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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2019

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A N A C T

RELATING TO ANIMALS AND ANIMAL HUSBANDRY -- MANDATORY DOG AND  
CAT MICROCHIPPING ACT

Introduced By: Senators Lynch Prata, Coyne, and Archambault

Date Introduced: January 24, 2019

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 4 of the General Laws entitled "ANIMALS AND ANIMAL  
2 HUSBANDRY" is hereby amended by adding thereto the following chapter:

3 CHAPTER 28

4 MANDATORY DOG AND CAT MICROCHIPPING ACT

5 **4-28-1. Short title.**

6 This chapter shall be known and may be cited as the "Mandatory Dog and Cat  
7 Microchipping Act."

8 **4-28-2. Mandatory microchipping.**

9 (a) No shelter, pound, humane society, rescue organization, or similar organization,  
10 whether public or private, whose principal purpose is securing the adoption of dogs and cats, shall  
11 release any such animal to its owner, custodian or adopter unless the dog or cat has first been  
12 microchipped.

13 (b) Every breeder, purchaser, or other person or entity coming into possession of an  
14 unchipped dog or cat is required, within thirty (30) days, to have the animal microchipped.

15 **4-28-3. Medical exceptions to sterilization.**

16 No dog or cat need be microchipped if a licensed veterinarian, exercising appropriate  
17 professional judgment, shall certify in writing and under oath that an animal is medically unfit for  
18 the microchipping procedure due to a physical condition which would be substantially aggravated

1 by such procedure, or would likely cause the animal's death.

2 (1) The dog or cat's age shall not per se constitute medical unfitness.

3 (2) Upon the cessation of the existence of the disqualifying medical condition, it shall be  
4 the duty of the person or entity having control of the dog or cat to immediately comply with all  
5 provisions of this act.

6 **4-28-4. Penalties.**

7 (a) Every person or entity failing to microchip a dog or cat in their control and/or  
8 possession, in accordance with the provisions of this chapter, shall be penalized as follows:

9 (1) The first offense shall constitute a civil offense, punishable by a fine of five hundred  
10 dollars (\$500);

11 (2) The second and third offense shall constitute a civil offense, punishable by a fine of  
12 one thousand dollars (\$1,000) for each offense;

13 (3) The fourth and all subsequent offenses thereafter, shall constitute a civil and criminal  
14 offense, whereby the person or entity shall be charged with a misdemeanor and fined two  
15 thousand dollars (\$2,000) for each offense or by imprisonment for not less than ten (10) days nor  
16 more than thirty (30) days, or both.

17 (b) Possession of a certificate certifying that the dog or cat has been microchipped shall  
18 constitute a defense to liability under the penalty provisions of this act.

19 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 -- MANDATORY DOG AND  
CAT MICROCHIPPING ACT

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- 1           This act would provide for the mandatory microchipping of all dogs and cats and
- 2 applicable penalties to the owner for failing to microchip the animal.
- 3           This act would take effect upon passage.

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