

2018 -- S 2852

LC005536

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2018

A N A C T

RELATING TO ANIMALS AND ANIMAL HUSBANDRY

Introduced By: Senator Walter S. Felag

Date Introduced: May 03, 2018

Referred To: Senate Environment & Agriculture

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 4-1-26 of the General Laws in Chapter 4-1 entitled "Cruelty to  
2 Animals" is hereby amended to read as follows:

3 **4-1-26. Abandonment of animals.**

4 (a) If any person having possession and/or control of an animal abandons that animal on a  
5 street, road, highway or in a public place or on private property or from a motor vehicle, or in a  
6 dwelling or any other building or structure without providing for the care of that animal, he or she  
7 shall be punished in the manner provided in § 4-1-2 for each such offense. If this abandonment  
8 results in the death of the animal, the person shall be punished in the manner provided in § 4-1-5.  
9 Abandonment means the relinquishment of all right, title, claim, or possession of the animal with  
10 the intention of not reclaiming it or resuming its ownership or possession.

11 (b) Any pound or animal shelter as defined under § 4-19-2, shall deem abandoned any  
12 animal impounded and not redeemed by its owner within ten (10) days of impoundment if such  
13 animal is wearing identification. Any animal impounded and not wearing identification shall be  
14 deemed abandoned if not redeemed by its owner within five (5) days of impoundment. Any  
15 animal deemed abandoned shall become the property of the impounding agency and may be  
16 adopted.

17 (c) Any pound or animal shelter shall make a prompt and reasonable attempt to locate  
18 and notify the owner of the impounded animal, including scanning the animal for a microchip.

19 (d) It shall not be considered abandonment and the provisions of § 4-1-26(a) shall not

1 apply to any person who traps unowned feral or free roaming cats, causes those cats to be spayed  
2 or neutered, and subsequently releases those cats, provided:

3 (1) Any medical or surgical procedures performed on those cats are performed by a  
4 licensed veterinarian;

5 (2) The cats are returned to the property where they were trapped; and

6 (3) If the cats were trapped on private property, the person who is entering the private  
7 property shall have in their possession written permission from a person with authority to give  
8 such permission stating that they have been granted permission to enter the property for the  
9 purpose of trapping cats.

10 SECTION 2. Section 4-24-8 of the General Laws in Chapter 4-24 entitled "Permit  
11 Program for Cats" is hereby amended to read as follows:

12 **4-24-8. Abandonment of cats.**

13 If any cat is abandoned by their owner or any person having charge or custody of that cat,  
14 that person shall, for each offense be punished in the manner provided in § 4-1-2, the provisions  
15 of § 4-1-26(a) notwithstanding.

16 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 the trapping and subsequent release of any unowned feral or  
2 free roaming cat for the purpose of spaying or neutering of the cat shall not be considered  
3 abandonment.

4           This act would take effect upon passage.

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