

2016 -- S 2657 SUBSTITUTE A

LC004870/SUB A

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2016

A N A C T

RELATING TO ANIMALS AND ANIMAL HUSBANDRY -- CRUELTY TO ANIMALS

Introduced By: Senators Ruggerio, Lynch Prata, Sosnowski, Coyne, and Archambault

Date Introduced: February 25, 2016

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 4-1-2 and 4-1-3 of the General Laws in Chapter 4-1 entitled  
2 "Cruelty to Animals" are hereby amended to read as follows:

3 **4-1-2. Overwork, mistreatment, or failure to feed animals -- Shelter defined. --** (a)

4 Whoever overdrives, overloads, drives when overloaded, overworks, tortures, torments, deprives  
5 of necessary sustenance, cruelly beats, mutilates or cruelly kills, or causes or procures to be so  
6 overdriven, overloaded, driven when overloaded, overworked, tortured, tormented, deprived of  
7 necessary sustenance, cruelly beaten, or mutilated, ~~or cruelly killed~~, any animal, and whoever,  
8 having the charge or custody of any animal, either as owner or otherwise, inflicts cruelty upon  
9 that animal, or willfully fails to provide that animal with proper food, drink, shelter or protection  
10 from the weather, shall, for each offense, be imprisoned not exceeding eleven (11) months, or be  
11 fined not less than fifty dollars (\$50.00) nor exceeding five hundred dollars (\$500), or both. If the  
12 offense described in this section results in the death of the animal, the person shall be punished in  
13 the manner provided in §4-1-5.

14 (b) Every owner, possessor, or person having charge of any animal may upon conviction  
15 of a violation of this section be ordered to forfeit all rights to ownership of the animal to the  
16 animal control officer of the city or town in which the offense occurred or to a humane society  
17 which owns and operates the shelter which provided the subject animal shelter subsequent to any  
18 confiscation of said animal pursuant to this section.

19 (c) Shelters means a structure used to house any animal which will provide sufficient

1 protection from inclement elements for the health and well being of the animal.

2 **4-1-3. Unnecessary cruelty.** -- (a) Every owner, possessor, or person having the charge  
3 or custody of any animal, who cruelly drives or works that animal when unfit for labor, or cruelly  
4 abandons that animal, or who carries that animal or who fails to provide that animal with  
5 adequate living conditions as defined in § 4-1-1, or causes that animal to be carried, in or upon  
6 any vehicle or otherwise in a cruel or inhuman manner, or willfully, intentionally, maliciously,  
7 recklessly, and/or knowingly authorizes or permits that animal to be subjected to unnecessary  
8 torture, suffering or cruelty of any kind, or who places or causes to have placed on any animal  
9 any substance that may produce irritation or pain, or that is declared a hazardous substance by the  
10 U.S. food and drug administration or by the state department of health, shall be punished for each  
11 offense in the manner provided in § 4-1-2. [If the offense described in this section results in the](#)  
12 [death of the animal, the person shall be punished in the manner provided in §4-1-5.](#)

13 (b) The substances proscribed by subsection (a) do not include any drug having curative  
14 and therapeutic effect for disease in animals and which is prepared and intended for veterinary  
15 use.

16 (c) University, college or hospital research facilities licensed and/or inspected by the  
17 U.S. Department of Agriculture or the U.S. Public Health Service of the department of health and  
18 human services shall be exempt from the provisions of subsection (a) provided that they are in  
19 good standing with the federal agency responsible for licensing or assurance of the facility.

20 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 provide that when a person overworks, mistreats, or otherwise treats an  
2 animal cruelly, and this conduct results in the death of the animal, then that person would be  
3 subject to punishment in the manner provided in §4-1-5. For purposes of understanding this  
4 amendment, the text of §4-1-5 is set forth below:

5           (b) This section shall not apply to licensed hunters during hunting season or a licensed  
6 business killing animals for human consumption.

7           This act would take effect upon passage.

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