



## **SUPPORT HB314 – An Act to Provide Consumer Protections at Dog Day Care Businesses — Rep. Danielle W. Gregoire (D)**

Referred to Joint Committee on Municipalities & Regional Government

### **BACKGROUND:**

Many dog day care businesses are currently unregulated. In 2020, a 7-month-old puppy, “Ollie”, was attacked by adult dogs at an East Longmeadow dog day care facility. East Longmeadow does not even issue “commercial kennel or training kennel” licenses, so the facility was unlicensed and unregulated. Unfortunately, the injuries resulted in the puppy’s eventual death. Ollie’s story is only one example of unacceptable conditions at Massachusetts dog day care facilities. Other dogs have experienced harmful and deadly consequences after being boarded at private residences of individuals, who advertise boarding and day care services on internet platforms but are exempt from licensure.

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

This bill would add dog day care business to MDAR’s oversight, and would require every person operating a dog day care business to obtain a license. It requires that the MDAR develop rules and regulations for the conduct of these businesses regarding: sanitation requirements; operational safety standards; minimum commercial liability insurance; fire and emergency procedures; education, testing, accreditation or certification for dog day care providers; and dog health and behavior recordkeeping including an obligation to report to the director serious injuries to animals or people. It enables the director to develop rules for the inspection, licensing, and penalties for violations. It also requires the MDAR to obtain input from “current Massachusetts dog day care business owners, employees, animal owners, licensed veterinarians and experts on industry best practices” prior to drafting the regulations.

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

This industry is largely unregulated in Massachusetts today and we should do all we can to prevent tragedies like Ollie’s in the future. This bill would require all businesses operating dog day care to obtain a license and be subject to regulation enforcement by the MDAR with the assistance of MSPCA and ARL-Boston. This should result in improved conditions and safety for our animals entrusted to the care of these businesses.

Two other bills, referred to as “Ollie’s Law (SB1309 and HB 2019), are too far reaching and include many restrictive regulations on dog breeders that have nothing to do with safety at dog day care businesses. These other bills also would add expense for licensing, enforcement, and record keeping for municipalities while doing nothing to improve safety at day care facilities.

HB314 is the only bill being considered that is focused solely to reduce potential Ollie situations in the future.

### **FOR MORE INFORMATION:**

**Massachusetts Federation of Dog Clubs and Responsible Dog Owners**

Mr. John W. Seeley; [acgjohn@aol.com](mailto:acgjohn@aol.com); 978-618-8893

Mrs. Virginia Rowland; [blackslate@aol.com](mailto:blackslate@aol.com); 978-424-1044

07/21/23

# HOUSE . . . . . No. 314

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## The Commonwealth of Massachusetts

PRESENTED BY:

*Danielle W. Gregoire*

*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 provide consumer protections at dog day care businesses.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Danielle W. Gregoire</i>	<i>4th Middlesex</i>	<i>1/19/2023</i>
<i>Steven George Xiarhos</i>	<i>5th Barnstable</i>	<i>1/31/2023</i>
<i>Josh S. Cutler</i>	<i>6th Plymouth</i>	<i>1/31/2023</i>
<i>Samantha Montaño</i>	<i>15th Suffolk</i>	<i>2/9/2023</i>
<i>Joseph D. McKenna</i>	<i>18th Worcester</i>	<i>2/9/2023</i>

# HOUSE . . . . . No. 314

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By Representative Gregoire of Marlborough, a petition (accompanied by bill, House, No. 314) of Danielle W. Gregoire and others relative to licensing of dog day care businesses. Consumer Protection and Professional Licensure.

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## The Commonwealth of Massachusetts

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In the One Hundred and Ninety-Third General Court  
(2023-2024)  
\_\_\_\_\_

An Act to provide consumer protections at dog day care businesses.

*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 1 of chapter 129 of the General Laws, as appearing in the 2020  
2   Official Edition, is hereby amended by inserting after the definition of “Division”, the following  
3   new definition:-

4           “Dog day care business,” the business of furnishing supervision, control and management  
5   of dogs socializing in groups with responsibility for food, water, exercise and the provision of  
6   care to maintain the safety and well-being of dogs at the establishment that are not the property  
7   of the business owner.

8           SECTION 2. Section 9 of said chapter 129 of the General Laws, as so appearing, is  
9   hereby amended by inserting after the words “guard dog business,” the following:- any dog day  
10   care business,

11          SECTION 3. Chapter 129 of the General Laws is hereby amended by inserting after  
12   section 39G the following new section:-

13           39H. Every person engaged in operating a dog day care business shall obtain a license  
14   therefor from the director, the fee for which shall be determined annually by the commissioner of  
15   administration under the provision of section three B of chapter seven for the filing thereof, and  
16   such licenses shall expire on December thirty-first following the date of issuance, unless sooner  
17   revoked. The director shall make rules and regulations governing the method and time of  
18   inspections of said businesses, issuance, suspension and revocation of such licenses, penalties for  
19   violations of this section and the conduct of the businesses so licensed relative to sanitation  
20   requirements, operational safety standards, and risk management procedures. Rules and  
21   regulations shall include, but not be limited to, minimum commercial general liability insurance  
22   requirements; fire and emergency procedures; approved education, testing, accreditation or  
23   certification for dog day care animal care providers; and animal health and behavior  
24   recordkeeping, including an obligation to report to the director serious injuries to animals or  
25   people.

26           SECTION 4. The director shall obtain input from current Massachusetts dog day care  
27   business owners, employees, animal owners, licensed veterinarians and experts on industry best  
28   practices prior to drafting regulations for promulgation in compliance with chapter 30A and shall  
29   accept applications for dog day care business licensure under section 39H of chapter 129 of the  
30   General Laws on or before December 1, 2024.