

2014 -- H 7670

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2014

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A N A C T

RELATING TO ANIMALS AND ANIMAL HUSBANDRY -- DOGS

Introduced By: Representatives Palangio, Canario, Cimini, Lima, and DeSimone

Date Introduced: February 27, 2014

Referred To: House Health, Education & Welfare

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 4-13-42 of the General Laws in Chapter 4-13 entitled "Dogs" is
2 hereby amended to read as follows:

3 **4-13-42. Care of dogs.** -- (a) It shall be a violation of this section for an owner or keeper
4 to:

5 (1) Keep any dog on a permanent tether that restricts movement of the tethered dog to an
6 area less than one hundred thirteen square feet (113 sq. ft.), or less than a six foot (6') radius at
7 ground level.

8 (2) Tether a dog with a choke-type collar or prong-type collar.

9 (3) Keep any dog tethered for more than ten (10) hours during a twenty-four (24) hour
10 period or keep any dog confined in a pen, cage or other shelter for more than fourteen (14) hours
11 during any twenty-four (24) hour period.

12 (4) Keep any dog outside either tethered, penned, caged, fenced or otherwise confined
13 without access to an outdoor housing facility when the ambient temperature is beyond the
14 industry standard for the weather safety scale as set forth in the most recent adopted version of
15 the Tufts Animal Care and Condition Weather Safety Scale (TACC) if the dog is showing signs
16 of poor health due to the weather conditions.

17 (5) Fail to provide any dog with daily proper nourishment and access to adequate water at
18 a drinkable temperature, quality and quantity as required by the species, breed, size and age of
19 said dog, which will allow and foster normal growth and maintenance of body weight.

1 (6) Fail to maintain a sanitary environment, which is dry and free of accumulated feces,
2 and free of debris and garbage that may clutter the environment so as not to inhibit comfortable
3 rest, normal posture and range of movement or pose a danger to or entangle a dog, pursuant to the
4 industry standard for the environmental health scale as set forth in the most recently adopted
5 version of the Tufts Animal Care and Conditions Scale (TACC).

6 (7) Fail to maintain said dog's health with minimum veterinary care, and a healthy
7 physical condition as set by the industry standard for the body condition scale, and physical care
8 scale as set forth in the most recently adopted version of the Tufts Animal Care and Conditions
9 Scale (TACC).

10 ~~(b) It shall be a violation of this section for an owner or keeper to fail to provide a dog~~
11 ~~with adequate feed, adequate water, or adequate veterinary care as those terms are defined in~~
12 ~~section 4-19-2; provided however, that adequate veterinary care may be provided by an owner~~
13 ~~using acceptable animal husbandry practices.~~

14 ~~(e)~~(b) Any person in violation of this section shall be given a warning for a first
15 violation. Second and subsequent violations of this subsection can be considered a violation of
16 section 4-1-2. Each day of violation shall constitute a separate offense.

17 ~~(d)~~(c) The provisions of this section shall not apply:

18 (1) If the tethering or confinement is authorized for medical reasons in writing by a
19 veterinarian licensed in Rhode Island, the authorization is renewed annually, and shelter is
20 provided;

21 (2) If tethering or confinement is authorized in writing by an animal control officer;

22 (3) To a training facility, grooming facility, commercial boarding kennel, pet shop
23 licensed in accordance with chapter 4-19, animal shelter, municipal pound or veterinary facility;

24 (4) To licensed hunters, field trial participants or any person raising or training a gun dog
25 or hunting dog, provided that the licensed hunter or field trial hunt test participant is actively
26 engaged in hunting, training or field trial hunt testing or is transporting the dog to or from an
27 event;

28 (5) To livestock farmers who use their dogs to protect their livestock from predators;

29 (6) To an exhibitor holding a class C license under the Animal Welfare Act, (7 U.S.C.
30 section 2133) that are temporarily in the state; or

31 (7) To sled dog owners who are actively training their dogs to pull sleds in winter
32 conditions.

33 ~~(e)~~(d) Any person in violation of this section shall be imprisoned not exceeding eleven
34 (11) months, or fined not less than fifty dollars (\$50.00) nor exceeding five hundred dollars

1 (\$500), or both. Each day of violation shall constitute a separate offense.

2 ~~(f)~~(e) General agents or special agents of the Rhode Island Society for the Prevention of
3 Cruelty to Animals (RISPCA) are hereby authorized to enforce the provisions of this chapter in
4 cooperation with animal control officers.

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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RELATING TO ANIMALS AND ANIMAL HUSBANDRY -- DOGS

1 This act would require that the sheltering and nourishment of dogs conform to the
2 industry standards established by the Tufts Animal Care and Conditions Scale regarding outside
3 sheltering, proper nourishment, sanitary conditions and physical condition. Violations of this act
4 would require a warning for the first violation with second and subsequent violations punishable
5 by imprisonment not exceeding eleven (11) months or a fine not less than fifty dollars (\$50.00)
6 not exceeding five hundred dollars (\$500), or both.

7 This act would take effect upon passage.

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