

New England State Issues April 2021

By [AKC Government Relations](#)

Links to bill text are embedded in the bill number.

Connecticut – [HB 6318](#) would update Connecticut’s statutes to align with federal service animal definitions and requirements under the Americans with Disabilities Act (ADA). It also would educate the public regarding the differences between service, emotional support, and therapy animals and raise awareness about the rights and responsibilities of these animal owners. AKC GR submitted testimony in support.

Connecticut – [HB 6504](#) would require a veterinary examination of animals brought into the state by animal shelters, among other helpful provisions. AKC GR issued an [alert](#) and testified in support of it.

Connecticut – On March 5, the Joint Planning and Development Committee considered [HB 6542](#) authorizing municipalities to adopt and enforce obligations and restrictions on pet retail sales. AKC GR issued an [alert](#) and testified in opposition. State law provides licensure, uniform animal care and conditions standards, and consumer protections for those who acquire pets at retail. Adopting this measure would result in a patchwork of different rules across the state. The bill has died in committee.

Connecticut – [SB 123](#) would increase the penalties for injuring or killing a police K-9 or volunteer search and rescue K-9. AKC GR supports the bill, and it was voted favorably by the Joint Public Safety Committee on March 4, 2021. An update urging supportive emails was posted by AKC GR because the bill is now on the Senate calendar for a vote.

Connecticut – [SB 458](#) would establish a state companion animal breeders license. AKC GR and the President of the Connecticut Federation of Dog Clubs and Responsible Dog Owners (CFDRDO) met virtually with the bill sponsor to hear what issues she was looking to solve. After AKC GR researched existing oversight authority for anyone selling more than two litters a year and provided this information to the bill sponsor, she did not move forward with the proposal.

Connecticut – [SB 923](#) would require the Connecticut Sentencing Commission to review the state’s animal cruelty laws and make recommendations to the Governor and General Assembly. AKC and the Connecticut Federation of Dog Clubs and Responsible Dog Owners (CFDRDO) are concerned that members of the commission do not have animal welfare experience. Testimony was submitted by AKC GR and CFDRDO, consistent with that of the Department of Agriculture, requesting collaboration with the department and subject matter experts. AKC GR had a phone call with the Executive Director of the commission to discuss the scope of such a review and secured a commitment to obtain input from animal welfare subject matter experts such as AKC and CFDRDO. The bill has moved favorably out of committee.

Maine – The Maine Department of Agriculture has filed an omnibus bill, [LD 103](#), that would allow it to employ any person considered necessary to assist in any response to a natural or man-made disaster affecting animals; appoint to the

Animal Welfare Advisory Council a person who is a pet food supplier and an attorney with experience in the state court system; and change the rabies vaccination requirement for a dog over 3 months of age instead of 6 months. The bill also provides for the revocation of animal control officer certification if the officer refuses or intentionally fails to perform the officer's statutory duties. AKC GR and the Maine Federation of Dog Clubs spoke to the Joint Committee on Agriculture, Conservation and Forestry on February 25, 2021 to express concerns with the rabies vaccination requirement at 3 months. An amendment providing an additional 30 days after a puppy turns 3 months to get the initial rabies vaccination was adopted before the committee favorably released the bill. GR also requested an amendment requiring that any assistant employed by the state to assist with animal emergencies such as hoarding cases, enter into a confidentiality agreement prohibiting the use of evidence collected for private fundraising purposes.

Maine – [LD 561](#) would require the Department of Agriculture, Conservation and Forestry to adopt rules that set standards for animal rescue entities, specify staff-to-animal ratios and govern animals that are returned multiple times and resold or placed in multiple homes. AKC GR contacted the bill sponsor and learned that an animal rescue operation with more than 50 dogs had only one person caring for them and that a vicious dog had been re-homed several times. At the public hearing on March 9, AKC GR testified regarding current standards of care and available enforcement provisions to address animal hoarding disorder situations. It was also suggested that animal rescue organizations and shelters be required to share known behavior histories with those looking to re-home a dog. On March 23, the committee voted to send a letter to the Governor requesting appointments to the eAnimal Welfare Advisory Council and asking that the council take up these issues instead of passing the resolution.

Massachusetts – [HD 326](#) would authorize the emergency transport and treatment of police K-9s injured in the line of duty. AKC GR issued an [alert](#) asking Massachusetts residents to contact their lawmakers and request that they co-sponsor the bill. Representative Xiarhos' office reports a resulting significant number of signatures. In addition, Senator Montigny has also re-filed the bill in the Senate, [SD 1177](#).

