

2018 -- H 7045

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2018

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A N A C T

RELATING TO ANIMALS AND ANIMAL HUSBANDRY - CARE OF DOGS

Introduced By: Representatives Serpa, Solomon, Shanley, O'Brien, and Shekarchi

Date Introduced: January 03, 2018

Referred To: House Health, Education & Welfare

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 4-13-42 of the General Laws in Chapter 4-13 entitled "Dogs" is
2 hereby amended to read as follows:

3 **4-13-42. Care of dogs.**

4 (a) It shall be a violation of this section for an owner or keeper to:

5 (1) Keep any dog on a permanent tether that restricts movement of the tethered dog to an
6 area less than one hundred thirteen square feet (113 sq. ft.), or less than a six foot (6') radius at
7 ground level.

8 (2) Tether a dog with a choke-type collar or prong-type collar.

9 (3) Keep any dog tethered for more than ten (10) hours during a twenty-four (24) hour
10 period or keep any dog confined in a pen, cage, or other shelter for more than fourteen (14) hours
11 during any twenty-four (24) hour period.

12 (4) Keep any dog outside either tethered, penned, caged, fenced, or otherwise confined
13 ~~without access to an outdoor housing facility~~ when the ambient temperature is beyond the
14 industry standard for the weather safety scale as set forth in the most recent adopted version of
15 the Tufts Animal Care and Condition Weather Safety Scale (TACC) if the dog is showing signs
16 of poor health due to the weather conditions.

17 (b) It shall be a violation of this section for an owner or keeper to fail to provide a dog
18 with adequate feed, adequate water, or adequate veterinary care as those terms are defined in § 4-
19 19-2; provided however, that adequate veterinary care may be provided by an owner using

1 acceptable animal husbandry practices.

2 (c) Any person in violation of this section shall be given a warning for a first violation.
3 Second and subsequent violations of this subsection can be considered a violation of § 4-1-2.
4 Each day of violation shall constitute a separate offense.

5 (d) The provisions of this section shall not apply:

6 (1) If the tethering or confinement is authorized for medical reasons in writing by a
7 veterinarian licensed in Rhode Island, the authorization is renewed annually, and shelter is
8 provided;

9 (2) If tethering or confinement is authorized in writing by an animal control officer;

10 (3) To a training facility, grooming facility, commercial boarding kennel, pet shop
11 licensed in accordance with chapter 19 of this title, animal shelter, municipal pound, or veterinary
12 facility;

13 ~~(4) To licensed hunters, field trial participants, or any person raising or training a gun dog~~
14 ~~or hunting dog, provided that the licensed hunter or field trial hunt test participant is actively~~
15 ~~engaged in hunting, training, or field trial hunt testing or is transporting the dog to or from an~~
16 ~~event;~~

17 (5) To livestock farmers who use their dogs to protect their livestock from predators;

18 (6) To an exhibitor holding a class C license under the Animal Welfare Act (7 U.S.C. §
19 2133) that are temporarily in the state; or

20 ~~(7) To sled dog owners who are actively training their dogs to pull sleds in winter~~
21 ~~conditions.~~

22 (e) Any person in violation of this section shall be imprisoned not exceeding eleven (11)
23 months, or fined not less than fifty dollars (\$50.00) nor exceeding five hundred dollars (\$500), or
24 both. Each day of violation shall constitute a separate offense.

25 (f) General agents or special agents of the Rhode Island Society for the Prevention of
26 Cruelty to Animals (RISPCA) are hereby authorized to enforce the provisions of this chapter in
27 cooperation with animal control officers.

28 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 repeal exception which allows hunting dogs to be kept outdoors in cold
2 weather.

3 This act would take effect upon passage.

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