

2019 -- S 0481

LC001137

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2019

A N A C T

RELATING TO ANIMALS AND ANIMAL HUSBANDRY -- CRUELTY TO ANIMALS

Introduced By: Senators Morgan, Paolino, de la Cruz, and Rogers

Date Introduced: February 27, 2019

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 4-1-40 of the General Laws in Chapter 4-1 entitled "Cruelty to  
2 Animals" is hereby amended to read as follows:

3 **4-1-40. Possession of animals.**

4 (a) In addition to any other penalty imposed by law, a person convicted of, or who  
5 entered a plea of nolo contendere to, any misdemeanor violation under the provisions of this  
6 chapter shall be sentenced to, not possess, care for or reside with any companion animal for ~~a~~ an  
7 indefinite period ~~of up to~~ or a specified period of not less than five (5) years following entry of  
8 the conviction or upon acceptance of a plea of nolo contendere by the court. Any offense under  
9 this subsection is a misdemeanor punishable by a fine of not more than one thousand dollars  
10 (\$1,000), by imprisonment for a term not more than one year, or both, and forfeiture of the  
11 animal(s).

12 (b) In addition to any other penalty imposed by law, a person convicted of, or who  
13 entered a plea of nolo contendere to, any felony violation under the provisions of this chapter  
14 shall be sentenced to, not possess, care for or reside with any companion animal for ~~a~~ an  
15 indefinite period ~~of up to~~ or a specified period of not less than fifteen (15) years following entry  
16 of the conviction or upon acceptance of a plea of nolo contendere by the court. Any offense under  
17 this subsection is a misdemeanor punishable by a fine of not more than one thousand dollars  
18 (\$1,000), by imprisonment for a term not more than one year, or both, and forfeiture of the  
19 animal(s).

1 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 persons convicted of misdemeanor animal cruelty not possess  
2 companion animals for a minimum of five (5) years to a maximum of indefinite ban on  
3 possession. For a felony animal cruelty conviction the period of prohibition is fifteen (15) years to  
4 an indefinite ban.

5           This act would take effect upon passage.

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