

**2012 -- S 2034 SUBSTITUTE B**

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LC00048/SUB B  
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**STATE OF RHODE ISLAND**

**IN GENERAL ASSEMBLY**

**JANUARY SESSION, A.D. 2012**

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A N A C T

RELATING TO ANIMALS AND ANIMAL HUSBANDRY - ANIMAL ADVOCATE

Introduced By: Senators Tassoni, Lynch, Perry, and Pinga

Date Introduced: January 11, 2012

Referred To: Senate Environment & Agriculture

It is enacted by the General Assembly as follows:

1           SECTION 1. Section 4-1-31 of the General Laws in Chapter 4-1 entitled "Cruelty to  
2 Animals" is hereby amended to read as follows:

3           **4-1-31. Assignment of state veterinarian. --** (a) Examination of fighting animals. - A  
4 licensed veterinarian from the department of environmental management, shall be made available  
5 to agents of the Rhode Island society for the prevention of cruelty to animals at the request of the  
6 state police for the purpose of examining any animal which those agents believe to have been  
7 involved in animal fighting in violation of section 4-1-2, 4-1-8, 4-1-9 or 4-1-11.

8           (b) Right of entry where cruelty suspected. - The director of the department of  
9 environmental management or any veterinarian employed by the department of environmental  
10 management designated by the director for such purpose, having reason to suspect the existence  
11 of cruelty to animals within the meaning of this chapter upon any grounds or premises, is hereby  
12 authorized and empowered to enter upon those grounds or premises for enforcement of the  
13 provisions of this chapter. For such inspections, the department shall, unless a search without a  
14 warrant is otherwise allowed by law, seek a search warrant from an official of a court authorized  
15 to issue warrants.

16           (c) The director of the department of environmental management may designate a  
17 department veterinarian or veterinarians to act as animal advocates. A general agent or special  
18 agent from the Rhode Island society for the prevention of cruelty to animals may also act in that  
19 capacity.

1           (d) The animal advocate shall make recommendations to any court before which the  
2 custody or well-being of an animal is at issue.

3           (e) Any animal care facility licensed by the United States department of agriculture or  
4 holding a public health service (PHS) assurance of compliance shall be exempt from the  
5 provisions of this section.

6           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 ADVOCATE

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1           This act would allow state DEM veterinarians and/or a general or special agent from the  
2 Rhode Island SPCA to act as advocates for animals which are the subject of court actions.

3           This act would also exempt animal care facilities licensed by the United States  
4 department of agriculture or holding a public health service assurance of compliance from the  
5 provisions of this section.

6           This act would take effect upon passage.

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