HOUSE No. 1774

The Commonwealth of Massachusetts

PRESENTED BY:

Linda Dean Campbell

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 protecting the health and safety of puppies and kittens in cities and towns.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Linda Dean Campbell	15th Essex
Maria Duaime Robinson	6th Middlesex
Lori A. Ehrlich	8th Essex
Frank A. Moran	17th Essex
Ann-Margaret Ferrante	5th Essex
David Paul Linsky	5th Middlesex
Walter F. Timilty	Norfolk, Bristol and Plymouth
Tommy Vitolo	15th Norfolk
Elizabeth A. Malia	11th Suffolk
Harriette L. Chandler	First Worcester
Daniel J. Ryan	2nd Suffolk
Adrian C. Madaro	1st Suffolk
Kenneth I. Gordon	21st Middlesex
Michael J. Barrett	Third Middlesex
David M. Rogers	24th Middlesex
Gerard J. Cassidy	9th Plymouth
John J. Mahoney	13th Worcester
Jack Patrick Lewis	7th Middlesex

Randy Hunt David Allen Robertson I 9th Middlesex Kimberly N. Ferguson Kathleen R. LaNatra I 2th Plymouth Carole A. Fiola Sarah K. Peake Ath Barnstable Natalie M. Higgins Ath Worcester Ruth B. Balser Joseph D. McKenna Bruce E. Tarr First Essex and Middlesex I 1th Middlesex I 1th Middlesex I 1th Middlesex Angelo J. Puppolo, Jr. Paul McMurtry I 1th Norfolk Kevin G. Honan I 7th Suffolk Obs. Cutler Mathew J. Muratore Patricia D. Jehlen Second Middlesex John H. Rogers I 2th Norfolk Paul J. Donato José F. Tosado Wike Connolly Antonio F. D. Cabral John C. Velis Sen Garballey Jonato C. Handlesex Jonato La Hampden Second Middlesex John H. Rogers John H.	Jason M. Lewis	Fifth Middlesex
Kimberly N. Ferguson Kathleen R. LaNatra Carole A. Fiola Sarah K. Peake Ath Barnstable Natalie M. Higgins Ath Worcester Ruth B. Balser Joseph D. McKenna Bruce E. Tarr Carlos Gonzalez Ioth Hampden Patrick M. O'Connor Plymouth and Norfolk Kay Khan Ith Middlesex Angelo J. Puppolo, Jr. I2th Hampden Paul McMurtry I1th Norfolk Kevin G. Honan Josh S. Cutler Mathew J. Muratore Patricia D. Jehlen Second Middlesex John H. Rogers I2th Norfolk Paul J. Donato 35th Middlesex José F. Tosado 9th Hampden Mike Connolly Antonio F. D. Cabral John Barrett, III Ist Berkshire Kate Hogan Penise P. Cadrol John C. Velis Sean Garballey Jonatio Haddlesex Jonathan Hecht James Arciero Daniel Cahill Ioth Essex Marjorie C. Decker Patrick Joseph Kearney 4th Plymouth Ith Norfolk Atherosce Ith Middlesex John H. Rogers	Randy Hunt	5th Barnstable
Kathleen R. LaNatra Carole A. Fiola Sarah K. Peake Ath Barnstable Natalie M. Higgins Ath Worcester Ruth B. Balser Joseph D. McKenna Bruce E. Tarr First Essex and Middlesex Carlos Gonzalez Ioth Hampden Patrick M. O'Connor Plymouth and Norfolk Kay Khan Ilth Middlesex Inth Norfolk Kevin G. Honan Josh S. Cutler Mathew J. Muratore Patricia D. Jehlen Second Middlesex John H. Rogers John H. H. Hampden John H. Rogers John H. Rogers John H. Hampden John H. Later H. W. World J	David Allen Robertson	19th Middlesex
Carole A. Fiola Sarah K. Peake Ath Barnstable Natalie M. Higgins Ath Worcester Ruth B. Balser Joseph D. McKenna Bruce E. Tarr First Essex and Middlesex Carlos Gonzalez Ioth Hampden Patrick M. O'Connor Rymouth and Norfolk Kay Khan Ilth Middlesex Inth Norfolk Kevin G. Honan Inth Suffolk Josh S. Cutler Mathew J. Muratore Patricia D. Jehlen Second Middlesex Inth Norfolk Paul J. Donato John H. Rogers John H	Kimberly N. Ferguson	1st Worcester
Sarah K. Peake Natalie M. Higgins Ath Worcester Ruth B. Balser Joseph D. McKenna Ruce E. Tarr First Essex and Middlesex Carlos Gonzalez Joth Hampden Patrick M. O'Connor Plymouth and Norfolk Kay Khan IIth Middlesex Angelo J. Puppolo, Jr. Paul McMurtry IIth Norfolk Kevin G. Honan Josh S. Cutler Mathew J. Muratore Patricia D. Jehlen Second Middlesex John H. Rogers John H. Rogers John H. Rogers John H. Rogers John Hampden Mike Connolly Antonio F. D. Cabral John Barrett, III State Hogan Denise C. Garlick John C. Velis Sean Garballey James Arciero Daniel Cahill Colleen M. Garry Marjorie C. Decker Patrick Joseph Kearney Ath Plymouth 12th Middlesex John Middlesex John Hampden Athewable Second Middlesex John Hampden John C. Decker John Hampden John C. Pelis John Middlesex John Hampden John C. Velis John Middlesex John Hampden John Garry John Middlesex John Hampden John C. Pelis John Middlesex John Hampden John Garry John Middlesex John Hampden John C. Decker John Middlesex John Hampden John C. Decker John Middlesex John Middlesex John Hampden John C. Decker John Middlesex Joseph Kearney	Kathleen R. LaNatra	12th Plymouth
Natalie M. Higgins Ruth B. Balser Joseph D. McKenna 18th Worcester First Essex and Middlesex Carlos Gonzalez 10th Hampden Patrick M. O'Connor Plymouth and Norfolk Kay Khan 11th Middlesex Angelo J. Puppolo, Jr. 12th Hampden Paul McMurtry 11th Norfolk Kevin G. Honan Josh S. Cutler Mathew J. Muratore Particia D. Jehlen Second Middlesex John H. Rogers 12th Norfolk Paul J. Donato 35th Middlesex José F. Tosado Mike Connolly Antonio F. D. Cabral John Barrett, III Kate Hogan Denise C. Garlick John C. Velis Sean Garballey James Arciero Patrick Joseph Kearney 4th Plymouth	Carole A. Fiola	6th Bristol
Ruth B. Balser Joseph D. McKenna 18th Worcester Bruce E. Tarr First Essex and Middlesex Carlos Gonzalez 10th Hampden Patrick M. O'Connor Plymouth and Norfolk Kay Khan 11th Middlesex Angelo J. Puppolo, Jr. 12th Hampden Paul McMurtry 11th Norfolk Kevin G. Honan 17th Suffolk Josh S. Cutler 6th Plymouth Mathew J. Muratore Patricia D. Jehlen Second Middlesex John H. Rogers 12th Norfolk Paul J. Donato 35th Middlesex José F. Tosado 9th Hampden Mike Connolly 26th Middlesex Antonio F. D. Cabral John Barrett, III 1st Berkshire Kate Hogan Denise C. Garlick 13th Norfolk John C. Velis 4th Hampden Sean Garballey 23rd Middlesex Jonathan Hecht 29th Middlesex James Arciero 2nd Middlesex James Arciero 22th Middlesex Ath Plymouth	Sarah K. Peake	4th Barnstable
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Marjorie C. Decker 25th Middlesex Patrick Joseph Kearney 4th Plymouth	Daniel Cahill	10th Essex
Patrick Joseph Kearney 4th Plymouth	Colleen M. Garry	36th Middlesex
		25th Middlesex
	Patrick Joseph Kearney	4th Plymouth
Daniel K. Cullinane 12th Suffolk	Daniel R. Cullinane	12th Suffolk
Thomas M. Stanley 9th Middlesex	Thomas M. Stanley	

