

2021 -- H 5617

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

A N A C T

RELATING TO ANIMALS AND ANIMAL HUSBANDRY -- CRUELTY TO ANIMALS

Introduced By: Representative William W. O'Brien

Date Introduced: February 18, 2021

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.**

4 (a) Every owner, possessor, or person having the charge or custody of any animal, who
5 cruelly drives or works that animal when unfit for labor, or cruelly abandons that animal, or who
6 carries that animal or who fails to provide that animal with adequate living conditions as defined
7 in § 4-1-1, or who engages in the hazardous accumulation of animals as defined in § 4-1-1, or
8 causes that animal, to be carried, in or upon any vehicle or otherwise, in a cruel or inhuman manner;
9 or willfully, intentionally, maliciously, recklessly, and/or knowingly authorizes or permits that
10 animal to be subjected to unnecessary torture, suffering, or cruelty of any kind; or who places, or
11 causes to have placed, on any animal any substance that may produce irritation or pain or that is
12 declared a hazardous substance by the U.S. Food and Drug Administration or by the state
13 department of health, shall be punished for each offense in the manner provided in § 4-1-2. If the
14 offense described in this section results in the death of the animal, the person shall be punished in
15 the manner provided in § 4-1-5. If any owner, possessor, or person having the charge or custody of
16 any animal is found guilty of or pleads nolo contendere to a violation of this section and said
17 violation involves the hazardous accumulation of animals, the court shall, in imposing a penalty
18 under this section, take into account whether the defendant's conduct could be considered to be the
19 result of a mental health disorder as defined in § 27-38.2-2.

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

3 (c) University, college, or hospital research facilities licensed and/or inspected by the U.S.
4 Department of Agriculture or the U.S. Public Health Service of the Department of Health and
5 Human Services shall be exempt from the provisions of subsection (a) provided that they are in
6 good standing with the federal agency responsible for licensing or assurance of the facility.

7 (d) A person convicted of killing an animal or under circumstances commits unnecessary
8 cruelty amounting to torture under subsection (a) of this section shall not harbor, own, possess,
9 exercise control over, adopt, or foster an animal for their lifetime. Any person found in violation of
10 this section may, in addition to any other punishment provided by law, be fined in an amount not
11 to exceed one thousand dollars (\$1000) for each animal held in unlawful ownership or possession.
12 Any animal involved in a violation described in this subsection shall be forfeited to the Rhode
13 Island Society for the Prevention of Cruelty to Animals pursuant to § 4-1-22.

14 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 -- CRUELTY TO ANIMALS

1 This act would prohibit a person convicted of unnecessary cruelty to animals from owning
2 or exercising control of an animal for life and be subject to fine of one thousand dollars (\$1000)
3 for each violation of this act. Any animal involved in the offense would be forfeited to the Rhode
4 Island Society for Prevention of Cruelty to Animals.

5 This act would take effect upon passage.

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