

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

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The Commonwealth of Massachusetts

PRESENTED BY:

*Adam Gomez*

*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 animal welfare and DCF regulations.

PETITION OF:

NAME:

*Adam Gomez*

DISTRICT/ADDRESS:

*Hampden*

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

[Pin Slip]

The Commonwealth of Massachusetts

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

An Act relative to animal welfare and DCF regulations.

*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 42 of Chapter 19A, as appearing in the 2018 Official Edition of the  
2 General Laws, is hereby amended by striking out, in line 52, the words “During any investigation  
3 or evaluation reported under section 18, any” and replacing with the following word: -

4 Any

5 SECTION 2. Section 14 of Chapter 19C, as appearing in the 2018 Official Edition of the  
6 General Laws, is hereby amended by striking out, in line 1, the words “During any investigation  
7 or evaluation reported under section 5, any” and replacing with the following word: -

8 Any

9 SECTION 3. Section 85 of Chapter 119, as appearing in the 2018 Official Edition of the  
10 General Laws, is hereby amended by striking out, in line 1, the words “During any investigation  
11 or evaluation reported under section 51A, any” and replacing with the following word: -

12 Any

13 SECTION 4. Chapter 119, as appearing, is hereby amended by adding the following new  
14 section:-

15 Section 26D.

16 The Department reserves the right to request that a foster/pre-adoptive parent applicant or  
17 foster/pre-adoptive parent obtain and provide a copy of a behavior/temperament assessment  
18 and/or provide veterinary records on any animal maintained on the premises used as a foster/pre-  
19 adoptive home. The cost of the behavior/temperament assessment will be borne by the foster/pre-  
20 adoptive parent or applicant. The Department shall not restrict placement of a child solely based  
21 on the presence of any particular breed of dog in the home. The department may consider:

22 (a) The age, size, and sex of the child;

23 (b) Any prior incidents of dangerous behavior between child and animals in previous  
24 placements;

25 (c) Dog is free from disease and parasites and licensed and vaccinated as prescribed by  
26 law;

27 (d) The age, sex, and size of the dog;

28 (e) Whether the dog has been neutered;

29 (f) A copy of a behavior/temperament assessment, the cost of which should be borne by  
30 the foster/pre-adoptive parent or applicant;

31 (g) Veterinary records and contact information of veterinarian of any animal on the  
32 premises used as a foster/pre-adoptive home;

- 33 (h) Any prior incidents of dangerous behavior/incidents by the dog;
- 34 (i) Behavioral aspects of the child(ren);
- 35 (j) Number of dogs on the premises; and
- 36 (k) Whether the dog is penned or caged at any time, and if so, under what circumstances
- 37 and for what purpose.

38 The Department reserves the right to request that the foster/pre-adoptive parent applicant

39 or foster/pre-adoptive parent obtain and provide any other information deemed necessary to the

40 safety and well-being of the children as it relates to the status of animals in the home.

41 SECTION 5. Notwithstanding any general or special law to the contrary, the department

42 of children and families may promulgate regulations for the purpose of implementing this Act.