

2025 -- S 0325 AS AMENDED

LC001480

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2025

A N A C T

RELATING TO ANIMALS AND ANIMAL HUSBANDRY -- ANIMAL CARE

Introduced By: Senators Britto, DiMario, DiPalma, Bissailon, Sosnowski, Raptakis, and
Urso
Date Introduced: February 21, 2025
Referred To: Senate Environment & Agriculture

It is enacted by the General Assembly as follows:

- 1 SECTION 1. Sections 4-19-2 and 4-19-14 of the General Laws in Chapter 4-19 entitled
2 "Animal Care" are hereby amended to read as follows:
- 3 **4-19-2. Definitions.**
- 4 As used in this chapter, chapter 13 of this title, and the regulations promulgated under this
5 chapter:
- 6 (1) "Adequate feed" means the provision at suitable intervals, not to exceed twenty-four
7 (24) hours, of a quantity of wholesome foodstuff suitable for the species and age, sufficient to
8 maintain a reasonable level of nutrition in each animal. The foodstuff shall be served in a sanitized
9 receptacle, dish, or container.
- 10 (2) "Adequate veterinary care" means care by a licensed veterinarian sufficient to prevent
11 the animal from experiencing unnecessary or unjustified physical pain or suffering.
- 12 (3) "Adequate water" means a constant access to a sufficient supply of clean, fresh, potable
13 water provided in a sanitary manner and provided at suitable intervals for the species to maintain
14 the health of the animal(s) and not to exceed twenty-four (24) hours at any interval.
- 15 (4) "Adopt" means when an adopting party voluntarily acquires and assumes responsibility
16 for an animal from a releasing agency that is properly licensed or registered by the department.
- 17 (5) "Adopting party" means any person who enters into a contract acquiring an animal from
18 a releasing agency that is properly licensed or registered by the department.
- 19 (6) "Ambient temperature" means the temperature surrounding the animal.

1 (7) “Animal” means any dog or cat, rabbit, rodent, nonhuman primate, bird or other warm-
2 blooded vertebrate, amphibian, fish, or reptile but shall not include horses, cattle, sheep, goats,
3 swine, and domestic fowl.

4 (8) “Animal rescue” or “rescue” means an entity, without a physical brick-and-mortar
5 facility, that is owned, operated, or maintained by a duly incorporated humane society, animal
6 welfare society, society for the prevention of cruelty to animals, or other nonprofit organization
7 devoted to the welfare, protection, and humane treatment of animals intended for adoption.

8 (9) “Animal shelter” means a brick-and-mortar facility that is used to house or contain
9 animals and that is owned, operated, or maintained by a duly incorporated humane society, animal
10 welfare society, society for the prevention of cruelty to animals, or other nonprofit organization
11 devoted to the welfare, protection, and humane treatment of animals.

12 (10) “Breeder” means a person engaged in the propagation of purebred or crossbred dogs
13 and/or cats for the purpose of improving and enhancing a breed recognized and registered by the
14 American Kennel Club, American Field Stud Book, a registered cat breed association, or for sale
15 at wholesale or retail, unless otherwise exempted as a hobby breeder as defined below.

16 (11) “Broker” means any third party who arranges, delivers, or otherwise facilitates transfer
17 of ownership of animal(s), through adoption or fostering, from one party to another, whether or not
18 the party receives a fee for providing that service and whether or not the party takes physical
19 possession of the animal(s) at any point.

20 (12) “Dealer” means any person who sells, exchanges, or donates, or offers to sell,
21 exchange, or donate, animals to another dealer, pet shop, or research facility, or who breeds animals
22 for the purpose of selling or donating to another dealer or pet shop or research facility.

23 (13) “Director” means the director of environmental management of the state of Rhode
24 Island.

25 (14) “Dog officer” or “animal-control officer” means any person employed, contracted, or
26 appointed by the state, or any political subdivision of the state, for the purpose of aiding in the
27 enforcement of this chapter or any other law or ordinance relating to the licensing of dogs, cats, or
28 other animals; the control of dogs, cats, or other animals; or the seizure and impoundment of dogs,
29 cats, or other animals and includes any state or municipal peace officer, animal-control officer,
30 sheriff, constable, or other employee whose duties, in whole or in part, include assignments that
31 involve the seizure or taking into custody of any dog, cat, or other animal.

32 (15) “Euthanasia” means the humane destruction of an animal accomplished by a method
33 that involves instantaneous unconsciousness and immediate death or by a method that involves
34 anesthesia, produced by an agent that causes painless loss of consciousness and death during that

1 loss of consciousness.

2 (16) “Guardian” shall mean a person(s) having the same rights and responsibilities of an
3 owner, and both terms shall be used interchangeably. A guardian shall also mean a person who
4 possesses, has title to or an interest in, harbors, or has control, custody, or possession of an animal
5 and who is responsible for an animal’s safety and well-being.

