

**2013 -- H 5494 SUBSTITUTE A AS AMENDED**

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LC01282/SUB A/2  
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**STATE OF RHODE ISLAND**

**IN GENERAL ASSEMBLY**

**JANUARY SESSION, A.D. 2013**

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A N A C T

RELATING TO ANIMALS AND ANIMAL HUSBANDRY

Introduced By: Representatives DeSimone, Ackerman, Lima, Fellela, and Shekarchi

Date Introduced: February 14, 2013

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1           SECTION 1. Section 4-1-3 of the General Laws in Chapter 4-1 entitled "Cruelty to  
2   Animals" is hereby amended to read as follows:

3           **4-1-3. Unnecessary cruelty.** -- (a) Every owner, possessor, or person having the charge  
4   or custody of any animal, who cruelly drives or works that animal when unfit for labor, or cruelly  
5   abandons that animal, or who carries that animal or causes that animal to be carried, in or upon  
6   any vehicle or otherwise in a cruel or inhuman manner, or who fails to provide that animal with  
7   adequate living conditions as defined in subsection (c), or willfully, intentionally, maliciously,  
8   recklessly, and/or knowingly authorizes or permits that animal to be subjected to unnecessary  
9   torture, suffering or cruelty of any kind, or who places or causes to have placed on any animal  
10   any substance that may produce irritation or pain, or that is declared a hazardous substance by the  
11   U.S. food and drug administration or by the state department of health, shall be punished for each  
12   offense in the manner provided in section 4-1-2.

13           (b) The substances proscribed by subsection (a) do not include any drug having curative  
14   and therapeutic effect for disease in animals and which is prepared and intended for veterinary  
15   use.

16           (c) For purposes of this chapter, "adequate living conditions" means a sanitary  
17   environment which is dry and free of accumulated feces and free of debris and garbage that may  
18   clutter the environment, pose a danger or entangle the animal. The environment in which the  
19   animal is kept must be of sufficient size so as not to inhibit comfortable rest, normal posture or

1 range of movement, and suitable to maintain the animal in a good state of health.

2 (d) University or college research facilities or hospital laboratories licensed and/or  
3 inspected by the U.S. department of agriculture or the U.S. public health service of the  
4 department of health and human services shall be exempt from the provisions of this act provided  
5 that they are in good standing with the federal agency responsible for licensing or assurance of  
6 the facility.

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

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
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1           This act would expand the meaning of unnecessary cruelty to one who willfully,  
2 intentionally, maliciously, recklessly and/or knowingly authorizes or permits an animal to be  
3 subjected to unnecessary torture, suffering or cruelty of any kind. This act would also define  
4 “adequate living conditions”.

5           This act would take effect upon passage.

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