

**SENATE . . . . . No. 876**

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The Commonwealth of Massachusetts

PRESENTED BY:

***Mark C. Montigny***

*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 adoption of the accompanying bill:

An Act relative to a private cause of action to prevent the cruel and inhumane treatment of animals.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Mark C. Montigny</i>	<i>Second Bristol and Plymouth</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>
<i>Joseph W. McGonagle, Jr.</i>	<i>28th Middlesex</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>

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By Mr. Montigny, a petition (accompanied by bill, Senate, No. 876) of Mark C. Montigny, Jason M. Lewis, Joseph W. McGonagle, Jr., James B. Eldridge and others for legislation to prevent the cruel and inhumane treatment of animals. The Judiciary.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. 767 OF 2013-2014.]

The Commonwealth of Massachusetts

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**In the One Hundred and Eighty-Ninth General Court  
(2015-2016)**  
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An Act relative to a private cause of action to prevent the cruel and inhumane treatment of animals.

*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. Chapter 243 of the General Laws, as appearing in the 2012 Official Edition  
2 is amended by inserting after section 6 the following new section:-

3 Section 7. A party of interest may bring an action under this chapter for the protection  
4 and humane treatment of animals. It shall be proper in any action to combine causes of action  
5 against one or more defendants for the protection of one or more animals. A party in interest as  
6 plaintiff shall include any person even if the person does not have any legal interest or  
7 possessory rights in an animal. Such person has standing to bring an action under this section  
8 based on the public policy against animal mistreatment. The action may be commenced against  
9 any individual, guardian or any entity that has possession of an animal and has engaged in or

10 defendant shall include any guardian who has or is engaging in cruel or inhumane treatment of  
11 an animal or animals.

12 “Cruel and inhumane treatment of an animal or animals” shall include a violation of  
13 chapter 272, sections 77 to 80G or any circumstance in which the life, health or safety of the  
14 animal is at risk.