

HOUSE No. 3692

The Commonwealth of Massachusetts

PRESENTED BY:

Louis L. Kafka

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:

An Act relative to animal cruelty.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Louis L. Kafka</i>	<i>8th Norfolk</i>
<i>William C. Galvin</i>	<i>6th Norfolk</i>
<i>Ronald Mariano</i>	<i>3rd Norfolk</i>
<i>Bruce J. Ayers</i>	<i>1st Norfolk</i>
<i>Kathi-Anne Reinstein</i>	<i>16th Suffolk</i>
<i>Cory Atkins</i>	<i>14th Middlesex</i>
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>
<i>Jennifer E. Benson</i>	<i>37th Middlesex</i>
<i>John H. Rogers</i>	<i>12th Norfolk</i>
<i>Peter J. Durant</i>	<i>6th Worcester</i>
<i>Christine E. Canavan</i>	<i>10th Plymouth</i>
<i>Linda Campbell</i>	<i>15th Essex</i>
<i>Lori A. Ehrlich</i>	<i>8th Essex</i>
<i>Timothy R. Madden</i>	<i>Barnstable, Dukes and Nantucket</i>
<i>Steven S. Howitt</i>	<i>4th Bristol</i>
<i>Diana DiZoglio</i>	<i>14th Essex</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>
<i>Claire D. Cronin</i>	<i>11th Plymouth</i>

<i>John W. Scibak</i>	<i>2nd Hampshire</i>
<i>Elizabeth A. Poirier</i>	<i>14th Bristol</i>
<i>Daniel B. Winslow</i>	<i>9th Norfolk</i>
<i>Paul R. Heroux</i>	<i>2nd Bristol</i>
<i>Walter F. Timilty</i>	<i>7th Norfolk</i>
<i>James J. Dwyer</i>	<i>30th Middlesex</i>
<i>Sean Curran</i>	<i>9th Hampden</i>
<i>Jason M. Lewis</i>	<i>31st Middlesex</i>
<i>Timothy J. Toomey, Jr.</i>	<i>26th Middlesex</i>
<i>Leonard Mirra</i>	<i>2nd Essex</i>
<i>Gale D. Candaras</i>	<i>First Hampden and Hampshire</i>

HOUSE No. 3692

By Mr. Kafka of Stoughton, a petition (subject to Joint Rule 12) of Louis L. Kafka and others relative to animal cruelty. The Judiciary.

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act relative to animal cruelty.

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

1 SECTION 1. Section 77 of chapter 272 of the General Laws, as appearing in the 2012
2 Official Edition, is hereby amended by, in line 2, striking out the words, “,tortures, torments...
3 cruelly”

4 SECTION 2. Section 77 of chapter 272 of the General Laws, as appearing in the 2012
5 Official Edition, is hereby amended by, in line 3, striking out the words, “beats, mutilates or kills
6 an animal”

7 SECTION 3. Section 77 of chapter 272 of the General Laws, as appearing in the 2012
8 Official Edition, is hereby amended by, in line 4, striking out the word, “tortured”

9 SECTION 4. Section 77 of chapter 272 of the General Laws, as appearing in the 2012
10 Official Edition, is hereby amended by, in line 5, striking out the words, “tormented, cruelly
11 beaten, mutilated or killed”

12 SECTION 5. Section 77 of chapter 272 of the General Laws, as appearing in the 2012
13 Official Edition, is hereby amended by, in line 17, striking out the words, “unnecessary torture”

14 SECTION 6. Section 77 of Chapter 272 of the General Laws, as appearing in the 2012
15 Official Edition, is hereby amended by inserting after the first paragraph the following
16 paragraph:-

17 Whoever tortures, torments, cruelly beats, mutilates or kills an animal, or causes or
18 procures an animal to be tortured, tormented, cruelly beaten, mutilated or killed, or knowingly
19 and willfully authorizes or permits it to be subjected to unnecessary torture shall be punished by
20 imprisonment in the state prison for not more than 10 years or imprisonment in the house of

21 correction for not more than 2.5 years or by a fine of not more than \$25,000, or by both such fine
22 and imprisonment. In addition to any other sentence it may impose, a court shall order the
23 defendant to undergo a psychiatric, psychological or mental health evaluation, and if warranted
24 by the condition of the defendant, shall order the defendant to undergo appropriate care or
25 treatment. All costs of the evaluation, care and treatment shall be borne by the defendant. In
26 addition to any other penalty provided by law, upon conviction for any violation of this section
27 or of sections seventy-seven A, seventy-eight, seventy-eight A, seventy-nine A, seventy-nine B,
28 eighty A, eighty B, eighty C, eighty D, eighty F, eighty-six, eighty-six A, eighty-six B or ninety-
29 four the defendant shall forfeit to the custody of any society, incorporated under the laws of the
30 commonwealth for the prevention of cruelty to animals or for the care and protection of
31 homeless or suffering animals, the animal whose treatment was the basis of such conviction.