



## **SUPPORT HB3704 – An Act Relative to the Regulation of Animal Shelters (Rep. Khan)**

### **PROBLEM:**

There are many excellent, well run rescues and shelters in Massachusetts. However there were an increasing number of rescues and shelters starting up which had no concept how to safely operate a shelter or rescue, and some established organizations that were operating in an unacceptable manner. It was clear to many, including the responsibly operating organizations, that there needed to be some oversight on this activity.

It became apparent that some rescues and shelters were importing animals from out of state. Some were meeting adopters in highway, hotel or abandoned movie theatre parking lots. Animals were off loaded directly to waiting adopters. Often no Interstate Health Certificates had been issued for the animals. Little or no records were kept. Wounds of unknown origin, behavior problems and various serious contagious diseases were involved. In some instances there were no veterinarians examining the animals.

If it was necessary to trace where an animal went after delivery, when a contagious, potentially fatal disease manifested itself, often the organizers had no records of where all the animals went, making it impossible to track other potentially infected animals. Records of where they came from were frequently non-existent. These infected animals could contaminate an adopter's pet that they previously owned.

Adequate record keeping appeared to be an issue for some in state rescues and shelters as well. There was no central registry for potential adopters to know who the responsible shelters or rescues were. Some organizations operating under the title of rescue or shelter were actually "for profit" businesses. Start-up groups had no concept how to safely operate a shelter or rescue.

### **HISTORY:**

The Department of Agricultural Resources issued an Emergency Order on May 26, 2005 requiring all rescues and shelters to register with the Department, obtain proof of being a non profit, keep certain records, including a description and ID of each animal, and the name, address and phone numbers of where each originated and where each went, and complete veterinary records including mortality when applicable. Additional requirements were instituted for out of state animals requiring a minimum of 48 hour isolation in an approved facility and an examination by a Massachusetts veterinarian.

During the time since the Order was issued, there has been a significant increase in both the number of rescues and shelters and animals that need assistance.

### **WHAT THIS BILL DOES:**

The bill will authorize the Department to promulgate regulations to better protect animal health in Massachusetts. This bill is very basic! The regulatory process will better address the needs of the various interested parties and the animals they intend to assist. It's flexibility will permit changes to be made more easily when necessary.

### **WHY YOU SHOULD SUPPORT:**

The necessity for the provisions within the Order have proven to be of a permanent nature and need. As such, passing this bill would allow the Department to promulgate appropriate regulations, with the involvement of the regulated community, to ensure animal health and safety in what is a still a growing practice!

### **FOR MORE INFORMATION:**

**Massachusetts Federation of Dog Clubs and Responsible Dog Owners**

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MassFed: 03/18/09

**HOUSE . . . . . No. 3704**

The Commonwealth of Massachusetts

PRESENTED BY: Kay Khan

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled: The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to the regulation of animal shelters.

Kay Khan 11th Middlesex  
William Smitty Pignatelli 4th Berkshire  
Denis E. Guyer 2nd Berkshire  
Anthony W. Petruccelli First Suffolk and Middlesex  
Cory Atkins 14th Middlesex

Brian P. Wallace 4th Suffolk  
Jennifer Benson 37th Middlesex  
Theodore C. Speliotis 13th Essex  
F. Jay Barrows 1st Bristol

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

**AN ACT RELATIVE TO THE REGULATION OF ANIMAL SHELTERS.**

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

To Amend Chapter 129 of the General Laws by inserting the following:

Section 39E: Animal Shelters and Rescue (rehoming) Organizations

**SECTION 1. Definitions:**

"Shelter" Any 501 (c)3 organization or other IRS not for profit status organization that finds homes for unowned animals.

"Rescue Organization" A 501 (c)3 organization or other IRS not for profit status organization other than a shelter as defined in this act that arranges for transfer of unowned dogs and cats to temporary or permanent homes in the Commonwealth of Massachusetts.

"Department" Department of Agricultural Resources

**SECTION 2:** The Department may promulgate rules and regulations for the operation of shelter and rescue organizations operating or conducting business in the Commonwealth of Massachusetts regarding the transfer of ownership of domestic animals, including but not limited to their importation, transportation, housing and medical treatment.