6 (17) “Hobby breeder” means those persons whose regular occupation is not the breeding
7 and raising of dogs and cats and whose method of sale is at retail only. A hobby breeder shall not
8 exceed ~~the limits set forth in § 4-25-1(4). Any person who sells at retail a number in excess of the~~
9 ~~limits in the aforementioned section shall be considered a breeder~~ the whelping of greater than two
10 (2) litters of dogs or cats, or combination of dogs and cats, in any one calendar year. Any person
11 who exceeds these limits will be defined as a breeder.

12 (18) “Housing facility” means any room, building, or area used to contain a primary
13 enclosure or enclosures.

14 (19) “Kennel” means a place or establishment, other than a pound or animal shelter, or
15 veterinary hospital that is housing animals during their treatment, where animals not owned by the
16 proprietor are sheltered, fed, and watered in return for a fee. This definition shall not apply to the
17 following:

18 (i) Sheltering, feeding, and watering in return for a fee in a residential setting, of no more
19 than four (4) animals not owned by the proprietor, subject to any applicable municipal ordinance
20 that may be more restrictive;

21 (ii) Any entity that sells a dog or cat.

22 (20) “Licensed releasing agency” means any animal shelter, animal-rescue, pound, animal-
23 control officer, or broker that is required to be licensed or registered with the director pursuant to
24 the provisions of this chapter and is so licensed or registered.

25 (21) “Neuter” means to surgically render a male dog or cat unable to reproduce.

26 (22) “Person” means any individual, partnership, firm, joint stock company, corporation,
27 association, trust, estate, or other legal entity.

28 (23) “Pet shop” means an establishment where animals are bought, sold, exchanged, or
29 offered for sale or exchange to the general public at retail. This shall not include an establishment
30 or person whose total sales are the offspring of canine or feline females maintained on their
31 premises and sold from those premises and does not exceed the limits set forth in § 4-25-1(4).

32 (24) “Pound” or “dog pound” means a facility operated by a state, or any political
33 subdivision of a state, for the purpose of impounding or harboring seized, stray, homeless,
34 abandoned, or unwanted dogs, cats, and other animals or a facility operated for that purpose under

1 a contract with any municipal corporation or incorporated society for the prevention of cruelty to
2 animals.

3 (25) “Primary enclosure” or “enclosure” means the most proximal barrier to an animal that
4 will have the intended purpose or effect of containment of that animal or that will effectively restrict
5 the liberty of the animal.

6 (26) “Public auction” means any place or location where dogs or cats are sold at auction to
7 the highest bidder regardless of whether those dogs or cats are offered as individuals, as a group,
8 or by weight.

9 (27) “Research facility” means any place, laboratory, or institution at which scientific tests,
10 investigations, or experiments involving the use of living animals are carried out, conducted, or
11 attempted.

12 (28) “Sanitize” means to make physically clean and to remove and destroy, to a practical
13 minimum, agents injurious to health.

14 (29) “Sexual maturity” means when a dog or cat reaches six (6) months. In all instances,
15 the licensed releasing agency or a licensed veterinarian will determine the age of the dog or cat.

16 (30) “Spay” means to surgically render a female dog or cat unable to reproduce.

17 (31) “State veterinarian” means a licensed veterinarian from the department of
18 environmental management.

19 (32) “Trainer” means those persons who actively engage in the application of behavior
20 analysis using the environmental events of antecedents and consequences to modify the behavior
21 of an animal, either for the animal to assist in specific activities or undertake particular tasks, or for
22 the animal to participate effectively in contemporary domestic life, and who keep, board, or retain
23 possession of the animal for at least one overnight period, with the exception of those persons
24 engaged in these activities for dog training programs operated by government agencies and for dog
25 training programs operated by a not-for-profit or exempt nonprofit organization pursuant to 26
26 U.S.C. § 501(c)(3) of the Internal Revenue Code.

27 **4-19-14. Chapter inapplicable.**

28 This chapter does not apply to a place or establishment which is operated under the
29 immediate supervision of a duly licensed veterinarian as a hospital where animals are harbored,
30 boarded and cared for incidental to the treatment, prevention, or alleviation of disease processes
31 during the routine practice of the profession of veterinary medicine except that, if animals are
32 accepted by that place, establishment or hospital for the primary purpose of boarding in return for
33 a fee, the place, establishment or hospital is subject to the kennel license provisions of this chapter
34 and the regulations relating to the license which may be promulgated by the director. This chapter

1 shall not apply to any dealer or research facility during the period that the dealer or research facility
2 is in the possession of a valid license or registration granted by the secretary of agriculture pursuant
3 to 7 U.S.C. § 2131 et seq. This chapter shall not apply to ~~breeders, nor to~~ hobby breeders.

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO ANIMALS AND ANIMAL HUSBANDRY -- ANIMAL CARE

- 1
- This act would amend the definition of “hobby breeder” to limit the sale or offering for
- 2
- sale to no more than two (2) litters of dogs or cats, or a combination thereof, in a three hundred and
- 3
- sixty-five (365) day period.
- 4
- This act would take effect upon passage.

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