



1 those for whom euthanasia is an escape from suffering or necessary to protect people and/or other  
2 animals from vicious behavior.

3 The general assembly therefor finds and declares that it intends to provide for the public  
4 health, safety and welfare through a program requiring spaying and neutering cats unless  
5 appropriate permits are acquired. The provisions of this chapter shall be in addition to the cat  
6 registration or identifying program requirements set forth in this title.

7 **4-24-3. Spaying and neutering.** – (a) No person, as defined by section 4-19-2, shall own  
8 or harbor, within the state, any cat over the age of six (6) months which has not been spayed or  
9 neutered, unless such person has adopted a cat from a licensed releasing agency as defined by  
10 section 4-19-2 and is subject to the spaying and neutering requirements of section 4-19-16 or  
11 holds either a license to keep an unaltered cat, or a license and permit for breeding cats issued by  
12 the animal control officer for the city or town in which they live, or unless the caretaker states  
13 that, due to age, health or illness it would be inappropriate to spay or neuter the cat and having in  
14 their possession a letter from a licensed veterinarian stating such, which shall be provided to the  
15 animal control officer.

16 (b) An "intact" permit shall be issued for an unaltered cat if the owner signs a written  
17 statement that such animal will not be allowed to breed unless the owner has first obtained a  
18 breeding permit. An "intact" permit may be issued by the animal control officer to an individual  
19 who refuses to spay or neuter their cat. The fee for such a permit shall be one hundred dollars  
20 (\$100) per year. All funds from "intact" permits shall be deposited in the city or town's  
21 spay/neuter account.

22 (c) Any person providing care or sustenance for an uninterrupted period of sixty (60)  
23 days or longer shall be deemed the owner of such animal and shall adhere to the provisions of this  
24 chapter. Provided, further, that cities and towns may, by ordinance, require a permit of persons  
25 who provide care or sustenance for colony(s) of feral cats.

26 **4-24-4. Breeding permits.** – (a) No person shall cause or allow any cat owned or  
27 harbored in the city or town in which they live to breed without first obtaining a breeding permit  
28 under this section.

29 (b) Each city or town animal control officer shall administer a permit program to allow  
30 the breeding of cats consistent with criteria and according to procedures contained in the city or  
31 town ordinances; provided, however, that where city's or town's have ordinances, specifically  
32 prohibiting the breeding of cats it shall be the city's or town's ordinances that shall govern with  
33 respect to that subsection or provision only.

34 (c) Each applicant who is issued a permit to breed cats under this section shall pay an

1 annual breeding permit fee of one hundred dollars (\$100) per cat.

2 (d) No person shall cause or allow the breeding of a male or female cat without first  
3 obtaining a breeding permit issued by the animal control officer. Breeding permits shall be valid  
4 for twelve (12) months, renewable on an annual basis for a fee of one hundred dollars (\$100) per  
5 cat. Herein, all breeding permits shall contain the following terms and conditions and be subject  
6 to all of the following requirements:

7 (1) No offspring may be sold or adopted and permanently placed until reaching an age of  
8 at least eight (8) weeks;

9 (2) No offspring may be sold or adopted until immunized against common diseases as  
10 determined by the director of environmental management in accordance with chapter 4-4 of the  
11 general laws to be contagious or injurious to public health or to the health of other animals;

12 (3) Any permit holder advertising to the public the availability of any animal for adoption  
13 or sale must prominently display the permit number in any publications in which they advertise.  
14 The permit number must be provided to any person adopting or purchasing any animal bred by  
15 the permit holder; and

16 (4) The breeding permit holder shall adhere to minimum standards regarding the care and  
17 keeping of animals pursuant to chapter 4-19.

18 **4-24-5. Sale or adoption of cats.** – (a) Any person or licensed business who provides or  
19 offers to the public, whether or not for compensation, any pet or pet related goods, where they are  
20 the primary products, or pet services shall provide to their clients, at no charge, information  
21 relating to pet care and ownership, including information on city and town laws pertaining to  
22 animal control.

23 (b) Any person offering cats for sale or adoption shall disclose to any purchaser or  
24 adoptive owner, information regarding the licensing or permit requirements of the city or town in  
25 which they reside applicable to the animal.

26 **4-24-6. Revocation of permit.** – (a) Any permit issued may be revoked if the animal  
27 control officer has reasonable cause to believe any of the following to be true:

28 (1) The permittee has violated the provisions of chapter 4-19 or any other state or local  
29 ordinances relating to the keeping, care or use of any animal;

30 (2) The permittee is in violation of any state health or safety law or regulation regarding  
31 animal care or control;

32 (3) The permittee has failed to comply with any condition or requirement of the permit or  
33 has failed to pay any fee imposed under this section;

34 (4) The permittee refuses to allow inspection, upon forty-eight (48) hours of written

1 notice, of any cat covered by the permit or the premises on which the animal is kept; or

2 (5) The permittee has transferred, sold or otherwise disposed of the cat for which the  
3 permit was issued.

