

2021 -- H 5188

LC000780

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

A N A C T

RELATING TO CRIMINAL OFFENSES -- TRADE IN ANIMAL FUR ACT

Introduced By: Representatives Serpa, O'Brien, Phillips, and Casey

Date Introduced: January 27, 2021

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 11 of the General Laws entitled "CRIMINAL OFFENSES" is hereby  
2 amended by adding thereto the following chapter:

3 CHAPTER 70

4 TRADE IN ANIMAL FUR PRODUCTS ACT

5 **11-70-1. Findings.**

6 The general assembly finds that animals that are slaughtered for their fur endure  
7 tremendous suffering. Animals on fur farms typically spend their entire lives in cramped and filthy  
8 cages. Fur farmers typically use the cheapest killing methods available, including suffocation,  
9 electrocution, gas and poison.

10 Fur farms are reservoirs and transmission vectors for dangerous zoonotic diseases,  
11 including SARS coronaviruses that threaten public health. Covid-19 infections have been  
12 confirmed at fur farms in Europe and North America, and scientific studies have linked mink,  
13 raccoon dogs and foxes, the animals most commonly farmed for their fur, to a variety of  
14 coronaviruses.

15 Considering the wide array of alternatives for fashion and apparel, the general assembly  
16 finds that the demand for fur products does not justify the unnecessary killing and cruel treatment  
17 of animals.

18 The general assembly believes that eliminating the sale of fur products in the state of Rhode  
19 Island will promote community awareness of animal welfare and, in turn, will foster a more humane

1 environment in Rhode Island.

2 **11-70-2. Definitions.**

3 As used in this chapter, the following words and phrases shall have the following meanings:

4 (1) “Fur” means any animal skin or part thereof with hair, fleece, or fur fibers attached  
5 thereto, either in its raw or processed state.

6 (2) “Fur product” means any article of clothing or covering for any part of the body, or any  
7 fashion accessory, including, but not limited to, handbags, shoes, slippers, hats, earmuffs, scarves,  
8 shawls, gloves, jewelry, key chains, toys or trinkets and home accessories and décor that is made  
9 in whole or in part with fur:

10 (i) “Fur product” shall not mean any of the following:

11 (A) A dog or cat fur product as defined in section 1098 of title 19 of the United States  
12 Code;

13 (B) Any animal skin or part thereof that is to be converted into leather, or which in  
14 processing will have the hair, fleece, or fur fiber completely removed;

15 (C) Lambskin or sheepskin with the fleece attached thereto; or

16 (D) The pelt or skin of any animal that is preserved through taxidermy or for the purpose  
17 of taxidermy.

18 (3) “Nonprofit organization” means any corporation that is organized under section  
19 501(c)(3) of title 26 of the United States Code that is created for charitable, religious, philanthropic,  
20 educational, or similar purposes.

21 (4) “Taxidermy” means the practice of preparing and preserving the skin of an animal that  
22 is deceased and stuffing and mounting it in lifelike form.

23 (5) “Ultimate consumer” means a person who buys for their own use, or for the use of  
24 another but not for resale or trade.

25 (6) “Used fur product” means a fur product that has been worn or used by an ultimate  
26 consumer.

27 **11-70-3. Prohibition.**

28 It is unlawful to sell, offer for sale, display for sale, trade, or otherwise distribute for  
29 monetary or non-monetary consideration a fur product in the state of Rhode Island.

30 **11-70-4. Exemptions.**

31 The prohibitions set forth in § 11-70-3, shall not apply to the following:

32 (1) A used product by a private party, excluding a retail transaction, nonprofit organization  
33 or second hand store, including a pawn shop;

34 (2) A fur product required for use in the practice of a religion; or

1           (3) An activity involving a fur product that is expressly authorized by federal or state law.

2           **11-70-5. Penalty.**

3           Any person convicted of violating this chapter shall be fined no less than five hundred  
4 dollars (\$500) nor more than five thousand dollars (\$5,000) per fur product and/or be imprisoned  
5 for a period not exceeding one year or both.

6           **11-70-6. Severability.**

7           If any provisions of this chapter or the application thereof to any person or circumstances  
8 is held invalid, such invalidity shall not affect any other provisions or applications which can be  
9 given effect without the invalid provision or application, and to this end the provisions of this  
10 chapter are declared to be severable.

11           SECTION 2. This act shall take effect six (6) months after passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

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1           This act would prohibit the sale, offer of sale, trade or distribution of fur products as defined  
2 and would make any violation punishable by a fine of five hundred dollars (\$500) up to five  
3 thousand dollars (\$5,000) and up to one year in jail.

4           This act would take effect six (6) months after passage.

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