

**SENATE . . . . . No. 767**

---

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 passage of the accompanying bill:

An Act relative to a private cause of action to prevent the cruel and inhumane treatment of animals.

PETITION OF:

NAME:

*Mark C. Montigny*  
*Benjamin Swan*

DISTRICT/ADDRESS:

*Second Bristol and Plymouth*  
*11th Hampden*

**SENATE . . . . . No. 767**

---

By Mr. Montigny, a petition (accompanied by bill, Senate, No. 767) of Mark C. Montigny and Benjamin Swan for legislation to prevent the cruel and inhumane treatment of animals. The Judiciary.

---

The Commonwealth of Massachusetts

—————  
**In the Year Two Thousand Thirteen**  
—————

An Act relative to a private cause of action to prevent the cruel and inhumane treatment of animals.

*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. Chapter 243 of the General Laws, as appearing in the 2010 Official Edition  
2 is amended by inserting after section 6 the following new section:-

3 Section 7. A party of interest may bring an action under this chapter for the protection  
4 and humane treatment of animals. It shall be proper in any action to combine causes of action  
5 against one or more defendants for the protection of one or more animals. A party in interest as  
6 plaintiff shall include any person even if the person does not have any legal interest or  
7 possessory rights in an animal. Such person has standing to bring an action under this section  
8 based on the public policy against animal mistreatment. The action may be commenced against  
9 any individual, guardian or any entity that has possession of an animal and has engaged in or  
10 defendant shall include any guardian who has or is engaging in cruel or inhumane treatment of  
11 an animal or animals.

12 “Cruel and inhumane treatment of an animal or animals” shall include a violation of  
13 chapter 272, sections 77 to 80G or any circumstance in which the life, health or safety of the  
14 animal is at risk.