4 (b) If, after investigation, the animal control officer concludes that it is probable that one  
5 or more of the above grounds for revocation has occurred, he or she shall cause written notice  
6 thereof to be transmitted by mail to the address of the permittee. The notice shall specify the  
7 grounds of possible revocation of the permit, and shall specify a date and time for an informal  
8 hearing to be held before the animal control officer. The date shall be not less than five (5) days  
9 subsequent to the date the notice is mailed. After the informal hearing, the animal control officer  
10 may modify the terms of the permit or revoke the permit. Provided, further, that if the health or  
11 well-being of the animal is in danger the animal control officer of that city or town may take  
12 custody and control of the animal until such time that a hearing is conducted pursuant to  
13 subsection 4-24-6(b).

14 **4-24-7. Farmland exemption.** – Farmland defined as any tract or tracts of land,  
15 including woodland and wasteland constituting a farm unit which is actively devoted to  
16 agricultural or horticultural use including, but not limited to: forages and sod crops; grains and  
17 feed crops; fruits and vegetables; poultry, dairy, and other livestock and their products; nursery,  
18 floral and greenhouse products; and any other food or fiber products useful to people; shall be  
19 exempt from the provisions of this chapter.

20 **4-24-8. Abandonment of cats.** – If any cat is abandoned by their owner or any person  
21 having charge or custody of that cat, that person shall, for each offense be punished in the manner  
22 provided in section 4-1-2.

23 **4-24-9. Canine surcharge.** – (a) Each city and town is required to collect a one dollar  
24 (\$1.00) surcharge on each dog license issued by the municipality. The revenue generated by this  
25 surcharge shall be deposited in the respective city's and town's spay/neuter account to fund low-  
26 cost spay/neuter programs.

27 (b) Any remaining revenue collected pursuant to this act which is unused during any  
28 calendar year shall remain in said city or towns spay/neuter account for use during the following  
29 year.

30 **4-24-10. Penalty for violation.** – Any person who violates the permit provisions of this  
31 chapter shall have no more than thirty (30) days to have their cat spayed or neutered or provide  
32 proof from a licensed veterinarian indicating that arrangements have been made to spay or neuter  
33 their cat(s). The animal control officer shall inform persons subject to this law to the availability  
34 of reduced cost or free spay/neuter programs available for low income persons and any programs

1 sponsored by local humane organizations offering low cost spaying or neutering. If an animal is  
2 not spayed or neutered within thirty (30) days of the notice, he or she shall be subject to a  
3 seventy-five dollar (\$75.00) fine for each thirty (30) days the animal is not spayed or neutered.  
4 Funds generated pursuant to this section shall be deposited in the spay/neuter account of the city  
5 or town where the violation occurred to be used to fund low-cost spay/neuter programs in  
6 accordance with section 4-24-13.

7 **4-24-11. Responsibility for enforcement.** – The local animal control officer shall be  
8 responsible for the enforcement and administration of this chapter.

9 **4-24-12. Time for compliance.** – Persons harboring a cat subject to this chapter on the  
10 effective date thereof shall be given one hundred twenty (120) days from the date to comply with  
11 the provisions thereof.

12 **4-24-13. Low-cost spay/neuter accounts.** – (a) All revenue generated pursuant to  
13 sections 4-24-9 and 4-24-10 shall be deposited in the respective city and towns spay/neuter  
14 accounts. Said funds shall be divided equally with fifty percent (50%) of which to be reserved for  
15 the exclusive use of funding a low-cost spay/neuter program for the animals of persons who  
16 qualify for one of the following public assistance programs or any other public assistance  
17 program as determined by the city or towns animal control officer:

18 (1) Any program which qualifies as public assistance pursuant to chapter 40-6;

19 (2) The food stamp program authorized by Title XIII of the federal Food and Agriculture  
20 Act of 1977, 7 USC 2011 et seq.;

21 (3) The supplemental security income program authorized by Title XVI of the federal  
22 Social Security Act, 42-USC 1381 et seq.;

23 (4) The federal Temporary Assistance for Needy Families Act authorized by 42 USC 601  
24 et seq.; or

25 (5) The Medicaid program authorized by Title XIX of the federal Social Security Act, 42  
26 USC 1381.

27 Persons who are eligible for any of the aforementioned programs must provide proof that  
28 he or she is an eligible person to the animal control officer of that city or town to qualify for the  
29 low-cost spay/neuter provisions of this section.

30 (b) All remaining funds shall be deposited in the respective city or towns spay/neuter  
31 account to fund the spaying and neutering of animals currently residing in the city or towns pound  
32 and to fund low-cost spay/neuter programs.

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

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LC00034/SUB B  
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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO ANIMALS AND ANIMAL HUSBANDRY -- PERMIT SYSTEM FOR  
BREEDING OF CATS

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- 1           This act would establish a permit system featuring a spay/neuter program to control the
- 2   cat population in the state.
- 3           This act would take effect upon passage.

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LC00034/SUB B  
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