

2016 -- S 2657 AS AMENDED

=====
LC004870
=====

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, 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 results in the death of the animal, including, without limitation, death upon the
13 determination of a licensed veterinarian that the condition of the animal requires it to be
14 ethanized, the person shall be punished in the manner provided in §4-1-5.

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

1 (c) Shelters means a structure used to house any animal which will provide sufficient
2 protection from inclement elements for the health and well being of the animal.

3 **4-1-3. Unnecessary cruelty.** -- (a) Every owner, possessor, or person having the charge
4 or custody of any animal, who cruelly drives or works that animal when unfit for labor, or cruelly
5 abandons that animal, or who carries that animal or who fails to provide that animal with
6 adequate living conditions as defined in § 4-1-1, or causes that animal to be carried, in or upon
7 any vehicle or otherwise in a cruel or inhuman manner, or willfully, intentionally, maliciously,
8 recklessly, and/or knowingly authorizes or permits that animal to be subjected to unnecessary
9 torture, suffering or cruelty of any kind, or who places or causes to have placed on any animal
10 any substance that may produce irritation or pain, or that is declared a hazardous substance by the
11 U.S. food and drug administration or by the state department of health, shall be punished for each
12 offense in the manner provided in § 4-1-2. If the offense results in the death of the animal,
13 including, but not limited to, death upon the determination by a licensed veterinarian that the
14 condition of the animal requires it to be euthanized, the person shall be punished in the manner
15 provided in §4-1-5.

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

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

23 SECTION 2. This act shall take effect upon passage.

=====
LC004870
=====

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO ANIMALS AND ANIMAL HUSBANDRY -- CRUELTY TO ANIMALS

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.

=====
LC004870
=====