

SB2332 - Senate Rules - An Act to protect animal welfare and safety in cities and towns

Amendment ID: S2332-1

Amendment 1

Regarding Legally Trapped Furbearing Mammals

Ms. Gobi and Mr. Humason move to amend the bill by striking, in line 90, the words "this chapter" and inserting in place thereof the following words:- section 4

Amendment ID: S2332-2

Amendment 2

Penalties

Ms. Jehlen moves to amend the bill striking, in lines 93,239, and 279, the figure "7" and inserting in place thereof the following figure:- "5".

Amendment ID: S2332-3

Amendment 3

juveniles

Ms. Jehlen moves to amend the bill striking out section 7.

Amendment ID: S2332-4

Amendment 4

Wrongful Death or Injury of Animal Companions

Mr. Keenan moves to amend the bill by inserting the following sections:-

"SECTION X. Section 85A of chapter 272 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by striking out the first sentence.

SECTION XX. Said chapter 272, as so appearing, is hereby amended by inserting after section 85A the following section:-

Section 85A 1/2.

(a) As used in this section, the term "animal-companion" shall mean a dog, cat or any warm-blooded, domesticated non-human animal dependent on one or more human persons for food, shelter, veterinary care, or companionship. Animal-companion shall not include animals that are the subjects of legal, humane farming practices, legal, humane biomedical research practices or activities regulated by the federal Animal Welfare Act.

(b) A person who by willful, wanton, reckless or negligent act or omission kills or causes or procures the death of an animal-companion shall be liable in damages for the fair monetary value of the deceased animal to his or her human companions, including damages for the loss of the reasonably expected society, companionship, comfort, protection and services of the deceased animal to his or her human companions; reasonable burial expenses of the deceased animal; court costs and attorney's fees; and other reasonable damages resulting from the willful, wanton, reckless or negligent act or omission. Non-economic damages shall have a cap value of \$25,000.

(c) A person who by willful, wanton, reckless or negligent act or omission injures, or causes or procures to be injured, an animal-companion shall be liable in damages for the expenses of veterinary and other special medical care required; the loss of reasonably expected society, companionship, comfort, protection and services of the injured animal to his or her human companions; court costs and attorney's fees; and other reasonable damages resulting from the willful, wanton, reckless or negligent act or omission. Non-economic damages shall have a cap value of \$25,000.

(d) Damages under this section for injuries sustained by an animal shall be recovered in an action of tort by the aggrieved or a guardian ad litem or next friend, commenced within three years from the date of injury or from the date when the aggrieved or guardian ad litem or next friend knew, or in the exercise of reasonable diligence should have known, of the factual basis for a cause of action."

Amendment ID: S2332-5

Amendment 5

Preventing Irresponsible Backyard Breeding Practices

Mr. Montigny moves to amend the bill by inserting after Section 14 the following section:-

"SECTION __. Said section 136A of said chapter 140, as so appearing, is hereby further amended by inserting after the word "use", in line 79, the following words:- or a residential property where at least 1 sexually intact female dog is kept for the breeding and whelping of dogs."

Amendment ID: S2332-6

Amendment 6

Corrective Amendment

Mr. Montigny moves to amend the bill by striking, in line 140, the word "not"; and by striking, in line 237, the word "depicts" and inserting in place thereof the word "depictions".

Amendment ID: S2332-7

Duty to report

Mr. Tarr moves to amend the bill by striking in line 29 the word "shall" and inserting in place thereof the following:-"may".