

2021 -- H 5876

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LC001750  
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

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A N A C T

RELATING TO ANIMALS AND ANIMAL HUSBANDRY -- SEIZURE OF ANIMALS  
BEING CRUELLY TREATED

Introduced By: Representatives Baginski, Serpa, Caldwell, and Potter

Date Introduced: February 24, 2021

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 4-1.2-2 of the General Laws in Chapter 4-1.2 entitled "Seizure of  
2 Animals Being Cruelly Treated" is hereby amended to read as follows:

3 **4-1.2-2. Notice of hearing.**

4 [\(a\)](#) Any authorized person making a seizure may file with a district court that has  
5 jurisdiction over the matter a verified petition plainly stating those facts as to bring such animal  
6 within the jurisdiction of the court and praying for appropriate action by the court in accordance  
7 with the provisions of this chapter. Upon the filing of the petition, the court shall cause a summons  
8 to be issued requiring the owner(s) or person(s) having responsibility for the care of the animal, if  
9 known, to appear in court at the time and place named, which summons shall be served not less  
10 than fourteen (14) days before the date of the hearing. If the owner(s) or person(s) having  
11 responsibility for the care of the animal is not known, notice of the time and place of the hearing  
12 shall be given by publication in a newspaper having a circulation in the town in which the officer  
13 took charge of the animal not less than fourteen (14) days before the date of the hearing. The court  
14 shall further give notice to the petitioner of the time and place of the hearing not less than fourteen  
15 (14) days before the date of the hearing.

16 [\(b\) In the event of a seizure in connection with an arrest for the alleged violation of any of](#)  
17 [the laws of this state enacted to prevent animal cruelty in which the owner of the seized animal\(s\)](#)  
18 [is the named defendant, if the verified petition described in subsection \(a\) of this section, is](#)

1 [presented to the court and the defendant at the time of arraignment, the district court shall set a date](#)  
2 [for the hearing at the time of arraignment, which hearing date shall be no later than fourteen \(14\)](#)  
3 [days following the date of arraignment and no separate summons shall be required to be served.](#)

4 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T

RELATING TO ANIMALS AND ANIMAL HUSBANDRY -- SEIZURE OF ANIMALS  
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1           This act would, in the event of a seizure of an animal due to an alleged act of animal cruelty,  
2 allow the defendant to be served the verified petition bringing such animal within the jurisdiction  
3 of the court and praying for appropriate action by the court at the time of arraignment in the district  
4 court, and would direct the district court to set a hearing date within fourteen (14) days.

5           This act would take effect upon passage.

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