



## **An Act to Update the Animal Control Laws of Massachusetts**

### **HB4956 (formerly SB2172/SB406/SB2120/SB2151)**

**Bill Sponsored by Sen. Jehlen**

**Lobby Day planned for Thursday, October 21, 2010, 10:30 am  
at the State House**

**This bill is still active – we have until December 31 to get it passed  
and we must succeed!**

Many of the laws that govern animal control date back to the 1800s. Currently, there are numerous problems with the outdated statutes that impact the animal control programs in our 351 cities and towns, leaving both the public and animals unprotected in many ways. It has passed the Senate and is now in House Steering and Policy.

#### **About the bill:**

This bill would improve the mandatory spay/neuter law for shelters and animal control facilities, strengthen the dangerous dog ordinance (while preventing breed-specific policies), create a spay/neuter fund and update kennel definitions.

#### **Summary of the bill:**

- Improves the dangerous dog law to prevent dog bites and possible attacks (without breed-specific legislation)
- Updates many irrelevant or outdated portions of the statutes.
- Raises funds through a voluntary tax check off to train animal control officers and fund low-cost spay/neuter surgery. Reduces the number of animals they impound, house, care for and euthanize by standardizing (in most cases, reducing) the holding period for stray animals and through improved licensing compliance resulting from trained, professional animal control officers.
- It doesn't raise fees, but updates some outdated fines for those who violate dangerous dog laws, etc.

### **Why are these changes needed?**

Many of the laws that govern animal control date back to the 1800s. Quite simply, the laws do not address the current state of animal control in our municipalities, which are no longer based on the county system. The fines and fees are outdated, as is the term “dog officer”; “animal control officer” more accurately describes the role fulfilled. These proposed changes are made to Chapter 140, sections 136A through 174D to update and make the animal control laws more efficient, current and effective. They will also save cities and towns money. At the beginning of every legislative session, many bills are filed to address a section or issue relating to animal control. For years, organizations, individuals, and legislators have been seeking a more comprehensive revision; S. 4956 is the result of stakeholder meetings to rework the sections in chapter 140 relating to animals.

### **What specifically would this bill do?**

- Provide funding through a voluntary tax check off for animal control officers to receive training.
- Create a statewide spay/neuter program through a voluntary tax check off and improve the mandatory spay/neuter law for shelters and animal control facilities.
- Add enforcement provisions to section 139A (the spay/neuter deposit law for animals adopted from shelters and animal control facilities).
- Update language relating to fines and fees
- Improve the dangerous dog law (while preventing ineffective breed-specific ordinances)
- Create categories for kennel licensing
- Add ferrets to 145B (the rabies vaccination requirement; ferrets were made legal in Massachusetts in 1996).
- Create consistency in the holding time for stray dogs
- Prohibit certain inhumane methods of euthanasia for dogs and cats
- Provide other meaningful updates to the state's antiquated animal control laws

H. 4956 would not cost money, it will actually minimize costs to municipalities by reducing the number of homeless animals and the associated cost to house and take care of them. Cities and towns could also likely save money from standardizing (reducing in most instances) the mandatory holding period for stray dogs. In addition, ensuring that animal control officers are trained and improving the dangerous dog law to protect public safety would provide indirect cost savings. The programs fund themselves through the voluntary tax check off.

The Animal Control Officers Association of Massachusetts (ACOAM), the Massachusetts Society for the Prevention of Cruelty to Animals (MSPCA), the Animal Rescue League of Boston, the state's Bureau of Animal Health within the Department of Agricultural Resources, the Massachusetts Veterinary Medical Association (MVMA) and MassFed have worked together to draft these changes.

**Email us if you can attend on 10/21 –  
info@massfeddogs.org**