

# New England State Capitol Issues July 2021

By [AKC Government Relations](#)

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**Connecticut** – In addition to other helpful provisions, [HB 6504](#) requires a veterinary examination of animals brought into the state by animal shelters. AKC GR issued an [alert](#) and testified in support of HB 6504. The House and Senate approved the bill, and it is now [Public Act 21-90](#).

**Maine** – In contested divorce proceedings involving the disposition of a companion animal, [LD 535](#) would require courts to consider the well-being of the animal and a list of relevant factors, including the ability of a party to financially support the ownership of the animal and provide it adequate care, before awarding ownership. AKC GR expressed no concerns about the bill and the legislature voted to enact it on June 8, 2021. It became law without the Governor's signature.

**Massachusetts** – [HB 2547](#) would authorize the emergency transport and treatment of police K-9s injured in the line of duty. AKC GR urged Massachusetts residents to contact their lawmakers and request that they co-sponsor the bill; and as a result, a significant number of new legislators signed on as co-sponsors. A companion bill, [SB 1606](#), was refiled in the Senate. AKC GR issued an [alert](#) noting both bills will be heard by the Joint Public Safety and Homeland Security Committee on July 14, 2021.

**Massachusetts** – [SB 230](#) and [HB 384](#) are refiled bills that seek to ban the retail sale of cats and dogs in pet shops unless they are sourced from animal shelters or rescue organizations. Similar to past versions, the proposed animal shelter and rescue definitions are problematic because they exclude rescue activities by breeders. The bills initially were assigned to the Joint Consumer Protection and Professional Licensure Committee for review, which last session redrafted them to create consumer protections irrespective of the source of the pet. The bills have been reassigned to the Joint Committee on Environment, Natural Resources and Agriculture. AKC GR anticipates public hearings this fall.

**Massachusetts** – [HB 305](#) was introduced in response to a fatal attack on a 7 month-old puppy at a dog daycare facility. "Ollie's Law" would establish state licensure for commercial boarding and training kennels and require staff to dog ratios, group sizes and supervision, housing and care conditions, indoor and outdoor physical facility requirements, dog handling, insurance, and fire and emergency plans. In addition, the state would approve required training programs regarding animal behavior, dog body language, and other subjects for employed staff. Injuries to dogs or people would be reported to the state. Other types of kennels (including personal kennels), may be required in the future to also obtain a state license in addition to a municipal kennel license, with the imposition of rules and regulations relating to animal care and health suggested by an advisory committee. Penalties for violations are not specified. AKC GR issued an [alert](#) that a public hearing is scheduled for July 12, 2021.

**Massachusetts** – [HB 378](#) would require anyone who grooms a pet for money to pass approved testing standards and obtain a state grooming license. Grooming facilities would also undergo periodic inspections to ensure compliance with rules and regulations issued. Use of a cage or box dryer would be prohibited. Violations would result in penalties ranging from \$100 to \$1,000 per offense. A public hearing is scheduled for July 12, 2021, as detailed in AKC GR's [alert](#).

**New Hampshire** – AKC GR and NH DOGS testified in support of [HB 249](#), which seeks to authorize animal shelters to own or lease a facility rather than be required to own it. The bill also clarifies which exemptions to health certificate requirements apply to animal shelters, and requires that shelters contact the microchip owner of record before any transfer of the animal. HB 249 passed the House. AKC GR also testified in support of HB 249 before the Senate Energy and Natural Resources Committee. The bill passed the Senate, and then the House on June 11. [Read more.](#)

**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. 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. 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 who were previously licensed were not granted municipal zoning authorization and have been unable to obtain the state's new pet vendor license, which is a violation of their due process rights. [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. AKC GR and the New Hampshire Dog Owners of the Granite State testified in support of the bill. The House passed the bill, and the Senate Energy and Natural Resources Committee amended it by lowering the dog transfer threshold to 30 and voted it favorably. The bill, as amended, passed in the Senate, and on a voice vote in the House. The Senate changes were accepted by the House on June 10, 2021.

**New Hampshire** – AKC GR testified in support of [HB 338](#), which seeks to increase the penalty for dog theft and illegally tampering with tracking collars from a misdemeanor to a class B felony. The House Criminal Justice and Public Safety released an amended bill that would increase the penalty each time an individual stole a dog, from a criminal misdemeanor up to a class A felony for a third offense. AKC GR and other advocates communicated support for the bill to Senate Energy and Natural Resources Committee, which amended the House-passed bill by increasing the crime from a misdemeanor to a felony after two offenses and preserved the penalty for illegally tampering with tracking dog collars. The amended bill passed the Senate on May 13 and the House agreed to the Senate changes on June 10, 2021.

**New Hampshire** – Two bills containing amended language regarding the creation of a statewide animal records database advanced this session. After AKC GR and NH DOGS expressed concerns about [HB 532](#), a positively amended version of the bill was incorporated into House Budget Bill HB 2. The Senate Finance Committee adopted the amended language in their appropriations bill. The House and Senate conference committee budget bill included the positive text supported by AKC GR and NH DOGS. [HB 2, as amended](#), was signed into law by the Governor on June 25, 2021.

