



## **OPPOSE HB 2573-- An Act Providing Tax Credits to Promote the Adoption of a Dog or Cat From a Shelter – Rep. David K. Muradian, Jr. (R)**

Referred to Joint Committee on Revenue

### **WHAT THIS BILL DOES:**

- Creates the “Adopt a Shelter Pet” Fund to provide tax credits. This will be funded through the sale of new “I’m Animal Friendly” automobile license plates, other moneys credited or transferred to it by the Commonwealth, and interest and investments of the Fund.
- Allows a taxpayer to receive up to two tax credits per household for the adoption of a “qualified pet” from a “qualifying adoption entity”, if the new owner of the dog provides adoption papers and proof of registration.
- Provides a tax credit of: (1) \$400 for the adoption of a dog over seven years of age or for a disabled dog or cat of any age; (2) a tax credit of \$200 for the adoption of a dog 1-6 years old or a cat over seven years old; or (3) \$100 for a cat 1-6 years old.
- As long as the pet is still in the adopters’ ownership and care, the credit would be distributed over a three year period as follows: 20% of the credit the first tax year, 40% the second tax year, and 40% for the third tax year following the adoption.
- Defines “qualifying adoption entity” as a public animal control facility, office, agency, or shelter, humane society shelter or rescue group.

### **WHY YOU SHOULD OPPOSE THIS BILL:**

There is no public benefit created by using taxpayer-sourced money to encourage purchase of any animal, and it is inherently unfair to incentivize purchase of a shelter-sourced animal. A serious yet unintended consequence of HB2573 is that it will increase demand for shelter animals, creating an even larger number of dog imports into Massachusetts to supply shelters. This could increase the public health risks that often accompany interstate imports of shelter and rescue dogs, and even greater health risks from those “street dogs” sourced from other countries. According to the Massachusetts Animal Coalition survey conducted in June, 2018, “as many as 42% of dogs adopted thru shelters/rescues come from out-of-state”.

Furthermore, in the interest of market equity, we and The American Kennel Club do not believe that tax breaks should be used to incentivize the choice of a pet from one source over another. Experience demonstrates that pet ownership is most successful when prospective pet owners are able to choose a pet that is the best match for their individual lifestyle. Great pets can come from a variety of sources--it is better to encourage prospective owners to select the pet that is right for their lifestyle, not financially induce them to source one from a “qualifying adoption agency” that may not be the best fit for them.

### **FOR MORE INFORMATION:**

Massachusetts Federation of Dog Clubs and Responsible Dog Owners

Mr. John W. Seeley; acgjohn@aol.com; 978-456-8644

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03/20/19

**HOUSE . . . . . No. 2573**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***David K. Muradian, Jr.***

*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 providing tax credits to promote the adoption of a dog or cat from a shelter.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>David K. Muradian, Jr.</i>	<i>9th Worcester</i>
<i>Ryan C. Fattman</i>	<i>Worcester and Norfolk</i>
<i>Steven S. Howitt</i>	<i>4th Bristol</i>
<i>Joseph D. McKenna</i>	<i>18th Worcester</i>
<i>Mathew J. Muratore</i>	<i>1st Plymouth</i>
<i>Brian W. Murray</i>	<i>10th Worcester</i>
<i>Aaron Vega</i>	<i>5th Hampden</i>

**HOUSE . . . . . No. 2573**

By Mr. Muradian of Grafton, a petition (accompanied by bill, House, No. 2573) of David K. Muradian, Jr. and others for legislation to promote adoption of certain of dogs or cats from animal shelters by establishing tax credits for certain costs associated with said adoptions and by the creation of a motor vehicle registration plate. Revenue.

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 4647 OF 2017-2018.]

**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninety-First General Court  
(2019-2020)**  
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An Act providing tax credits to promote the adoption of a dog or cat from a shelter.

