

New England's State Issues May 2020

By [AKC Government Relations](#)

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News from the New England State Capitols

Connecticut – The state department of agriculture publicly released notice of [draft regulations](#) overseeing animal importers and shelters. AKC GR reviewed the proposal and issued an [alert](#) encouraging the individual submission of recommendations for strengthening the proposed rules. The deadline for submitting comments is June 16, 2020 and AKC GR will submit formal comment.

Connecticut – The Connecticut legislature has adjourned for the year and multiple problematic bills were not adopted. For instance, [HB 5368](#) would have established 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 issued [an alert](#) with talking points on HB 5368 in opposition, because there is no guarantee that the interests of dog owners would have been represented on the taskforce.

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 – On May 8, 2020, the Joint Committee on Municipalities and Regional Government released a committee re-draft of multiple animal bills that did not include the [HB 1822](#) proposed ban on dogs outside and unattended opposed by AKC GR and Massachusetts dog owners, breeders, sportsmen and police officers that have dogs that would be negatively impacted. A re-draft would change current law per [AKC GR recommendations](#), but does not have a bill number or committee assignment at this time.

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 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 – [SB 2158](#) would create a civil infraction for presenting a pet dog as a service dog and authorize the executive office of labor and workforce development to prepare and make available to businesses upon request: (i) a decal suitable for posting in a front window or door stating that service dogs are welcome and that misrepresentation of a service dog is a violation of Massachusetts law; and (ii) a brochure detailing permissible questions a business owner may ask to determine whether a dog is a service dog, acceptable answers to those questions, and guidelines defining unacceptable behavior. It was favorably reported from the Joint Federal Affairs Committee on April 21, 2020 and sent to Senate Ways and Means for consideration. AKC GR supports this bill.

Massachusetts – [HB 4230](#) and [SB 2423](#) (“Nero’s bill”) 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.

Massachusetts – [SB 595](#) would prohibit insurance companies from denying homeowners or renters insurance, or from requiring a higher premium based upon breed, size or weight of a dog owned. On April 27, 2020, the bill was reported favorably by the Joint Committee on Financial Services Bill and was referred to the committee on Senate Ways and Means. The Massachusetts Federation of Dog Clubs and AKC GR support it.

New Hampshire – AKC GR and New Hampshire Dog Owners of the Granite State (NH DOGS) are waiting for the legislative session to resume June 11, 2020 when the House of Representatives are scheduled to meet. When they last met in March, the House voted 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 – [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 a fact sheet has been finalized with club logos for distribution to lawmakers when the session resumes.

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 and will submit testimony when committee hearings resume.

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 was now finalizing its draft legislation before the COVID-19 pause of the legislative session and after accepting input from AKC GR and other stakeholders.

Vermont – Animal rescues and shelters are [asking Governor Scott](#) for authority via emergency orders to resume importing animals into the state and considering breeding animals to meet the demand for pets. In 2016, registration and oversight requirements for animal importers and shelters were eliminated. The

Vermont Federation of Dog Clubs sent a letter to the Governor on May 21st stating that public health and safety requires registration, vaccination and quarantine by these organizations. AKC GR issued [an alert](#) encouraging emails be sent to the Governor in support of the letter.

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 House 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.

Stacey Ober, J.D.

Legislative Analyst & Community Outreach, New England Region
Government Relations



t: 919-816-3348 | e: stacey.ober@akc.org AKC’s website: www.akc.org
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