



**OPPOSE SD796 – An Act Relative to the Ownership
of Pets by Convicted Animal Abusers
Sen. Michael O. Moore (D)**

Referred to Joint Committee on the Judiciary

WHAT THIS BILL DOES:

This bill amends Chapter 272 Section 77 regarding Cruelty to Animals which would give the courts the ability to prescribe a period of time prohibiting a convicted animal abuser from owning any animal.

WHY YOU SHOULD OPPOSE THIS BILL:

Chapter 272 Section 77 very precisely prescribes the punishment (fines of \$5,000-\$10,000 and/or imprisonment of 2.5 to 10 years) for first and second offenders and prohibits anyone convicted of animal abuse from working with animals in any capacity.

This bill gives the court the ability to determine the length of time that anyone convicted of a crime of cruelty to animals they would be prohibited from owning, possessing, keeping or having custody or control over any animal.

Although we abhor animal abuse and agree in concept with this legislation, we disagree with the vagueness in this bill. We fear that allowing the court system to determine a length of time prohibiting a convicted animal abuser from owning an animal could vary too much and may even vary greatly from court system to court system within the Commonwealth.

FOR MORE INFORMATION:

Massachusetts Federation of Dog Clubs and Responsible Dog Owners
Julie Rembrandt Seeley, jrembrandtseeley@charter.net; 978-456-8644
2nd point person here

04/11/21

SENATE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Michael O. Moore

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 the ownership of pets by convicted animal abusers.

PETITION OF:

NAME:

Michael O. Moore

DISTRICT/ADDRESS:

Second Worcester

SENATE No.

[Pin Slip]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act relative to the ownership of pets by convicted animal abusers.

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 35WW of chapter 10 of the General Laws, as appearing in the 2018
2 Official Edition, is hereby amended by inserting after the figure “62”, in line 17, the following
3 words:- , fines collected pursuant to section 37 of chapter 129.

4 SECTION 2. Section 37 of chapter 129 of the General Laws, as so appearing, is hereby
5 amended by inserting after the fourth sentence the following sentence:- A fine assessed under
6 this section shall be deposited into the Homeless Animal Prevention and Care Fund established
7 in section 35WW of chapter 10.

8 SECTION 3. Section 77 of chapter 272 of the General Laws, as so appearing, is hereby
9 amended by adding the following paragraph:-

10 A person convicted of a violation of this section or of sections 77A, 77C, 80 ½, 94 or 95
11 shall not harbor, own, possess, exercise control over, adopt, or foster an animal for any length of
12 time that the court deems reasonable for the protection of all animals; provided, however, that
13 the length of time shall not be less than 5 years after the person’s release from custody. Any

14 person found in violation of an order incorporating the provisions of this paragraph may, in
15 addition to any other punishment provided by law, be fined in an amount not exceeding \$1,000
16 for each animal held in unlawful ownership or possession and shall forfeit custody of any animal
17 involved in a violation of this paragraph to the custody of an entity incorporated under the laws
18 of the commonwealth for the prevention of cruelty to animals or for the care and protection of
19 homeless or suffering animals.