*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 29 of the General Laws is hereby amended by inserting after  
2 section 2VVVV, as appearing in section 48 of chapter 46 of the acts of 2015, the following  
3 section:-

4 2WWWW. There shall be established on the books of the commonwealth a separate fund  
5 to be known as the Adopt a Shelter Pet Fund, hereinafter the fund. The fund shall be  
6 administered and expended by the department of revenue, and shall provide for the  
7 reimbursement to the commonwealth of the cost of the credits issued pursuant to subsection (u)  
8 of section 6 of chapter 62. The fund shall consist of; (i) revenues collected from the registrar of  
9 motor vehicles under subsection (e) of section 2E of chapter 90; (ii) all other amounts credited or

10 transferred to the fund from any other fund or source; and (iii) interest or investment earnings on  
11 any such monies. Any unexpended balance in the fund at the end of a fiscal year shall not revert  
12 to the General Fund but shall remain available for expenditure in subsequent fiscal years. The  
13 department of revenue shall promulgate regulations for the administration of the fund.

14 SECTION 2. Section 6 of chapter 62 of the General Laws is hereby amended by adding  
15 the following subsection:-

16 (u)(1) A taxpayer shall be allowed a credit for the adoption of a qualified pet from a  
17 qualifying adoption entity; provided however, that such taxpayer provides the following  
18 documentation to the commissioner: (i) for a dog, adoption papers and proof of registration of  
19 the adopted dog pursuant to section 137 of chapter 140, or (ii) for a cat, adoption papers from a  
20 qualifying adoption entity. The amount of the credit shall be as described in paragraph (2) under  
21 qualified pet and tax credit.

22 (2) As used in this subsection, the following words shall have the following meanings:-  
23

24 “Qualifying adoption entity”, a public animal control facility, office, agency or shelter,  
25 humane society shelter or rescue group.

26 “Qualified pet and tax credit”, either of the following animals adopted from a qualified  
27 animal rescue organization that is not used by the taxpayer in a trade or business or for the  
28 production of income \$400 for a dog over 7 years of age, or a disabled dog or cat ,regardless of  
29 age, as determined by the qualified animal rescue organization; or \$200 for a dog 1 to 6 years  
30 old, or a cat over 7 years old, or \$100 for a cat 1 to 6 years old, maximum of 2 qualified pets per

31 household, as determined by the qualified animal rescue organization. The tax credit shall be  
32 distributed over a period of 3 tax years, as long as the qualified pet is still in the adopters'  
33 ownership and care, following the adoption as follows:

34 (i) 20 per cent of the total qualified credit, the first tax year following the adoption;

35 (ii) 40 per cent of the total qualified credit, the second tax year following the  
36 adoption;

37 (iii) 40 per cent of the total qualified credit, the third tax year following the adoption.

38 The total tax credit shall not exceed \$500 for 3 consecutive tax years, per household.

39 "Rescue group", an organization exempt from federal income taxation as an organization  
40 described in section 501(c)(3) of the Internal Revenue Code, whose primary purpose is the  
41 placement of dogs, cats or other animals that have been removed from a public animal control  
42 facility, office, agency or shelter, society for prevention of cruelty to animals shelter, or humane  
43 society or that have been surrendered or relinquished to the rescue group by the previous owner.

44 SECTION 3. Section 2E of chapter 90 of the General Laws, as appearing in the 2014  
45 Official Edition, is hereby amended by inserting after subsection (d) the following subsection:-

46 (e) The registrar shall furnish, upon application, to the owners of private passenger motor  
47 vehicles distinctive registration plates which shall display on their face a design indicating  
48 support for the adoption of cats and dogs from animal shelters and the words "I'm Animal  
49 Friendly". There shall be a fee of not less than \$30 for such plates in addition to the established  
50 registration fee for private passenger motor vehicles, which shall be payable at the time of  
51 registration of such vehicle and at each renewal thereof. The portion of the total fee remaining

52 after the deduction of costs directly attributable to the issuance of such plates shall be deposited  
53 within 90 days of receipt thereof in the Adopt a Shelter Pet Fund established by section  
54 2WWWW of chapter 29.

55 SECTION 4. Section 2 shall take effect for taxable years beginning in 2018.