

# SENATE NO. 1787

## **AN ACT** ESTABLISHING A MASSACHUSETTS CAT AND DOG OVERPOPULATION FUND

*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 10 of the General Laws is hereby amended by inserting after section

2 35CC the following section:-

3 Section 35DD. There shall be established and set up on the books of the commonwealth a

4 separate fund, to be known as the Massachusetts Cat and Dog Overpopulation Fund, to assist

5 residents of the commonwealth in paying all or part of any costs associated with reducing pet

6 overpopulation through spaying and neutering. The Fund shall be used to assist persons

7 meeting income limit standards to sterilize and vaccinate dogs and cats, to educate the public

8 about the importance of spaying and neutering, and for necessary and reasonable administrative

9 and personnel costs related to the Fund.

10 Said fund shall consist of all revenues received by the commonwealth: (I) under the provisions

11 of law authorizing the voluntary check-off donation indicated on the department of revenue's

12 annual income tax return, pursuant to section 6L of chapter 62; and (2) from public and private

13 sources as gifts, grants and donations to further the elimination of pet overpopulation.

14 The state treasurer shall not deposit the revenues in or transfer the revenues to the General Fund

15 or to any other fund other than the Massachusetts Cat and Dog Overpopulation Fund. The state

16 treasurer shall deposit the fund in accordance with sections 34 and 34A of chapter 29 in such

17 manner as will secure the highest interest rate available consistent with the safety of the fund  
18 and with the requirement that all amounts on deposit shall be available for immediate  
19 withdrawal at any time. The fund shall be expended only for the purposes stated above at the  
20 direction of the commissioner of the Department of Agricultural Resources and any unexpended  
21 balances shall be redeposited in the fund for future use consistent with this section.

22 SECTION 2. Chapter 62 of the General Laws is hereby amended by inserting after section 6K  
23 the following section:

24 Section 6L. An individual who files a separate return and a husband and wife filing a return  
25 jointly may voluntarily contribute all or part of any refund to which they are entitled, or may  
26 voluntarily add an amount onto any amount due, to be credited to the Massachusetts Cat and  
27 Dog Overpopulation Fund established pursuant to section thirty-five CC of chapter 10.

28 A contribution made under this section may be with respect to any taxable year at the time of  
29 filing a return of the tax established by this chapter for such taxable year; provided, however,  
30 that the commissioner shall prescribe the manner in which such contribution shall be made on  
31 the face of the return required by section five of chapter sixty-two C; provided, further, that the  
32 commissioner shall assure that taxpayers filing any such forms are made clearly aware of their  
33 ability to make the contributions provided for by this section.

34 The commissioner shall annually report the total amount designated under this section to the  
35 state treasurer, who shall credit such amount to said Massachusetts Cat and Dog Overpopulation  
36 Fund.

37 SECTION 3. Chapter xx of the General Laws is hereby amended by inserting after section xx  
38 the following section:

39 There is hereby established an advisory committee to assist the commissioner in establishing  
40 procedures for disbursements from the Massachusetts Cat and Dog Overpopulation Fund.

41 Members of the advisory committee shall receive no compensation or reimbursement for  
42 expenses incurred in the performance of their duties. The advisory committee shall consist of  
43 the following members appointed by the Governor:

44 (1) one member from a humane society, animal rescue or sheltering organization

45 (2) one representative from the an association organized in Massachusetts for animal control  
46 officers

47 (3) one representative from the state veterinary medical association

48 (4) one representative from the Department of Agricultural Resources

49 (5) one member of the general public with an interest in preventing pet overpopulation

50 All members of the advisory committee shall be residents of the commonwealth. The board  
51 members shall serve three-year terms; except that three of the members appointed initially shall  
52 serve a term of two years. All members shall have an active interest in solving pet  
53 overpopulation and educating the community regarding the benefits of pet overpopulation  
54 control in Massachusetts.