

Governor Baker signs Montigny bill to prevent and punish animal cruelty

Senate Assistant Majority Leader and Rules Committee Chairman Mark C. Montigny (D-New Bedford) is pleased to announce that Governor Baker signed legislation this afternoon that will enhance the humane treatment of animals and prevent cruelty. Senate Bill 2646, An Act Protecting Animal Welfare and Safety in Cities and Towns ("PAWS II"), is now law following weeks of negotiations spearheaded by Conference Committee Chairman, Senator Montigny.

Montigny has been a longtime champion of animal welfare legislation in the Massachusetts State Senate, helping to create and fund the Homeless Animal Prevention and Care Fund as well as his landmark 2016 legislation to protect dogs from the deadly confines of hot cars and cruel tethering conditions.

PAWS II furthers anti-abuse measures first secured in the 2014 Protecting Animal Welfare and Safety bill inspired by the egregious brutality uncovered in the Puppy Doe case. In that case, "puppy doe" suffered broken bones, stab wounds, and severe burns. Radosław Czerkowski was convicted in March 2018 and sentenced to 8 to 10 years in prison.

"Our commitment towards ending the cruel and inhumane treatment of innocent animals is steadfast, and with this legislation we have taken significant action to protect their safety and welfare," said Conference Committee Chairman and lead cosponsor of the original, bipartisan bill, Mark Montigny. "There is zero tolerance for such despicable brutality and I want to thank Governor Baker for his approval today."

“PAWS II builds on the foundations of our original law and ensures that abuse is reported and enforced, and that our animal control laws reflect the seriousness of animal abuse,” said Senator Tarr. “Puppy Doe inspired me and many others to take strong legislative action to increase protections for animals and prevent animal cruelty and neglect. Animals deserve humane treatment and protections from those who would abuse them.”

Key provisions in PAWS II include the following:

Doubles the hit and run penalty for an accident involving dogs & cats – From \$50 to \$100 for a first offense – \$500 for subsequent offences and the cost of medical expenses up to \$2500, and or imprisonment in a house of correction for not more than 6 months.

Expands abuse reporting – Permits animal abuse to be reported by Department of Children and Families, the Department of Elder Affairs, and Disabled Persons Protection Commission employees. Adds animal control officers as mandatory reporters of child abuse, elder abuse, and abuse against disabled persons.

Requires abandoned animal checks in vacant properties – Property owners and landlords must check property for abandoned animals within three days following a foreclosure or termination of tenancy.

Ensures efficient enforcement of animal control laws – Increases fines for violations of dog control laws up to \$500 for a fourth offence.

Prohibits the drowning of animals – Declares that drowning of animals is a violation of animal cruelty law for non-licensed trappers or those registered with Fish and Wildlife

Prohibits engaging in sexual contact with an animal.

Removes automatic killing of animals involved in animal fighting – Removes a requirement to automatically kill animals involved in animal fighting. Animals will instead be evaluated individually for adoption if appropriate.

Adds animal crimes to the list of offenses that serve as the basis for a request for a dangerousness hearing.

Examines options to prohibit discrimination against specific dog breeds – Requires insurance companies to collect and report data of dog related incidents.