

New England State Legislative Issues April 2020

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News from the New England State Capitols

Connecticut – The state department of agriculture has publicly released notice of [draft regulations](#) overseeing animal importers and shelters. AKC GR has reviewed the proposal and is drafting comments to request the strengthening these rules. Due to the pandemic, the agency has extended the deadline for submitting comments to June 16, 2020.

Connecticut – A work group discussing service animals, including AKC GR, last met in December. Representative Abercrombie, as Chair, compiled input for submission to the legislature. As a result, the Human Services committee is considering [HB 5440](#) to align state law with the federal Americans with Disabilities Act prohibiting discrimination against a disabled person who uses a service animal and increase paid leave to 20 days for a disabled person to attend service animal training. It would also require the state's Commission on Human Rights and Opportunities to post educational materials on its website describing differences between service animals, emotional support animals, and therapy animals; the rights and responsibilities of an owner, and permitted compliance methods under state and federal law for an owner of a place of public accommodation, resort, or amusement. AKC GR supports the bill.

Connecticut – An alert regarding [multiple bills](#) impacting dogs scheduled for public hearings and then cancelled due to the COVID-19 pandemic was issued by AKC GR. A hearing on [HB 5368](#) was held prior to cancellations and it was favorably released by the Joint Committee on Insurance and Real Estate making it active for a vote. This bill would establish a task force composed of political appointees to study the use of breed of dog as an underwriting factor for homeowner's insurance policies. AKC GR has issued [an alert](#) with talking points on HB 5368, encouraging emails to representatives and senators in

opposition because there is no guarantee that the interests of dog owners will be represented on the taskforce.

Maine – An emergency measure to address the COVID-19 pandemic was signed into law by Governor Mills on March 18, 2020 after the legislature closed its session for the remainder of the year. [Chapter 617](#) provides that a dog license that expires during the COVID-19 state of emergency, as declared by the Governor, is extended until 30 days following the termination of the state of emergency, among other provisions.

Massachusetts – 2018 passage of [SB 2646, PAWS II](#), established a special commission to study and report on the feasibility and cost of mandating that employees and contractors of the Department of Children and Families, employees and contractors of the Department of Elder Affairs and investigators for the Disabled Persons Protection Commission report known or suspected animal cruelty, abuse and neglect. As the result of significant input and now the COVID-19 emergency, the final report with possible legislative recommendations has been significantly delayed.

Massachusetts – Multiple animal bills were heard by three joint committees in 2019. AKC GR has issued alerts and testified, as appropriate. 2020 is the second year of the formal legislative session and in early February joint committees sent the majority of problematic animal bills to study order, including [SB 118](#) requiring licensure of dog trainers. On March 23rd, however, the Joint Committee on Municipalities and Regional Government issued another extension of time giving the committee until May 8, 2020 to decide what action to take on several problematic bills heard last June. Most of them have been filed repeatedly over the years, except for [HB 1822](#) which would ban leaving dogs outside and unattended for longer than 15 minutes. AKC GR held a conference call with Massachusetts dog owners, breeders, sportsmen and police officers that have dogs that would be negatively impacted and are writing a joint letter of opposition.

Massachusetts – Two pet retail ban bills [HB 800](#) and [SB 175](#) were re-drafted by the Joint Committee on Consumer Protection and Professional Licensure. The re-draft, [SB 2592](#), Reforming the Sale of Cats, Dogs and Rabbits in the Commonwealth does not ban pet stores from selling dogs or cats. Instead, it establishes health certificate requirements, consumer protections and standards for all animal transfers whether made by a pet store, animal shelter, rescue or breeder. AKC GR is generally pleased with [SB 2592](#) and will advocate

for clarifying amendments when the General Court resumes normal session procedures.

Massachusetts – The Joint Committee on Public Safety and Homeland Security made minor changes to Nero’s bill before favorably releasing [HB 4230](#) and [SB 2423](#) in December. The measure would allow EMTs to treat and transport law enforcement K9s injured in the line of duty. Grassroots support from the Massachusetts dog clubs has been significant. AKC GR continues to work with bill sponsors to pass the legislation this session.

