

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO CRIMINAL OFFENSES -- TRADE IN ANIMAL FUR PRODUCTS ACT

Introduced By: Senators Lauria, Miller, Murray, and Ujifusa

Date Introduced: March 22, 2023

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Legislative findings

2 The general assembly finds and declares that:

3 (1) Animals that are slaughtered for their fur endure tremendous suffering. Animals raised
4 on fur farms typically spend their entire lives in cramped and filthy cages. Fur farmers typically
5 use the cheapest killing methods available, including suffocation, electrocution, gas and poison.

6 (2) Fur farms are reservoirs and transmission vectors for dangerous zoonotic diseases,
7 including SARS coronaviruses that threaten public health. COVID-19 infections have been
8 confirmed at fur farms in Europe and North America, and scientific studies have linked mink,
9 racoon, dogs and foxes, the animals most commonly farmed for their fur, to a variety of corona
10 viruses.

11 (3) The fur production process is energy intensive and has a significant environmental
12 impact, including air and water pollution. Runoff from the fur production process contains high
13 concentrations of phosphorous and nitrogen, which are the most common forms of water pollution
14 in the United States, including in Rhode Island. In addition, the tanning and dying processes used
15 in fur production use toxic chemicals and heavy metals like chromium and formaldehyde.

16 (4) Considering the wide array of alternatives for fashion and apparel, the general assembly
17 finds that the demand for fur products does not justify the unnecessary killing and cruel treatment
18 of animals, harm to the environment, and the public health risks to the people of Rhode Island
19 caused by these practices.

1 (5) The general assembly is of the belief that eliminating the sale of fur products in the
2 State of Rhode Island will decrease the demand for these cruel and environmentally harmful
3 products and will promote community awareness of animal welfare and, in turn, will foster a more
4 humane environment in Rhode Island and enhance the reputation of the state.

5 SECTION 2. Title 11 of the General Laws entitled "CRIMINAL OFFENSES" is hereby
6 amended by adding thereto the following chapter:

7 CHAPTER 71

8 TRADE IN ANIMAL FUR PRODUCTS ACT

9 **11-71-1. Definitions.**

10 As used in this chapter, the following words and phrases shall have the following meanings:

11 (1) "Fur" means any animal skin or part thereof with hair, fleece, or fur fibers attached
12 thereto, either in its raw or processed state.

13 (2)(i) "Fur product" means any article of clothing or covering for any part of the body, or
14 any fashion accessory, including, but not limited to, handbags, shoes, slippers, hats, earmuffs,
15 scarves, shawls, gloves, jewelry, key chains, toys or trinkets and home accessories and decor that
16 is made in whole or in part of fur.

17 (ii) "Fur product" shall not mean any of the following:

18 (A) Any animal skin or part thereof that is to be converted into leather, or which in
19 processing will have the hair, fleece, or fur fiber completely removed;

20 (B) Cowhide with the hair attached;

21 (C) Lambskin or sheepskin with the fleece attached thereto; or

22 (D) The pelt or skin of any animal that is preserved through taxidermy or for the purpose
23 of taxidermy.

24 (3) "Nonprofit organization" means any corporation that is organized under section
25 501(c)(3) of title 26 of the United States Code that is created for charitable, religious, philanthropic,
26 educational, or similar purposes.

27 (4) "Taxidermy" means the practice of preparing and preserving the skin of an animal that
28 is deceased and stuffing and mounting it in lifelike form.

29 (5) "Ultimate consumer" means a person who buys for their own use, or for the use of
30 another but not for resale or trade.

31 (6) "Used fur product" means a fur product that has been worn or used by an ultimate
32 consumer.

33 **11-71-2. Prohibition.**

34 It is unlawful to sell, offer for sale, display for sale, trade, or otherwise distribute for

1 monetary or non-monetary consideration a fur product in the State of Rhode Island. For purposes
2 of this section, the sale of a fur product shall be deemed to occur in Rhode Island if:

3 (1) The buyer takes physical possession of the fur product in Rhode Island; or

4 (2) The seller is located in Rhode Island.

5 **11-71-3. Exemptions.**

6 The prohibition set forth in § 11-71-2, shall not apply to the sale, offer for sale, displaying
7 for sale, trade, or distribution of:

8 (1) A used fur product;

9 (2) A fur product required for use in the practice of a religion; or

10 (3) A fur product that is expressly authorized by federal or state law.

11 **11-71-4. Penalty.**

12 (a) Any person convicted of violating this chapter shall be subject to the following
13 penalties:

14 (1) For a first violation which shall be a civil infraction, a penalty of up to five hundred
15 dollars (\$500);

16 (2) For a second violation which shall be a civil infraction that occurred within one year of
17 a previous civil infraction, a penalty of up to seven hundred fifty dollars (\$750);

18 (3) For a third violation which shall be a civil infraction that occurred within one year of a
19 second civil infraction, a penalty of up to one thousand dollars (\$1,000); and

20 (4) For a fourth violation which shall be a petty misdemeanor that occurred within one year
21 of a third civil infraction, a person shall be guilty of a misdemeanor punishable upon conviction by
22 a fine up to one thousand five hundred dollars (\$1,500) or imprisonment for thirty (30) days or
23 both.

24 (b) Each fur product that constitutes a violation of this chapter shall be treated as a separate
25 violation in any civil or criminal action brought pursuant to this chapter.

26 (c) The attorney general shall enforce the provisions of this section.

27 (d) Any municipality may, by ordinance, enforce the provisions of subsections (a)(1)
28 through (a)(3) of this section.

29 **11-71-5. Severability.**

30 If any provision of this chapter or the application thereof to any person or circumstances is
31 held invalid, such invalidity shall not affect any other provision or application which can be given
32 effect without the invalid provision or application, and to this end the provisions of this chapter are
33 declared to be severable.

1 SECTION 3. This act shall take effect three (3) years after the effective date of this chapter.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO CRIMINAL OFFENSES -- TRADE IN ANIMAL FUR PRODUCTS ACT

1 This act would prohibit the sale, offer of sale, trade or distribution of fur products as defined
2 in this chapter and would make three (3) violations of this chapter civil infractions punishable by a
3 civil penalty. The act would also make the fourth violation a misdemeanor or punishable by a fine
4 up to one thousand five hundred dollars (\$500) or imprisonment for thirty (30) days or both.

5 This act would take effect three (3) years after the effective date of this chapter.

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