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# STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2025

A N A C T

RELATING TO ANIMALS AND ANIMAL HUSBANDRY -- CRUELTY TO ANIMALS

Introduced By: Representatives Bennett, Potter, Edwards, Spears, McGaw, Solomon, Giraldo, O'Brien, Noret, and McEntee

Date Introduced: January 22, 2025

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

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

**4-1-2. Overwork, mistreatment, or failure to feed animals — Shelter defined.**

(a) Whoever overdrives, overloads, drives when overloaded, overworks, tortures, torments, deprives of necessary sustenance, cruelly beats, mutilates, or cruelly kills, or causes or procures to be so overdriven, overloaded, driven when overloaded, overworked, tortured, tormented, deprived of necessary sustenance, cruelly beaten, or mutilated, any animal, and whoever, having the charge or custody of any animal, either as owner or otherwise, inflicts cruelty upon that animal, or willfully fails to provide that animal with proper food, drink, shelter, or protection from the weather, shall, for each offense, be imprisoned not exceeding eleven (11) months, or be fined not less than fifty dollars (\$50.00) nor exceeding five hundred dollars (\$500), or both. Provided further, that any offense included under this statute which would result in death, if violated, shall, for each offense, be punishable by imprisonment not exceeding three (3) years, or be fined not less than one thousand dollars (\$1,000) or both. If the offense described in this section results in the death of the animal, the person shall be punished in the manner provided in § 4-1-5.

(b) If the Court has reason to believe that a mental health condition contributed to the abuse and/or neglect of an animal, the Court may order a mental health evaluation. If said evaluation indicates that mental health treatment is recommended, the Court shall, upon agreement of all parties, divert the individual from prosecution to mental health treatment.

(~~b~~c) Any person who has been previously convicted of an offense provided for in chapter 1 of title 4 shall, upon conviction of a second or subsequent violation within a ten-year (10) period, be imprisoned

1 for a period not exceeding six (6) years, or fined not less than five hundred dollars (\$500) and not  
2 exceeding five thousand dollars (\$5,000), or both. In addition, every person convicted under chapter 1 of  
3 title 4 of a second or subsequent offense shall be required to serve one hundred (100) hours of community  
4 restitution. The community restitution penalty shall not be suspended or deferred and is mandatory.

5 (~~e~~d) Every owner, possessor, or person having charge of any animal may, upon conviction of a  
6 violation of this section, be ordered to forfeit all rights to ownership of the animal to the animal control  
7 officer of the city or town in which the offense occurred or to a humane society that owns and operates  
8 the shelter that provided the subject animal shelter subsequent to any confiscation of that animal pursuant  
9 to this section.

10 (~~d~~e) Shelter means a structure used to house any animal that will provide sufficient protection  
11 from inclement elements for the health and wellbeing of the animal.

12 SECTION 4. This act shall take effect upon passage.