Mindy Domb	3rd Hampshire
Edward F. Coppinger	10th Suffolk
Bradford Hill	4th Essex
Brian M. Ashe	2nd Hampden
James B. Eldridge	Middlesex and Worcester
Diana DiZoglio	First Essex
David Henry Argosky LeBoeuf	17th Worcester
Paul F. Tucker	7th Essex
Marc R. Pacheco	First Plymouth and Bristol
Steven Ultrino	33rd Middlesex
Brian W. Murray	10th Worcester
Bruce J. Ayers	1st Norfolk
Elizabeth A. Poirier	14th Bristol
David Biele	4th Suffolk
Daniel J. Hunt	13th Suffolk
Bradley H. Jones, Jr.	20th Middlesex
John J. Lawn, Jr.	10th Middlesex
Julian Cyr	Cape and Islands
William C. Galvin	6th Norfolk
Donald R. Berthiaume, Jr.	5th Worcester
James K. Hawkins	2nd Bristol
Angelo L. D'Emilia	8th Plymouth
Paul R. Feeney	Bristol and Norfolk

HOUSE No. 1774

By Mrs. Campbell of Methuen, a petition (accompanied by bill, House, No. 1774) of Linda Dean Campbell and others relative to oversight of dogs and cats by cities and towns. Municipalities and Regional Government.

