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LC003222

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S T A T E O F R H O D E I S L A N D

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2026

A N A C T

RELATING TO ANIMALS AND ANIMAL HUSBANDRY -- CRUELTY TO ANIMALS

Introduced By: Senators Urso, Appollonio, Tikoian, LaMountain, Patalano, Thompson, Bell, Gu, Euer, and Dimitri

Date Introduced: January 16, 2026

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 4-1-22 of the General Laws in Chapter 4-1 entitled "Cruelty to
2 Animals" is hereby amended to read as follows:

3 **4-1-22. Care of neglected animals by society — Forfeiture of owner's rights —**
4 **Expenses.**

5 (a) An animal control officer of a city or town, or an officer or agent of the Rhode Island
6 Society for the Prevention of Cruelty to Animals may lawfully take charge of and shall provide
7 adequate care to any animal found abandoned or neglected or hazardously accumulated as defined
8 in § 4-1-1, or that in the opinion of that officer or agent, is aged, maimed, disabled, lame, sick,
9 diseased, injured, unfit for the labor it is performing, or cruelly treated, and shall give notice to the
10 owner or guardian, if known.

11 (b) Every owner or guardian, upon conviction, plea of guilty, or plea of nolo contendere,
12 of abandonment, neglect, hazardous accumulation as defined in § 4-1-1, or otherwise cruel
13 treatment of any animal taken charge of by an animal control officer of a city or town, or an agent
14 of the Rhode Island Society for the Prevention of Cruelty to Animals under this section, forfeits the
15 rights to ownership or control of that animal to the Society for disposition in any manner deemed
16 suitable for that animal.

17 (c) Whenever any animal control officer of a city or town, or an officer or agent of the
18 Rhode Island Society for the Prevention of Cruelty to Animals lawfully takes charge of any animal
19 under this section, all reasonable expenses for the care and treatment of the animal(s), while in the

1 custody of the city or town animal shelter, or the Society during this time, shall be paid for by the
2 owner or guardian. The city or town animal shelter, or the Society has the authority to commence
3 a civil action for damages against the owner or guardian thirty (30) days after a written demand for
4 payment of the expense of the suitable care of that animal has been sent and no payment has been
5 received. The written demand shall state that the failure to pay or make arrangements to pay for the
6 care of that animal may result in forfeiture of ownership of the animal. The cost of the care and
7 treatment that is billed to the owner or guardian shall be reasonable and related to equivalent
8 services provided by veterinary care and animal sheltering, feeding, and boarding services in this
9 state.

10 (d) The owner or guardian of any animal that is in the charge of the city or town animal
11 shelter, or the Rhode Island Society for the Prevention of Cruelty to Animals pursuant to the
12 authority granted in this section may, within sixty (60) days following the date that the ~~society~~ city
13 or town animal shelter, or the Society gives notice of the taking of possession of the animal, petition
14 the district court for an order to return custody of the animal to the owner or guardian.

15 (e) Upon the filing of the petition, the court shall cause a summons to be issued requiring
16 an authorized representative of the city or town animal shelter, or the Society for the Prevention of
17 Cruelty to Animals to appear in court at the time and place named, which summons shall be served
18 not less than fourteen (14) days before the date of the hearing.

19 (f) At the hearing on the petition, the court shall consider:

20 (1) The animal's condition;
21 (2) The care required to maintain the animal safely and in an appropriate environment; and
22 (3) The ability of the petitioner to provide or arrange for the adequate care of the animal,
23 including during the time any criminal charges related to or arising from the seizure are pending.

24 (g) If, after hearing, the court finds that the owner or guardian of the animal has the ability
25 to properly care for or arrange for the adequate care of the animal during the pendency of the
26 criminal charges, the court may allow the owner or guardian of the animal to have or arrange for
27 the adequate care, custody, and control of the animal pending the final determination of the related
28 criminal charges subject to such restrictions and conditions as the court determines to be reasonable
29 or necessary.

30 (h) All issues will be decided upon a preponderance of the evidence.

31 (i) In the event that the court orders an animal returned to the owner or guardian following
32 the hearing, the owner or guardian will not be required to pay for the cost of care incurred prior to
33 the date of the hearing unless and until such time as there has been a conviction, plea of guilty, or
34 plea of nolo contendere, of abandonment, neglect, hazardous accumulation as defined in § 4-1-1,

1 or otherwise cruel treatment in the related criminal proceeding.

2 (j) In the event that the owner or guardian fails to petition for custody of the animal within
3 sixty (60) days of notice of the taking or fails to pay within sixty (60) days of the written demand
4 for payment, the city or town animal shelter, or the Rhode Island Society for the Prevention of
5 Cruelty to Animals may petition the court for transfer of ownership of the animal to the city or town
6 animal shelter, or the Rhode Island Society for the Prevention of Cruelty to Animals. If the owner
7 or guardian fails to respond to the petition for transfer of ownership the court shall transfer
8 ownership to the ~~society~~ Society.

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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RELATING TO ANIMALS AND ANIMAL HUSBANDRY -- CRUELTY TO ANIMALS

- 1 This act would allow animal control officers in the cities and towns to lawfully take charge
- 2 of and provide adequate care to any animal found abandoned or neglected or hazardously
- 3 accumulated and would include them as agents authorized to enforce the provisions of this section.
- 4 This act would take effect upon passage.

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