New Hampshire – On February 3, 2021, AKC GR testified with NH DOGS in support of [HB 249](#), which would authorize animal shelters to own or lease a facility rather than be required to own it. It also clarifies which exemptions apply to animal shelters for obtaining health certificates and requires that shelters contact the microchip owner of record before any transfer of the animal. The House Environment and Agriculture Committee [amended](#) and unanimously voted to favorably release the bill on February 18, 2021. [Read](#) AKC GR's alert. It has passed the House and been sent to the Senate Energy and Natural Resources Committee.

New Hampshire – Prior to enactment of a 2019 law, a commercial breeder in the state who transferred fewer than 50 dogs in a year was not required to get municipal zoning authorization as a prerequisite for state licensure. However, in 2019, legislation was enacted that removed the state's definition of commercial breeder and classified a person as a pet vendor if they transfer 25 dogs in a 12-

month period. Additionally, prior to 2019, breeders that were classified as commercial breeders but who transferred fewer than 50 dogs in a year were not required to receive municipal zoning authorization before applying for their state license. The 2019 change required all applicants for a pet vendor license to obtain municipal zoning authorization. As a result of this legislative change, several dog breeders that were previously licensed were not granted municipal zoning authorization and have been unable to obtain the state's new pet vendor license. This has resulted in the violation of due process for those dog breeders. [HB 250](#) seeks to address these issues by (1) raising the minimum transfer threshold to 35 dogs, and (2) "grandfathering" those breeders who were not previously required to petition local authorities for authorization before obtaining a state license so they will not need local authorization before applying to operate as a pet vendor. In early February, AKC GR and the New Hampshire Dog Owners of the Granite State testified in support of HB 250 in the House Environment and Agriculture Committee. The bill has passed the House and been sent to the Senate Energy and Natural Resources Committee.

New Hampshire – To deter dog theft and illegal tampering with tracking dog collars, [HB 338](#) would increase the penalty from a misdemeanor offense to a class B felony. AKC GR testified in support of this bill on February 10, 2021. Committee members expressed concerns that the bill only applied to dogs, regarding how the value of a dog would be determined, and what level of offense would be an appropriate criminal charge. In March, the committee released an amended bill that would increase the penalty each time an individual stole a dog from a criminal misdemeanor through a class A felony for a third offense. It has passed the House and has been sent to the Senate Judiciary Committee.

New Hampshire – Two amended bills regarding the creation of a state-wide animal records database continue to move. AKC GR and NH DOGS expressed concerns about [HB 532](#) to the House Environment and Agriculture Committee when it considered the bill in late January. The committee favorably released an amended version of the bill that addressed AKC's and NH DOGS' concerns. HB 532 was later considered by the House Ways and Means Committee, during which AKC GR explained the rationale for the changes. [Read more about HB 532 here.](#) House Ways and Means worked with Representatives to insert the committee's amended text in the House budget, HB 2, which has passed and been sent to Senate Finance. Meanwhile, in early February, the Senate Finance Committee hosted a hearing on [SB 127](#), an appropriations bill that also featured the unamended animal records database text of HB 532. During the hearing, AKC GR requested that the committee adopt the same changes as were made to the House bill. The Senate Finance Committee responded favorably to the requests from AKC GR, NH DOGS, and New Hampshire dog owners by adopting an amended version of SB 127 that largely reflects the acceptable animal records database text adopted by the House. The Senate and House Finance Committees are now working on budget negotiations and will resolve the differences in text.

New Hampshire – [SB 17](#) would, among provisions, authorize municipalities to adopt ordinances permitting dogs outside at brew pubs. AKC supports this

provision and submitted testimony on March 23, 2021, to the House Commerce and Consumer Protection committee.

New Hampshire – [SB 122](#) would, among other provisions, increase the penalties from a misdemeanor to a felony for a person who injures or kills; or allow their animal to injure or kill, a working service dog. AKC GR submitted testimony in support. Subsequently, the Senate Committee on the Judiciary voted favorably to release an amended bill that preserves this section. The bill has passed the Senate and is moving to a House committee for review.

New Hampshire – [SB 110](#) would allow only a citizen given permission by law enforcement officer and with a witness present to open a motor vehicle and release an animal in heat distress. These protections are the result of AKC GR's advocacy with the bill sponsor and identification of concerns, such as theft, last session. The bill has been approved by the Senate and is moving to the House for consideration.