New Hampshire – AKC GR and New Hampshire Dog Owners of the Granite State (NH DOGS) are waiting for the legislative session to resume its session post pandemic. The House of Representatives voted March 11-12, 2020 as follows:

- [HB 1630](#) – This bill sets the limit of dogs that may be transferred in one year without a pet vendor license to 35 from 25 and creates an exemption from the requirement to obtain a pet vendor license for certain breeders. House Environment and Agriculture recommended passage as amended and the House adopted the recommendation.
- [HB 1388](#) – This bill would prohibit the sale of cats, dogs, and rabbits by pet vendors. House Environment and Agriculture Committee recommended not to pass and the House adopted the recommendation.
- [HB 1449](#) – This bill inserts a definition of “animal hoarding disorder” into the animal cruelty law recognizing this mental illness results in animal neglect and if untreated, it repeats. The text would authorize courts to order an evaluation and treatment for a defendant, as necessary. House Environment and Agriculture Committee recommended passage as amended, and the House adopted the recommendation.
- [HB 1187](#) – This bill allows animal shelters to own or lease their facilities and clarifies that they are required to vaccinate for rabies and provide a form of positive identification before transfer, if unknown. The House adopted the recommendation of the House Environment and Agriculture Committee to pass the bill with amendments.

- [HB 1560](#) – This bill creates a class B felony for anyone who knowingly or recklessly violates the law requiring adequate sustenance or shelter and the animal dies or “suffers serious bodily injury” as defined in the criminal code for human victims. This change could treat animals as victims with qualifying rights under the law. The House Committee on Criminal Justice and Public Safety omitted the reference to criminal code for humans and inserted a definition into the animal cruelty law for “serious injury”. These changes were adopted by the House.
- [HB 1164](#) – This bill authorizes the court to appoint a volunteer law student or lawyer as an animal advocate during prosecution for cruelty charges. House Committee on Judiciary recommended not to pass, and the House adopted the recommendation.
- [HB 1542](#) – This bill classifies dogs as victims, along with children and vulnerable adults by changing law to authorize any person to take any action to rescue them, without any liability, if they believe it necessary due to extreme temperatures in a motor vehicle. House Committee on Judiciary recommended not to pass and the House adopted the recommendation.

New Hampshire – AKC GR and NH DOGS has successfully negotiated an amendment with Senator Sherman to address concerns with [SB 608](#) authorizing the public to take whatever action necessary to rescue an animal subject to extreme temperature in a motor vehicle, without liability. The amendment, under Senate Committee on Judiciary review, would authorize law enforcement to permit an individual with a witness present to rescue an animal under extreme circumstances.

Rhode Island – In January, the Rhode Island State Veterinarian posted specific requirements for animals imported for the purpose of fairs, shows, or exhibitions to prevent spread of infectious disease while allowing these events to proceed without needing to comply with general rules requiring current certificates of veterinary inspection. These will apply to dogs entering Rhode Island for less than 10 consecutive days to compete in AKC-sanctioned events and imposes requirements for individuals responsible for the events. After AKC GR

expressed concerns that aspects of the proposal may be difficult for event-giving clubs in Rhode Island to meet, the State Veterinarian met on March 2, 2020 with AKC GR and Rhode Island clubs to discuss how to accomplish the goals without burdening the clubs. The requested changes to the final rules were posted on April 14, 2020 and AKC GR has issued an alert expressing our collective appreciation to the State Veterinarian.

Rhode Island – After hearing from AKC GR, the House Majority Leader did not re-file legislation to establish an animal rights advisory council charged with making annual policy recommendations this session. However, a rank and file legislator has amended the title to establish an animal welfare advisory council with the original appointees and filed [House Bill 7606](#) for consideration this year. AKC GR is concerned the representation on the council would not provide a balanced policy perspective.

Rhode Island – The Senate President has established a [commission](#) relative to dangerous dogs with a goal of filing legislation to update state law. AKC GR presented a summary of effective state laws and AKC's model dangerous dog act on December 12, 2019. The commission is now finalizing its draft legislation after accepting input from AKC GR and other stakeholders.

Rhode Island – [House Bill 7912](#) would allow state courts to appoint a law student or volunteer lawyer to serve as an animal's advocate during court proceedings to represent the animal in the interests of justice. Advocates of the bill report having approval for the measure from the State Veterinarian and the chiefs of police. AKC GR has spoken with Rhode Island dog clubs about concerns the measure could result in changing the legal status of animals as property and reached out to the State Veterinarian to discuss it. A fact sheet is being drafted by AKC GR that club members can easily share with lawmakers, when the timing is appropriate.

Vermont – The Vermont Legislature committed to review formal recommendations by the VT Animal Cruelty Investigation Advisory Board. After informal discussions, including the Vermont Federation of Dog Clubs with input by AKC GR, the House Agriculture committee introduced [HB 940](#) establishing animal cruelty investigation, training and certification for animal control officers. The bill has been posted to the notice calendar for consideration. AKC GR will continue to work closely with the Federation on bill text.

Vermont – [HB 636](#) requires a dog trainer to inform his or her client of the methods and equipment that will be used to train the client's dog and of the risks and benefits of those methods and equipment, and to require the dog trainer to obtain the client's consent to that training. AKC GR plans to contact the bill sponsor to understand the rationale for the measure once the pandemic emergency subsides.