

2024 -- H 7840 SUBSTITUTE A

LC004642/SUB A

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

A N A C T

RELATING TO ANIMALS AND ANIMAL HUSBANDRY -- REGULATION OF VICIOUS DOGS

Introduced By: Representatives J. Brien, Serpa, and Noret

Date Introduced: March 01, 2024

Referred To: House Municipal Government & Housing

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 4-13.1-5 of the General Laws in Chapter 4-13.1 entitled "Regulation
2 of Vicious Dogs" is hereby amended to read as follows:

3 **4-13.1-5. Harboring dogs for dog fighting — Training dogs to attack humans —**
4 **Selling, breeding, or buying dogs.**

5 (a) No person shall own or harbor any dog for the purpose of dog fighting; or train, torment,
6 badger, bait, or use any dog for the purpose of causing or encouraging the dog to unprovoked
7 attacks upon human beings or domestic animals.

8 (b) No person shall possess with intent to sell, or offer for sale, breed, or buy, or attempt to
9 buy, within the state any ~~vicious~~ dog that has previously been declared vicious by the vicious dog
10 panel in accordance with § 4-13.1-11 ("Determination of a vicious dog").

11 (c) Any dog described in subsection (a) or (b) of this section lawfully seized by a sheriff,
12 deputy sheriff, constable, police officer, agent or officer of the Rhode Island Society for the
13 Prevention of Cruelty to Animals (RISPCA) ~~shall~~ may be placed in the care of the RISPCA
14 pursuant to the provisions of § 4-1-22 ~~—§ 4-1-31~~.

15 (d) ~~The RISPCA shall utilize a timely process to determine the disposition of the dog and~~
16 ~~provide for prompt transfer to an appropriate rescue organization or adoptive home with humane~~
17 Humane euthanization conducted in accordance with the provisions of § 4-19-12, of a dog
18 described in subsections (a) or (b) of this section shall occur ~~occurring~~ only if the RISPCA, after

1 an evaluation, has determined that the dog's medical and/or behavioral condition warrants ~~such~~
2 ~~action~~ euthanasia or it is determined by the sheriff, deputy sheriff, constable, police officer, agent
3 or officer of the RISPCA having possession of the dog, after reasonable time and effort have been
4 expended, that no appropriate placement for the dog exists.

5 (e) A municipality that transfers a dog seized pursuant to this section into the care of the
6 RISPCA shall be responsible for the costs incurred by the RISPCA for the care and treatment of
7 the dog. The cost of the care and treatment billed to the transferring municipality shall be reasonable
8 and related to equivalent services provided by veterinary care and animal sheltering, feeding, and
9 boarding services in the state. Notwithstanding the receipt of payment for care and treatment from
10 a transferring municipality, the RISPCA may proceed pursuant to § 4-1-22(c) to collect the full
11 cost of care and treatment of any dog that is in its care or custody pursuant to this section and any
12 amounts recovered shall be applied first to satisfy any outstanding invoices for services provided
13 that have not previously been paid for with the balance of any amount recovered to be paid to the
14 transferring municipality.

15 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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1 This act would permit euthanization of vicious dogs upon a finding that the dog's medical
2 condition or behavioral condition warrants euthanasia or after a determination by the sheriff, deputy
3 sheriff, constable, police officer, or agent of the RISPCA that there is no reasonable placement for
4 the dog and would provide that any municipality that surrenders a seized dog to the RISPCA shall
5 be responsible for the reasonable costs of the care and treatment of the dog.

6 This act would take effect upon passage.

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