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LC00204/SUB A/2
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2007

A N A C T

RELATING TO ANIMALS AND ANIMAL HUSBANDRY -- DOGS

Introduced By: Representatives Lewiss, Gallison, Handy, Lima, and Diaz

Date Introduced: January 24, 2007

Referred To: House Health, Education & Welfare

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 4-13-1.2 of the General Laws in Chapter 4-13 entitled "Dogs" is
2 hereby amended to read as follows:

3 **4-13-1.2. Definitions.** -- (1) "Board" means the rabies control board.

4 (2) "Department" means the department of environmental management or its successor.

5 (3) "Director" means the director of the department of environmental management (or its
6 successor) or his or her designee.

7 (4) "Division" means the division of agriculture.

8 (5) "Livestock" means domesticated animals which are commonly held in moderate
9 contact with humans which include, but are not limited to, cattle, bison, equines, sheep, goats,
10 llamas, and swine.

11 (6) "Owner keeper" means any person or agency keeping, harboring or having charge or
12 control of or responsibility for control of an animal or any person or agency which permits any
13 dog, cat, ferret, or domestic animal to habitually be fed within that person's yard or premises. This
14 term shall not apply to veterinary facilities, any licensed boarding kennel, municipal pound, pet
15 shop, or animal shelter.

16 (7) "Person" means an individual, firm, joint stock company, partnership, association,
17 private or municipal corporation, trust, estate, state, commission, political subdivision, any
18 interstate body, the federal government or any agency or subdivision of the federal government,
19 other government entity, or other legal entity.

1 (8) "Pets" means domesticated animals kept in close contact with humans, which
2 include, but may not be limited to dogs, cats, ferrets, equines, llamas, goats, sheep, and swine.

3 (9) "Quarantine" means the removal, isolation, the close confinement or related measures
4 of an animal under conditions and for time periods that are set by regulation of the board.

5 (10) "Guardian" shall mean a person(s) having the same rights and responsibilities of an
6 owner, keeper and both terms shall be used interchangeably. A guardian shall also mean a person
7 who possesses, has title to or an interest in, harbors or has control, custody or possession of an
8 animal and who is responsible for an animal's safety and well-being.

9 (11) "Tether" means the practice of fastening a dog to a stationary object or stake by a
10 chain, rope or other tethering device as a means of keeping the animal under control. The term
11 tether does not refer to the periods when an animal is walked on a leash.

12 (12) "Outdoor housing facility" means a structure that is the proper size for the dog,
13 impervious to moisture, has protection from the direct rays of the sun, and has a wind break at the
14 entrance. This includes but is not limited to dog houses, barns, garages and sheds.

15 (13) "Person having charge" means the owner, guardian, possessor or keeper of the dog.

16 SECTION 2. Chapter 4-13 of the General Laws entitled "Dogs" is hereby amended by
17 adding thereto the following section:

18 **4-13-13.1. Sheltering, tethering and nourishment of dogs. – (a) It shall be a violation**
19 **of this section for a person having charge to: (1) keep any dog outside, tethered, penned, caged,**
20 **fenced or otherwise confined for more than two (2) hours without access to an outdoor housing**
21 **facility.**

22 **(2) Keep any dog outside either tethered, penned, caged, fenced or otherwise confined**
23 **without access to an outdoor housing facility when the ambient temperature is beyond the**
24 **industry standard for the weather safety scale as set forth in the most recent adopted version of**
25 **the Tufts Animal Care and Condition Scale if the dog is showing signs of poor health due to the**
26 **weather conditions.**

27 **(3) Keep any dog on a tether less than six (6) feet long.**

28 **(4) Tether a dog with a choke-type collar or prong-type collar.**

29 **(5) Keep any dog tethered for more than ten (10) hours during a twenty-four (24) hour**
30 **period.**

31 **(6) Fail to provide daily proper nourishment required by the breed, age and size of said**
32 **dog, which will allow and foster normal growth and maintenance of body weight and access to**
33 **adequate water at drinkable temperature and quality.**

34 **(b) The provisions of this section shall not apply: (1) If the tethering or confinement is**

1 authorized for medical reasons in writing by a veterinarian licensed in Rhode Island which must
2 be renewed annually and an outdoor housing facility is provided or; (2) if such tethering or
3 confinement is authorized in writing by an animal officer: or (3) a training facility, grooming
4 facility, commercial boarding kennel, pet shop licensed in accordance with chapter 4-19, animal
5 shelter, municipal pound or veterinary facility.

6 (c) Any person in violation of this section shall be given a warning for a first violation.
7 Second and subsequent violations of this subsection can be considered a violation of section 4-1-
8 2.

9 (d) The Rhode Island Society for the prevention of cruelty to animals (RISPCA) and
10 animal control officers are hereby authorized to enforce the aforementioned as provided in this
11 title furthermore the (RISPCA) and animal control officers are hereby authorized and empowered
12 to examine the dog and to enter upon those grounds or premises for enforcement of the provisions
13 of this section.

14 SECTION 3. This act shall take effect on January 1, 2008.

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

1 This act would provide guidelines and penalties for any person that keeps a dog outside
2 tethered, penned, caged, fenced or otherwise confined without adequate shelter from the
3 elements.

4 This act would take effect on January 1, 2008.

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