



**OPPOSE SB504 - An Act to Prevent Animal Suffering by Irresponsible Breeding Practices  
– Sen. Mark C. Montigny (D)**

Referred to Joint Committee on Environment, Natural Resources and Agriculture

**WHAT THIS BILL DOES:**

This bill creates a defacto hundred-dollar breeding license for anyone who breeds even one litter of puppies anywhere in the state. It also creates additional requirements, including annual inspections, limiting the number of litters a dog can have, a \$2,500 fine for not being licensed or instead of a fine, “at his discretion” the animal control officer could seize all dogs on the premises. The purpose is clearly to discourage intentional dog breeding.

**WHY YOU SHOULD OPPOSE THIS BILL:**

New England has a severe shortage of well-bred, healthy puppies and the need is being filled by importing far too many shelter dogs with unknown backgrounds and unknown health and behavior problems. Often these imports are brought into the United States from foreign countries, mostly from third world areas where pets have little human handling and little, if any, veterinary treatment and they have brought many new and dangerous diseases with them. Due to the increase in rules and regulations, the number of dogs available in Massachusetts from private breeders and from regulated pet stores has shrunk so much that now the overwhelming majority of dogs available to the public are shelter and rescue dogs.

The towns who would have to administer all these additional licenses, hold the hearings, run the inspections and keep the records, haven’t been consulted about whether they have the resources to take on this extra work, but most towns already have more work than they can handle. Also, people who breed only one or a few litters in their homes are far less likely to need oversight than more frequent breeders, so supervising the larger numbers of licensees created by this bill would take attention away from where it is really needed. The complicated requirements would discourage even more private breeders from providing healthy puppies to fill the demand for pets, thus encouraging shelters to import even more dogs with unknown backgrounds, health, and behavioral issues.

It doesn’t make sense to discourage healthy dogs and encourage unhealthy ones. The dogs suffering from irresponsible breeding practices are the ones being imported by shelters – clearly, no one took care of them in the first place, or they wouldn’t be available for import. Dogs bred and cared for responsibly by Massachusetts breeders who find them homes without burdening the local shelters should be encouraged, not discouraged.

**FOR MORE INFORMATION:**

Massachusetts Federation of Dog Clubs and Responsible Dog Owners  
Mrs. Bonnie Chandler, bchandler1@charter.net, 978-456-3169  
Ms. Holly Sheltry, hollysheltry@hickoryhillkennel.com, 978-356-1644

05/11/19

**SENATE . . . . . No. 504**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Mark C. Montigny***

*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 to prevent animal suffering by irresponsible breeding practices.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Mark C. Montigny</i>	<i>Second Bristol and Plymouth</i>	
<i>Patrick M. O'Connor</i>	<i>Plymouth and Norfolk</i>	<i>1/29/2019</i>
<i>Marc R. Pacheco</i>	<i>First Plymouth and Bristol</i>	<i>1/30/2019</i>
<i>Michael D. Brady</i>	<i>Second Plymouth and Bristol</i>	<i>1/31/2019</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>	<i>2/1/2019</i>

**SENATE . . . . . No. 504**

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By Mr. Montigny, a petition (accompanied by bill, Senate, No. 504) of Mark C. Montigny, Patrick M. O'Connor, Marc R. Pacheco, Michael D. Brady and others for legislation to prevent animal suffering by irresponsible breeding practices. Environment, Natural Resources and Agriculture.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. 460 OF 2017-2018.]

**The Commonwealth of Massachusetts**

—————  
**In the One Hundred and Ninety-First General Court  
(2019-2020)**  
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An Act to prevent animal suffering by irresponsible breeding practices.

*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 136A of chapter 140 of the General Laws, as so appearing in the  
2   2016 Official Edition, is hereby amended by inserting after the word “kennel” in line 77 the  
3   following words: - “at least 1 or more dogs bred on a residential property or”

4           SECTION 2. Section 137A of chapter 140 of the General Laws, as so appearing, is  
5   hereby amended by inserting after the word “officer” in line 11 the following words:-

6           , conducted at least once per calendar year. Each inspection shall, at a minimum, ensure  
7   the premises contains safe, sanitary and humane conditions including, but not limited to,  
8   adequate space per animal, sufficient food and water, shelter to protect against environmental  
9   elements, and records of animal health and vaccinations. A copy of said license shall be readily

10 available at the kennel. No licensing authority shall issue a kennel license to any person  
11 convicted under sections 77, 80 ½, 94 or 95 of chapter 272

12 SECTION 3. Section 137A of chapter 140 of the General Laws, as so appearing, is  
13 hereby amended by striking, in lines 24 through 25, the words “and shall further determine the  
14 fee for the issuance and renewal of the license” and insert in place thereof the following words:-

15 provided further that no kennel license shall be valid for a time period greater than one  
16 year. The issuing city or town shall charge no less than \$100 for the issuance and renewal of  
17 said license.

18 SECTION 4. Section 137B of chapter 140 of the General Laws, as so appearing, is  
19 hereby amended by inserting after the word “shall” in line 8 the following:-

20 inform the recipient of its responsibility to license the dog within two weeks,

21 SECTION 5. Section 137C of chapter 140 of the General Laws, as so appearing, is  
22 hereby amended by striking the last sentence and inserting in place thereof the following 3  
23 sentences:-

24 A person maintaining a kennel while such license is suspended shall be punished by a  
25 fine of not less than \$500 and revocation of such license. A person maintaining a kennel without  
26 a license, or after the license to maintain a kennel has been so revoked, shall be punished by a  
27 fine of not less than \$2,500. In lieu of such fine, an animal control officer, in his discretion, may  
28 request such person relinquish ownership of all dogs on the premises to animal control or other  
29 appropriate law enforcement agency. If such person does not own one or more dogs on the

30 premises, then such person may relinquish custody along with the owner's name and address to  
31 animal control or other appropriate law enforcement agency.

32 SECTION 6. Chapter 140 of the General Laws, as so appearing, is hereby amended by  
33 inserting after section 137D the following section:-

34 Section 137E. (a) No person shall sell, exchange, or otherwise transfer a dog or cat less  
35 than 8 weeks of age, except for animals used for law enforcement purposes or as service or  
36 assistance animals.

37 (b) No person shall allow any dog or cat to whelp more than 6 litters over its lifetime.

38 (c) Any violation of this section shall result in a fine of no less than \$2,500 per offense.

39 SECTION 7. Section 141 of chapter 140 of the General Laws, as so appearing, is hereby  
40 amended by striking the figure "137A" in line 1.