

2023 -- H 5258

LC000655

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO CRIMINAL OFFENSES -- TRADE IN ANIMAL FUR PRODUCTS ACT

Introduced By: Representatives Kazarian, Serpa, Potter, and Stewart

Date Introduced: January 27, 2023

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 11 of the General Laws entitled "CRIMINAL OFFENSES" is hereby
2 amended by adding thereto the following chapter:

3 CHAPTER 71

4 TRADE IN ANIMAL FUR PRODUCTS ACT

5 **11-71-1. Purpose..**

6 The general assembly finds and declares that:

7 (1) Animals that are slaughtered for their fur endure tremendous suffering. Animals raised
8 on fur farms typically spend their entire lives in cramped and filthy cages. Fur farmers typically
9 use the cheapest killing methods available, including suffocation, electrocution, gas and poison.

10 (2) Fur farms are reservoirs and transmission vectors for dangerous zoonotic diseases,
11 including SARS coronaviruses that threaten public health. COVID-19 infections have been
12 confirmed at fur farms in Europe and North America, and scientific studies have linked mink,
13 raccoon dogs and foxes, the animals most commonly farmed for their fur, to a variety of corona
14 viruses.

15 (3) The fur production process is energy intensive and has a significant environmental
16 impact, including air and water pollution. Runoff from the fur production process contains high
17 concentrations of phosphorous and nitrogen, which are the most common forms of water pollution
18 in the United States, including in Rhode Island. In addition, the tanning and dyeing processes used
19 in fur production use toxic chemicals and heavy metals like chromium and formaldehyde.

1 (4) Considering the wide array of alternatives for fashion and apparel, the general assembly
2 finds that the demand for fur products does not justify the unnecessary killing and cruel treatment
3 of animals, harm to the environment, and the public health risks to the people of Rhode Island
4 caused by these practices.

5 (5) The general assembly believes that eliminating the sale of fur products in the State of
6 Rhode Island will decrease the demand for these cruel and environmentally harmful products and
7 will promote community awareness of animal welfare and, in turn, will foster a more humane
8 environment in Rhode Island and enhance the reputation of the state.

9 **11-71-2. Definitions.**

10 As used in this chapter, the following words and phrases shall have the following meanings:

11 (1) "Fur" means any animal skin or part thereof with hair, fleece, or fur fibers attached
12 thereto, either in its raw or processed state.

13 (2)(i) "Fur product" means any article of clothing or covering for any part of the body, or
14 any fashion accessory, including, but not limited to, handbags, shoes, slippers, hats, earmuffs,
15 scarves, shawls, gloves, jewelry, key chains, toys or trinkets and home accessories and decor that
16 is made in whole or in part of fur.

17 (ii) "Fur product" shall not mean any of the following:

18 (A) Any animal skin or part thereof that is to be converted into leather, or which in
19 processing will have the hair, fleece, or fur fiber completely removed;

20 (B) Cowhide with the hair attached;

21 (C) Lambskin or sheepskin with the fleece attached thereto; or

22 (D) The pelt or skin of any animal that is preserved through taxidermy or for the purpose
23 of taxidermy.

24 (3) "Nonprofit organization" means any corporation that is organized under section
25 501(c)(3) of title 26 of the United States Code that is created for charitable, religious, philanthropic,
26 educational, or similar purposes.

27 (4) "Taxidermy" means the practice of preparing and preserving the skin of an animal that
28 is deceased and stuffing and mounting it in lifelike form.

29 (5) "Ultimate consumer" means a person who buys for their own use, or for the use of
30 another but not for resale or trade.

31 (6) "Used fur product" means a fur product that has been worn or used by an ultimate
32 consumer.

33 **11-71-3. Prohibition.**

34 It is unlawful to sell, offer for sale, display for sale, trade, or otherwise distribute for

1 monetary or non-monetary consideration a fur product in the State of Rhode Island.

2 **11-71-4. Exemptions.**

3 The prohibition set forth in § 11-71-3, shall not apply to the sale, offer for sale, displaying
4 for sale, trade, or distribution of:

5 (1) A used product by an individual, excluding a retail transaction, nonprofit organization
6 or second hand store, including a pawn shop;

7 (2) A fur product required for use in the practice of a religion; or

8 (3) Fur product that is expressly authorized by federal or state law.

9 **11-71-5. Penalty.**

10 (a) Any person convicted of violating this chapter shall be subject to the following
11 penalties:

12 (1) For a first violation, a civil penalty of up to five hundred dollars (\$500);

13 (2) For a second violation that occurred within one year of a previous violation, a civil
14 penalty of up to seven hundred fifty dollars (\$750);

15 (3) For a third violation that occurred within one year of a second violation, a civil penalty
16 of up to one thousand dollars (\$1,000).

17 (b) Each fur product that constitutes a violation of this chapter shall be treated as a separate
18 violation in a civil action brought pursuant to this chapter.

19 **11-71-6. Severability.**

20 If any provision of this chapter or the application thereof to any person or circumstances is
21 held invalid, such invalidity shall not affect any other provision or application which can be given
22 effect without the invalid provision or application, and to this end the provisions of this chapter are
23 declared to be severable.

24 SECTION 2. This act shall take effect four (4) years after passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO CRIMINAL OFFENSES -- TRADE IN ANIMAL FUR PRODUCTS ACT

1 This act would prohibit the sale, offer of sale, trade or distribution of fur products as defined
2 and would make violations punishable by a civil fine.

3 This act would take effect four (4) years after passage.

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