

2025 -- H 5128

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2025

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A N A C T

RELATING TO ANIMALS AND ANIMAL HUSBANDRY -- CRUELTY TO ANIMALS

Introduced By: Representatives Bennett, Potter, Edwards, Spears, McGaw, Solomon,
Giraldo, O'Brien, Noret, and McEntee

Date Introduced: January 22, 2025

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

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

3 **4-1-2. Overwork, mistreatment, or failure to feed animals — Shelter defined.**

4 (a) Whoever overdrives, overloads, drives when overloaded, overworks, tortures, torments,
5 deprives of necessary sustenance, cruelly beats, mutilates, or cruelly kills, or causes or procures to
6 be so overdriven, overloaded, driven when overloaded, overworked, tortured, tormented, deprived
7 of necessary sustenance, cruelly beaten, or mutilated, any animal, and whoever, having the charge
8 or custody of any animal, either as owner or otherwise, inflicts cruelty upon that animal, or willfully
9 fails to provide that animal with proper food, drink, shelter, or protection from the weather, shall,
10 for each offense, be imprisoned not exceeding eleven (11) months, or be fined not less than fifty
11 dollars (\$50.00) nor exceeding five hundred dollars (\$500), or both. Provided further, that any
12 offense included under this statute which would result in death, if violated, shall, for each offense,
13 be punishable by imprisonment not exceeding three (3) years, or be fined not less than one thousand
14 dollars (\$1,000) or both. If the offense described in this section results in the death of the animal,
15 the person shall be punished in the manner provided in § 4-1-5.

16 (b) Any person who has been previously convicted of an offense provided for in chapter 1
17 of title 4 shall, upon conviction of a second or subsequent violation within a ten-year (10) period,
18 be imprisoned for a period not exceeding six (6) years, or fined not less than five hundred dollars
19 (\$500) and not exceeding five thousand dollars (\$5,000), or both. In addition, every person

1 convicted under chapter 1 of title 4 of a second or subsequent offense shall be required to serve one
2 hundred (100) hours of community restitution. The community restitution penalty shall not be
3 suspended or deferred and is mandatory.

4 (c) Every owner, possessor, or person having charge of any animal may, upon conviction
5 of a violation of this section, be ordered to forfeit all rights to ownership of the animal to the animal-
6 control officer of the city or town in which the offense occurred or to a humane society that owns
7 and operates the shelter that provided the subject animal shelter subsequent to any confiscation of
8 that animal pursuant to this section.

9 (d) Shelter means a structure used to house any animal that will provide sufficient
10 protection from inclement elements for the health and well being of the animal.

11 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 make any offense under this statute that could result in the death of an
2 animal punishable by up to three (3) years in prison, a fine of at least one thousand dollars (\$1,000)
3 or both, for each offense.

4 This act would take effect upon passage.

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