

2011 -- S 0160

LC00358

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2011

A N A C T

RELATING TO ANIMALS AND ANIMAL HUSBANDRY -- CRUELTY

Introduced By: Senators Tassoni, Doyle, Hodgson, and Crowley

Date Introduced: February 03, 2011

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 4-1 of the General Laws entitled "Cruelty to Animals" is hereby
2 amended by adding thereto the following section:

3 **4-1-5.1. Animal confinement in motor vehicles prohibited.** – (a) No owner or person
4 shall confine any animal in a motor vehicle in such a manner that places it in a life or health
5 threatening situation by exposure to a prolonged period of extreme heat or cold, without proper
6 ventilation or other protection from such heat or cold. In order to protect the health and safety of
7 an animal, an animal control officer or law enforcement officer who has probable cause to believe
8 that this section is being violated shall have authority to enter such motor vehicle by any
9 reasonable means under the circumstances after making a reasonable effort to locate the owner or
10 other person responsible.

11 (b) A law enforcement officer or animal control officer may take all steps that are
12 reasonably necessary to remove an animal from a motor vehicle if the animal's safety, health or
13 well-being appears to be in immediate danger from heat, cold or lack of adequate ventilation and
14 the conditions could reasonably be expected to cause extreme suffering or death.

15 Nothing in this section shall prevent a law enforcement officer or animal control officer
16 from removing an animal from a motor vehicle if the animal's safety appears to be in immediate
17 danger from heat, cold, lack of adequate ventilation, lack of food or water, or other circumstances
18 that could reasonably be expected to cause suffering, disability, or death to the animal.

19 (c) A law enforcement officer or animal control officer who removes an animal in

1 accordance with the section shall, in a secure and conspicuous location on or within the motor
2 vehicle, leave written notice bearing the officer's or agent's name and office and the address of
3 the location where the animal may be claimed. The owner may claim the animal only after
4 payment of all charges that have accrued for the maintenance, care, medical treatment and
5 impoundment of the animal.

6 (d) A law enforcement officer or animal control officer who removes an animal from a
7 motor vehicle pursuant to this section is immune from criminal or civil liability that might
8 otherwise result from the removal.

9 (e) Any person who knowingly violates this section shall be punished by imprisonment
10 for a term not exceeding one year or by a fine of not more than one thousand dollars (\$1,000), or
11 both.

12 SECTION 2. This act shall take effect upon passage.

=====
LC00358
=====

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO ANIMALS AND ANIMAL HUSBANDRY -- CRUELTY

1 This act would make it a misdemeanor for anyone to confine any animal in a motor
2 vehicle in such a manner that places it in a life or health threatening situation by exposure to a
3 prolonged period of extreme heat or cold. It would allow law enforcement and animal control
4 officers to take all necessary actions to remove the confined animal from danger.

5 This act would take effect upon passage.

=====
LC00358
=====