

# HOUSE . . . . . No. 77

By Mr. Ayers of Quincy, petition of Bruce J. Ayers and James R. Miceli relative to the penalty for killing, maiming or poisoning of animals. Children, Families and Persons with Disabilities.

## The Commonwealth of Massachusetts

In the Year Two Thousand and Seven.

AN ACT RELATIVE TO THE PENALTY FOR KILLING, MAIMING OR POISONING 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 266 of the General Laws, as appearing in  
2 the 2004 Official Edition, is hereby amended by striking out  
3 section 112 and inserting in place thereof the following new  
4 section:—

5 Section 112. Whoever willfully or maliciously kills, maims,  
6 tortures or disfigures any horse, cattle, dog, cat or other animal of  
7 another person, or willfully or maliciously, administers or exposes  
8 poison with intent that it shall be taken or swallowed by any such  
9 animal, shall be punished by imprisonment in the state prison for  
10 not more than 5 years and by a fine of not more than \$5000 or  
11 imprisonment in jail for not more than two and one-half years and  
12 a fine of not more than \$1000.

1 SECTION 2. Section 77 of chapter 272 of the General Laws, as  
2 appearing in the 2004 Official Edition, is hereby amended by  
3 striking in line 2 the word “tortures”; by striking in line 3 the  
4 words “mutilates or kills an animal”; by striking in line 4 the word  
5 “tortured”; and by striking in lines 5 and 6 the words “mutilated  
6 or killed.”

1 SECTION 4. Section 77 of chapter 272 of the General Laws, as  
2 appearing in the 2004 Official Edition, is hereby further amended  
3 by inserting at the end of the first paragraph the following:—

4 “Whoever as owner, possessor or person having the charge or  
5 custody of an animal, willfully or maliciously kills, maims, muti-  
6 lates, tortures or disfigures said animal shall be punished by  
7 imprisonment in the state prison for not more than 5 years and by  
8 a fine of not more than \$5000 or by imprisonment in jail for not  
9 more than two and one-half years and by a fine of not more than  
10 \$2500.”