**New Hampshire** – [SB 17](#) would, among other provisions, authorize municipalities to adopt ordinances permitting dogs outside at brew pubs. AKC supports this provision and submitted testimony to the House Commerce and Consumer Protection Committee. The committee voted to retain the bill for further consideration.

**New Hampshire** – [SB 122](#) would, among other provisions, increase the penalty from a misdemeanor to a felony for a person who injures or kills, or who allows their animal to injure or kill, a working service dog. AKC GR submitted testimony in support of this provision. The Senate Committee on the Judiciary voted favorably to release an amended bill that preserves the language supported by AKC. The bill passed in the Senate and was favorably released by the House Committee on Criminal Justice and Public Safety with changes. A conference committee was unable to resolve differences in bill text before the deadline.

**Rhode Island** – Refiled from 2019, [HB 5040](#) seeks to create a statewide animal cruelty registry. The intent of the bill is that offenders listed on the registry would be prohibited from owning animals because the bill would require all pet sellers and shelters to check the registry before transferring an animal, with significant fines for violations. AKC GR and the Rhode Island American Civil Liberties Union expressed significant concerns with the bill at a House Judiciary Committee

Hearing. AKC noted specific concerns with the ineffectiveness of registries at preventing animal cruelty and the ease at which cruelty violators would be able to evade the registry, and encouraged the committee to consider more effective means. The committee held the bill for further study, and no action was taken before adjournment.

**Rhode Island** – The House Judiciary Committee considered testimony on [HB 5569](#), which seeks to allow district courts to include pets in temporary protective orders for domestic violence victims. While family courts already have this power, AKC GR submitted testimony in support of this measure to further protect pets from violence in domestic situations. The committee held the bill for further study, and no action was taken before adjournment.

**Rhode Island** – [HB 5577](#) would authorize court-appointed legal advocates for animals. AKC GR issued an [alert](#) and testified in opposition to the bill before the House Judiciary Committee, which retained the bill for further review. The Senate President introduced [SB 534](#) and the Senate Minority Leader introduced [SB 601](#), companion bills to HB 5577. AKC GR developed a fact sheet for constituents and contacted potentially impacted governmental stakeholders, including the Department of Environmental Management, Attorney General, and the Rhode Island Supreme Court. AKC GR, AKC clubs in the state, and the RI ACLU testified in opposition and met with lawmakers and staff. A commitment was made by the Senate President to not move forward with the bills as introduced, and no action was taken before adjournment.

**Rhode Island** – In marriage dissolution cases, [HB 5580](#) would authorize courts to use the same criteria used in awarding the custody of a child for awarding the possession of a pet. AKC GR submitted written testimony in opposition to courts using criteria governing child custody disputes for animals. In the final days of the session, AKC GR issued an [alert](#) regarding elimination of the word “custody” and use of the words “possession” or “ownership” instead. The bill sponsor, Representative Charlene Lima, agreed to the changes and an [amended bill](#) was adopted in the House on July 1, 2021. The Senate did not take up the bill before adjournment.

**Rhode Island** – [HB 5617](#) would place a lifetime ban on the possession of animals by anyone convicted of serious animal cruelty. AKC expressed concerns that the bill could take away an important discretionary tool judges have to obtain agreement by a defendant to engage in mental health counseling to determine whether the conduct was the result of mental illness, and, if so, to order treatment. Moreover, as introduced, the bill did not address how a convicted person would be monitored for compliance for the duration of their lifetime. The House Judiciary Committee has held the bill for further study, and no action was taken before adjournment.

**Rhode Island** – [HB 5736](#) seeks to ban tethering a dog outside for more than 30 minutes when the temperature is below 32 degrees or above 90 degrees. Current law provides animal control officers with discretion to address any weather situation where a dog might be at risk of harm. Because adding specific temperatures to the law could diminish protections for a breed that tolerates only moderate temperatures and punish owners of breeds that thrive in lower temperatures, AKC testified in opposition to HB 5736 before the House Judiciary Committee. The committee retained the bill for further study, and no action was taken before adjournment.

**Rhode Island** – [SB 319](#) would authorize an officer to hold an animal rescued from a motor vehicle for up to 72 hours or until a court arraignment could be scheduled. Additionally, after a hearing, a court could order that the owner permanently surrender physical possession and ownership of the animal. AKC GR submitted written testimony expressing concerns with SB 319’s potentially onerous impacts. No action was taken before adjournment.

**Rhode Island** – [SB 489](#) establishes a process for animal owners to donate certain unused medications for use by nonprofit state and local facilities. The Governor signed the bill into law on July 3, 2021.

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AKC Reunite Expands Program Partnering with AKC Clubs to Donate K-9s to Local Agencies.

Go to <https://www.akcreunite.org/k9copgrantprogram/> and Learn More!