



The Commonwealth of Massachusetts

In the Year Two Thousand and Eight.

AN ACT RELATIVE TO THE RENTAL OF PETS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Chapter 272 of the General Laws is hereby amended by inserting after section 80H the following sections:-

Section 80 I. (a) As used in this section, the following words shall, unless the context clearly requires otherwise, have the following meanings:-

“Assistance and Service Dogs”, shall be any canine specifically trained to help people who have disabilities or any canine trained to help a person with a disability in life. This term shall also include canines trained for search and rescue and medical response dogs.

“Canine Foster Care”, shall be any organization based in the Commonwealth that places canines in a temporary home while awaiting Pet Adoption.

“Pet Adoption”, shall be the process of taking permanent guardianship of and responsibility for a pet that a previous owner has abandoned or otherwise abdicated its responsibility.

“Earth Dog”, shall be any canine breed used as hunting dogs to track game above and below ground.

“Farm Dog”, shall be any canine that works on a farm to assist humans or other animals.

“Renting and leasing”, For the purpose of this section, leasing or renting a dog or cat shall mean the intentional practice and advertising of renting a dog or a cat for a fee or a cost which knowingly will result in a temporary ownership of the animal by another party.

“Shared Ownership”, shall be when for a period of time a dog or cat resides and is under the supervision of a person other than, the owner listed on said animal’s license registered with the municipality in which said animal resides, for a fee or charge.

“Therapy Dogs”, shall be any canine that is used under the ownership and care of its handler that visits people for educational, medical or mental purposes.

(b) No person shall engage in the business of leasing, renting, or sharing ownership of dogs and cats. Any dogs or cats held for such leasing, renting, or shared ownership may be seized or impounded by an organization or authorized agent thereof that is empowered to seize or impound under the General Laws. A violation of this section shall be punished by a fine of not less than one \$100 and not more than \$500. This section is not intended to prohibit service animal businesses or organizations, pet adoption and foster care services, and working animals for the following purposes but not limited to: service animal businesses or organizations, pet adoption and foster care services, farming and agriculture, working dog activities, dogs working in entertainment and shows which are already acceptable under the General Laws; dogs participating in performance sports or activities, including but not limited to sporting, hunting, earthdog, and racing dog activities; and people engaged in breeding, training, showing dogs, and dogs used for medical or scientific purposes so long it is not contrary to the General Laws. Further, this section will not prohibit a pet store or kennel or pet adoption service or other entity allowed to sell pets under the General Laws for a fee or a cost from taking back a pet they may have sold if the owner cannot keep or handle the pet they had acquired.

House, No.

BILL RELATIVE TO THE RENTAL OF
PETS.