The Commonwealth of Alassachusetts

In the One Hundred and Ninety-First General Court (2019-2020)

An Act protecting the health and safety of puppies and kittens in cities and towns.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

- SECTION 1. Section 137 of chapter 140 of the General Laws, as appearing in the 2016
- 2 Official Edition, is hereby amended by striking out, in subsection (c), the first and second
- 3 sentence.
- 4 SECTION 2. Section 137 of chapter 140 of the General Laws is hereby further amended
- 5 by striking out, in line 19, the words "leather or other"
- 6 SECTION 3. Section 137 of chapter 140 of the General Laws is hereby further amended
- 7 by striking out, in subsection (c), the sixth sentence.
- 8 SECTION 4. Section 137A of chapter 140 of the General Laws, is hereby amended by
- 9 striking out subsection (a), as appearing in the 2016 Official Edition, and inserting in place
- 10 thereof the following subsection:-

(a) A person keeping more than 4 dogs, 3 months old or older shall obtain a kennel license. The kennel license is in addition to the individual licenses for dogs over the age of 6 months, as required in section 137. In the case of an applicant for initial licensure and in the case of an applicant for license renewal, a licensing authority shall deny a kennel license until a kennel has passed inspection by an animal control officer.

- SECTION 5. Section 137A of chapter 140 of the General Laws, is hereby further amended by striking out, in subsection (b), the first through the fourth sentence.
- SECTION 6. Section 137A of chapter 140 of the General Laws, is hereby further amended by striking out, in subsection (b), the sixth sentence.
- SECTION 7. Section 137A of chapter 140 of the General Laws is hereby further amended by inserting, after subsection (c), the following subsection:-
- (d) The licensing authority shall specify the maximum number of dogs that may be maintained by the licensee on the license. Such number shall be determined by the licensing authority and the animal control officer following the required inspection.
- SECTION 8. Said chapter 140 is hereby further amended by striking section 137B, as appearing in the 2016 Official Edition, and inserting in place thereof the following section:-
- Section 137B. (a) Every holder of a kennel license, on delivering a dog to a purchaser or to any other person, shall record the name and address of such purchaser, the date of purchase, exchange or gift and a description of the dog.
- (b) The licensee shall retain such records for a period of 36 months.

- 31 (c) The licensee shall within 30 days of the date of purchase, exchange or gift send a copy
 32 of the record to: (i) the clerk in the city or town where the kennel license is held; and (ii) the
 33 licensing authority in the city or town where such purchaser resides.
- SECTION 9. Chapter 140 of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by inserting after section 141B the following section:-
 - Section 141C. No person shall sell or offer for sale a puppy or kitten that is under 8 weeks of age. A violation of this subsection shall be punished by a fine of \$100 for each puppy or kitten transferred.

- SECTION 10. Chapter 140 of the General Laws is hereby amended by inserting after section 141C the following section:-
- Section 141D. (a) No person shall sell, exchange, trade, barter, lease or display for commercial purposes any dog or cat on any roadside, public right-of-way, parkway, median, park or other recreation area, flea market or other outdoor market, or commercial or retail parking lot.
- (b) This section shall not apply to: (1) the transfer of a dog or cat by, or to, a shelter, municipal animal control facility or animal rescue organization that is registered with the department, if required, and regardless of payment or compensation; or (2) the display of a dog or cat as part of a state or county fair exhibition, a 4-H program or similar exhibition or educational program.
- (c) A person that violates this section shall be punished by a fine of not more than \$50 for a first offense, a fine of not more than \$100 for a second offense and a fine of not more than

\$300 for a third or subsequent offense. Each dog or cat sold in violation of this section shall
 constitute a separate offense.

- (d) A city or town shall enforce this section through its animal control officers or police officers in a manner consistent with the disposition provisions in section 21D of chapter 40.
- SECTION 11. Chapter 140 of the General Laws is hereby further amended by inserting after section 141D, the following section:-

Section 141E. The department shall promulgate rules and regulations for (i) boarding and daycare facilities for dogs and cats, including those that conduct overnight stays and home-based kennels; and (ii) commercial breeder kennels and personal kennels where dogs are used for the purpose of breeding and selling the offspring. Such rules and regulations shall include, but be not limited to, housing and care requirements; facility requirements; staff qualifications, if applicable; provider/animal ratios; socialization, including group sizes and supervision; animal handling; and emergency response protocols. The rules and regulations must be promulgated not more than 18 months after date of enactment.