circumstances.
- ⊄ **Modernization of Outdated Language:** Updates record-keeping requirements for unlicensed dog sales, ensuring municipalities have accurate and current data.
- ⊄ **Stronger Enforcement Provisions:** Empowers Mass. Dept of Agricultural Resources (MDAR) to impose fines on non-compliant municipalities and clarifies enforcement for animal control officers regarding dog harboring and counterfeit tags.
- ⊄ **Improvements to the Mass. Animal Fund:** Increases flexibility in fund allocation and diversifies income sources, supporting animal welfare programs to provide needed health services to animals.

Section 1 of the bill expands the mission of the Mass. Animal Fund beyond the current purpose if approved by the Ollie's Law advisory committee. This would authorize the Fund to cover other medical needs beyond the costs of vaccination, spaying and neutering of homeless dogs and cats, or to offset costs associated with the vaccination, spaying and neutering of dogs and cats owned by low-income residents and to help train animal control officers

Section 2 amends section 35WW of MGL chapter 10 by allowing fees and fines that are collected by the Mass. Department of Agricultural Resources (MDAR) for animal-related violations to be deposited into the Mass. Animal Fund.

Section 3 allows additional income to the Mass. Animal Fund by adding the words “or other means” relating to the type of income that may be deposited into the fund.

Section 4 amends Chapter 129 of the MGL by permitting fees and fines collected by MDAR for animal-related violations to go into the Mass. Homeless Animal Prevention and Care Fund.

Section 5 makes technical corrections to ensure that the definitions section of the animal control laws reflect the most recent additional statute (declawing).

Section 6 makes a technical correction by changing the word “premise” to “premises”.

Sections 7 and 8 clarify that a commercial boarding or training kennel does not have to license a dog that is boarding, even when the kennel is considered to be the "keeper" (since it is a temporary situation)

Section 9 and 10 adds an exemption for animal non-profits and municipalities so they don't have to license individual dogs (in addition to having a kennel license) because dogs who are in a shelter or municipal animal control facility are there temporarily pending adoption and change of ownership. Owners or keepers who have a kennel license would still need to obtain individual dog licenses for those dogs kept on the premises who are over 6 months of age.

Section 11 allows alternatives to wearing a license tag and collar around a dog's neck while a dog is in a kennel. Dogs would still need to have some identification, such as a microchip or tattoo, but breakaway collars – with identification on the paper collar – could be used as an alternative.

Section 12 adds the term “health agent” to section 137A of chapter 140, regulating kennel inspections, which currently only refers to animal control officers.

Section 13 clarifies that commercial boarding and training kennels cannot accept dogs who are not licensed (including when they are boarding in Massachusetts but domiciled in another state).

Section 14 adds information for municipal reporting required under Ollie's Law that reveals the status and nature of kennels in municipalities, including: the status of the license and whether the license is current, suspended, revoked, the kennel owner name, the maximum number of dogs permitted under the license, the last date of inspection by the animal control officer, the last date the kennel has passed the inspection, and the number of injuries reported in the last calendar year from commercial boarding or training kennels. Currently, municipal licensing authorities are just required to report to MDAR the number and type of kennels and address.

Section 15 authorizes the Department of Agriculture to fine licensing authorities that do not comply with kennel licensing and reporting laws.

Section 16 requires more detailed record keeping when a kennel delivers a dog to a purchaser or any other person pursuant to section 137B of chapter 140. Clarifies and updates older language relating to sales from a kennel and licensing.

Section 17 restores language that was inadvertently removed in 2024 (in section 137C of chapter 140) that required all kennels to be sanitary and humane.

Section 18 corrects an error in section 137D of chapter 140 that occurred when two bills (Ollie's Law and the declawing bill) were enacted in the same session. According to bill advocates, there was no intention to have a violation of Ollie's Law result in surrendering the kennel license.

Section 19 creates section 137E of chapter 140 by putting the bulk of section 85A of chapter 272 (*“Injuring, taking away or harboring domesticated animals or birds; removal of dog license tag, collar or harness; imitation tag”*) in that new section (see also Section 21). This ensures that the above provisions not requiring the wearing of tags isn't a violation of this statute that, among other things, penalizes the removal of tags. Being in chapter 140 will allow animal control officers to enforce provisions relating to removing a dog's collar, harboring a stray animal, or causing a dog to wear a counterfeit license tag.

Section 20 Similar to Section 11 above but applies similarly to not having to wear a rabies tag under certain circumstances.

Section 21 strikes the second sentence of section 85A of chapter 272 *“Injuring, taking away or harboring domesticated animals or birds; removal of dog license tag, collar or harness; imitation tag”* except for first sentence, to place in chapter 140 section 137E (see SECTION 19). The first sentence “Whoever with wrongful intent kills, maims, entices or carries away a dog or other domesticated animal or bird shall be liable in tort to its owner for three times its value” will remain in chapter 272 as a crime.