



**SUPPORT SB1127 – An Act Protecting Abandoned Animals
in Vacant Properties**

Sen. James Eldridge (D)

Referred to Joint Committee on Municipalities and Regional Government

WHAT THIS BILL DOES:

This bill would reduce animal harm and suffering, by providing protection for abandoned animals in foreclosed and abandoned properties in Massachusetts. It clarifies responsibilities of relevant parties. The bill does not make the landlord or foreclosing owner further responsible for abandoned animals.

WHY YOU SHOULD SUPPORT THIS BILL:

Animals are sometimes abandoned in vacated or foreclosed properties by irresponsible dog owners. These animals face suffering and potential starvation without authorized intervention. This bill would require landlords or foreclosing owners to inspect for abandoned animals within three days, those recently vacated or foreclosed units. If an animal is found abandoned, the foreclosing owner or landlord would be required to immediately contact an animal control officer, police or other authorized agent. Any animal found would be deemed legally abandoned.

FOR MORE INFORMATION:

Massachusetts Federation of Dog Clubs and Responsible Dog Owners
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SENATE No. 1127

The Commonwealth of Massachusetts

PRESENTED BY:
James B. Eldridge

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 protecting abandoned animals in vacant properties.

Co-sponsors:

Rep. Arciero, James (D); Rep. Cutler, Josh (D); Rep. Decker, Marjorie (D); Rep. DiZoglio, Diana (D); Rep. Dykema, Carolyn (D); Rep. Ehrlich, Lori (D); Rep. Frost, Paul (R); Rep. Garballey, Sean (D); Rep. Heroux, Paul (D); Rep. Hogan, Kate (D); Rep. Howitt, Steven (R); Rep. Lewis, Jack (D); Rep. Miceli, James (D); Rep. Murphy, James (D); Rep. Orrall, Keiko (R); Rep. Peisch, Alice (D); Rep. Provost, Denise (D); Rep. Ryan, Daniel (D); Rep. Scibak, John (D); Rep. Walsh, Chris (D); Sen. Barrett, Michael

(D); Sen. Brownsberger, William (D); Sen. DiDomenico, Sal (D); Sen. Jehlen, Patricia (D); Sen. Keenan, John (D); Sen. Lewis, Jason (D); Sen. Lovely, Joan (D); Sen. McGee, Thomas (D); Sen. Tarr, Bruce (R)

SB1127 - Sen. Eldridge, James (D) - An Act protecting abandoned animals in vacant properties

SECTION 1. Chapter 186 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by adding the following section:-

Section 23. Within 3 days after the lessor or owner knew or should have known that a property has been vacated through foreclosure, termination of tenancy, abandonment or other removal or exclusion of a tenant from the premises pursuant to this chapter or chapter 186A, the lessor or owner, or his or her designee, shall inspect the property for the presence of abandoned animals.

If the lessor or owner, or his or her designee, encounters an abandoned animal pursuant to this section, the lessor or owner, or his or her designee, shall immediately notify an animal control officer appointed pursuant to chapter 140, a police officer or any other authorized agent of the presence and condition of the animal.

Prompt reporting shall be considered evidence of sufficient regard for the suffering of the animal. The lessor or owner, or his or her designee, who encounters an abandoned animal pursuant to this section shall not be considered the owner, possessor or person having the charge or custody of an animal under section 77 of chapter 272.

For the purposes of this section, an animal shall be considered abandoned if it is found in a property vacated through foreclosure, summary process, termination of tenancy or abandonment.

SECTION 2. Section 4 of chapter 239 of the General Laws, as appearing in the 20142 Official Edition, is hereby amended by inserting after the word “thereof”, in line 5, the following words:- , except that if an animal is found on the land or tenement, the officer shall immediately notify an animal control officer appointed pursuant to chapter 140, a police officer or any other authorized agent of the presence and condition of the animal.

SECTION 3. The first paragraph of said section 4 of said chapter 239, as so appearing, is hereby further amended by adding the following sentence:- This section shall not apply to animals removed in accordance with section 23 of chapter 186, section 41 of chapter 244 or section 14 of this chapter.

SECTION 4. Said chapter 239 is hereby further amended by adding the following section:-

Section 14. Within 3 days after the lessor or owner knew or should have known that a property has been vacated as a result of summary process the lessor or owner, or his or her designee, shall inspect the property for the presence of abandoned animals.

If the lessor or owner, or his or her designee, encounters an abandoned animal pursuant to this section or section 4, the lessor or owner, or his or her designee, shall immediately notify an animal control officer appointed pursuant to chapter 140, a police officer or any other authorized agent of the presence and condition of the animal.

Prompt reporting shall be considered evidence of sufficient regard for the suffering of the animal. The person or entity who encounters an abandoned animal pursuant to this section shall not be considered the owner, possessor or person having the charge or custody of an animal under section 77 of chapter 272.

For the purposes of this section, an animal shall be considered abandoned if it is found in a vacated property through foreclosure, summary process, termination of tenancy or abandonment.

SECTION 5. Chapter 244 of the General Laws is hereby amended by adding the following section:-

Section 41. Within 3 days after the lessor or owner knew or should have known that a property has been vacated through mortgage foreclosure, the mortgagee or owner, or his or her designee, shall inspect the property for the presence of abandoned animals. If the mortgagee or owner, or his or her designee, encounters an abandoned animal pursuant to this section, the lessor or owner shall immediately notify an animal control officer appointed pursuant to chapter 140, a police officer or any other authorized agent of the presence and condition of the animal.

Prompt reporting shall be considered evidence of sufficient regard for the suffering of the animal. The person or entity who encounters an abandoned animal pursuant to this section shall not be considered the owner, possessor or person having the charge or custody of an animal under section 77 of chapter 272.

For the purposes of this section, an animal shall be considered abandoned if it is found in a vacated property through foreclosure, summary process, termination of tenancy or abandonment.