



OPPOSE HB1435 – An Act Relative to Pet Adoption Safety Rep. Bradford Hill (R)

Referred to Joint Committee on the Judiciary

What This Bill Does:

HB1435 establishes that no person may receive, purchase, adopt, or shelter animals following their conviction of an animal abuse crime. Further, no animal breeders, animal shelters, or pet stores shall knowingly offer, sell, deliver, give, or provide an animal to any person convicted of an animal abuse crime.

It specifies punishments of a fine not less than \$1,000 or imprisonment for a period of not more than one year for a first offense, and a fine not less than \$5,000 or imprisonment of not more than five years for subsequent offenses.

Why You Should Oppose This Bill:

This bill requires creating a publicly accessible, on-line animal abuse registry as proposed by HB1445. This is the only way those selling animals in the Commonwealth can make sure they are not in violation for selling/giving an animal to an individual.

MassFed and the AKC (American Kennel Club) are concerned with legislation that provides for the creation and maintenance of animal abuser registries. We believe that the animal abuse registry requirements that would be created by HB1445 could easily be evaded. For example, an individual convicted of animal cruelty could evade tracking by providing sellers with fake or altered names, or by not providing updated addresses. Furthermore, the provisions of HB1445 could unfairly subject animal sellers who performed the required check to fines because an evasive buyer's actions avoided registry tracking. Online public databases such as this invite hackers, fraud and abuse. Furthermore, no evidence exists to prove that animal abuse registries reduce the rates of second or subsequent offenses or of deterring other potential animal cruelty violators. We believe a better use of the Commonwealth's resources would be to focus on and utilize enforcement activities that are proven effective.

We do not believe this bill is necessary. HB1445 has already been filed and referred to the same Committee, and the penalties for violating the provisions are identical in this bill to those proposed in HB1435.

Source: AKC Government Relations

FOR MORE INFORMATION:

Massachusetts Federation of Dog Clubs and Responsible Dog Owners

Mr. John W. Seeley, acjohn@aol.com, 978-456-8644

Ms. Virginia Rowland, blackslate@aol.com, 978-424-1044

03/13/19

HOUSE No. 1435

The Commonwealth of Massachusetts

PRESENTED BY:

Bradford Hill

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 relative to pet adoption safety.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Bradford Hill</i>	<i>4th Essex</i>
<i>Randy Hunt</i>	<i>5th Barnstable</i>
<i>Mathew J. Muratore</i>	<i>1st Plymouth</i>
<i>Michael J. Soter</i>	<i>8th Worcester</i>

HOUSE No. 1435

By Mr. Hill of Ipswich, a petition (accompanied by bill, House, No. 1435) of Bradford Hill and others relative to the penalty for the abuse of certain animals. The Judiciary.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act relative to pet adoption 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. Chapter 272 of the General Laws, as appearing in the 2016 Official Edition,
2 is hereby amended by inserting at the end thereof the following new section:-

3 Section X Animal Abuse Prevention

4 (1) The following words as used in this chapter, unless the context otherwise requires,
5 shall have the following meanings:

6 1. “animal abuse crime” means the commission of any crime against an animal under
7 Chapter 272, Sections 77 through 81, inclusive, of the General Laws, and the comparable animal
8 cruelty statutes of any other state.

9 2. “animal breeder” means any entity engaged in the practice of facilitating the
10 reproduction of animals for the purpose of distributing the resulting offspring to one or more
11 other individuals or entities.

12 3. “animal shelter” means a public animal control facility, or any other facility which is
13 operated by any organization or individual for the purpose of protecting animals from cruelty,
14 neglect, or abuse.

15 4. “convicted of” means an adjudication of guilt by any court of competent jurisdiction,
16 whether upon a verdict or plea of guilty or nolo contendere.

17 5. “pet store” means every place or premise where birds, mammals or reptiles are kept for
18 the purpose of sale at either wholesale or retail, import, export, barter, exchange or gift.

19 (2) No person may receive, purchase, adopt, or shelter animals following their conviction
20 of an animal abuse crime.

21 (3) No animal breeders, animal shelters, or pet stores shall knowingly offer, sell, deliver,
22 give, or provide an animal to any person convicted of an animal abuse crime.

23 (4) Any animal shelter, pet store, or animal breeder who violates the provisions of this
24 act shall be punished by a fine of not less than \$1,000 or imprisonment for a period of not more
25 than one year for a first offense, provided that each subsequent offense shall be punishable by a
26 fine of not less than \$5,000 and imprisonment in a jail or house of correction for not more than
27 five years.

28 (5) Any persons convicted of an animal abuse crime who attempt to violate the provisions
29 of this act shall be punished by a fine of not less than \$1,000 or imprisonment for a period of not
30 more than one year for a first offense, provided that each subsequent offense shall be punishable
31 by a fine of not less than \$5,000 and imprisonment in a jail or house of correction for not more
32 than five years.