Rhode Island – Re-filed from 2019, [HB 5040](#) would establish an animal cruelty registry prohibiting offenders from owning animals in the future by requiring pet sellers and shelters to review the registry before transferring an animal. Violations would result in significant fines. AKC GR joined the Rhode Island American Civil Liberties Union to testify at the February 9, 2021 hearing and expressed concerns that registries have been found ineffective at preventing animal cruelty, and instead and encouraged the committee to consider using more effective tools. The committee has held the bill for further study.

Rhode Island – On March 10, 2021, the House Judiciary Committee heard testimony on [HB 5569](#), which would allow the district court to include pets in a temporary protective order for domestic violence victims. The family court has this authority already. AKC GR submitted testimony in support of this measure to protect pets from violence in domestic situations. The committee has held the bill for further study.

Rhode Island – [HB 5577](#) would authorize court-appointed legal advocates for animals. Appointing lawyers for animals “in the interests of justice” implies animals have legal non-human rights. AKC GR issued an [alert](#) and testified in opposition to the bill. The House committee has retained the bill to review it further. On March 4, the Senate President introduced an identical bill as [SB 534](#), and the Senate Minority Leader introduced another companion bill, [SB 601](#). AKC GR developed a fact sheet, and Rhode Island dog clubs and members are contacting their lawmakers to express opposition to these bills. AKC GR has reached out to other affected stakeholders such as the Department of Environmental Management, Attorney General and the Rhode Island Supreme Court.

Rhode Island – [HB 5580](#), would authorize courts to use criteria for child custody disputes in awarding custody of a pet upon the dissolution of marriage. AKC GR submitted written testimony in opposition to courts using criteria governing child custody disputes for animals. The committee has held the bill for further study.

Rhode Island – [HB 5617](#) would place a lifetime ban on the possession of animals for anyone convicted of serious animal cruelty. Testimony was submitted for the March 3, 2021 hearing by the House Judiciary Committee noting the bill fails to address how the convicted would be monitored for the duration of their lifetime. The bill may also unintentionally remove a tool judges have to obtain agreement to

engage in mental health counseling by a defendant whose conduct was the result of mental illness. The committee has held the bill for further study.

Rhode Island – [HB 5736](#) would ban tethering a dog outside for more than 30 minutes when the temperature is below 32 degrees or above 90 degrees Fahrenheit. AKC GR testified in opposition before the House Judiciary Committee on March 9, 2021, because current law provides that animal control officers may address any weather situation where a dog might be at risk of harm. Adding specific temperatures to the law could diminish protections for any breed that tolerates only moderate climates and punish owners of breeds that thrive in lower temperatures. The committee has held the bill for further study.

Vermont – [HB 316](#) would clarify that a hunter training dogs or using dogs to hunt black bear must retain visual and verbal control over the dogs while hunting. This is in response to two serious bear hunting dog attacks of people hiking. It has been forwarded to the House Committee on Natural Resources, Fish, and Wildlife for review. On March 30 and 31, 2021, the committee heard testimony from invited guests on this bill and three others with impact on hunting and sporting activities. [HB 167](#) would change the composition and role of the Vermont Fish and Wildlife board; [HB 172](#) would ban bear hunting with dogs and create a nuisance wildlife trapping license and [HB 411](#) would enact wildlife wanton waste restrictions. AKC GR submitted written testimony to the committee in response to questions about dog owner liability during their deliberations and issued an [alert](#) to Vermont clubs.

Vermont – HB 250 would establish strict liability for a dog owner if their dog caused serious harm to a person or another's domestic animal. Approximately 36 states have some form of strict liability statute in place.

Vermont – The Vermont Federation of Dog Clubs met virtually with AKC GR to review [HB 369](#), which would create standards for care of domestic pets, and other bills filed for consideration. Although HB 369 was never taken up, other bills have moved forward this session.

Vermont – The House Agriculture Committee released [HB 421](#), which would provide training and oversight for animal control officers. The House of Representatives voted favorably and sent the bill to the Senate for consideration on March 12, 2021. AKC GR supports the bill and is working closely with the Vermont Federation of Dog Clubs to adopt an amendment defining “humane societies” and facilitate its passage this session.

Stacey Ober, J.D.

Legislative Analyst & Community Outreach, New England Region
Government Relations



t: 919-816-3348 | e: stacey.ober@akc.org

A Salute to AKC's Canine Health Foundation! Celebrating 25 Years with \$59.5 million funded to improve the health of all dogs and their owners through scientific research and dissemination of health information to prevent, treat and cure canine disease. www.akcchf.org