

2016 -- H 7062

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2016

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A N A C T

RELATING TO ANIMALS AND ANIMAL HUSBANDRY -- DOGS

Introduced By: Representatives Serpa, McKiernan, O'Brien, Fogarty, and Shekarchi

Date Introduced: January 07, 2016

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.** -- (a) It shall be a violation of this section for an owner or keeper
4 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 (b) It shall be a violation of this section for an owner or keeper to fail to provide a dog
13 with adequate feed, adequate water, or adequate veterinary care as those terms are defined in § 4-
14 19-2; provided however, that adequate veterinary care may be provided by an owner using
15 acceptable animal husbandry practices.

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

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

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

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

5 (3) ~~To a training facility, grooming facility, commercial boarding kennel, pet shop
6 licensed in accordance with chapter 4-19, animal shelter, municipal pound or veterinary facility;~~

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

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

12 (6) To an exhibitor holding a class C license under the Animal Welfare Act, (7 U.S.C. §
13 2133) that are temporarily in the state, ~~;~~ ~~or~~

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

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

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

22 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 -- DOGS

1 This act would repeal certain exceptions to the "Care of Dogs Act" and would require
2 those individuals under an order by an animal control officer to tether or confine dogs, training
3 facilities, licensed hunters and sled dog owners to comply with the provisions of this chapter.

4 This act would take effect upon passage.

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