

The P.A.W.S Doctrine

The Provisions for Animal Welfare Standards Doctrine

Definitions:

Companion Animal: Also known & referred to as a pet. A companion animal is any domesticated animal, including but not limited to canines, felines, and equines, that is adopted, inherited, purchased, or otherwise acquired for companionship, company, to perform a task or job such as herding, and/or as a registered service animal or emotional support animal for a person with a disability or medical condition. Exclusions from this definition include animals utilized in the animal husbandry industries. In recognition that companion animals are sentient beings who live within human family units, all companion animals are hereby classified as (Tier II) dependent family members, not property, and their welfare and best interests shall be recognized and protected by law, both federally and by each of the 50 United States of America henceforth. Federal and local authorities shall work cooperatively together to enforce the policies henceforth.

Guardian: Previously known as & synonymous with “owner.” A guardian is the person(s) granted legal custody of the companion animal(s) through the purchase of the animal from a previous guardian, an animal shelter, an animal rescue, or a licensed breeder; or is the receiver of the companion animal as a gift; or was granted transfer of custody of the animal by the animal’s former guardian and/or his or her representative through direct or indirect means, such as surrenderment or abandonment of the animal, or by the ruling of the court. A guardian is responsible for the care & wellbeing of the animal(s) and failure to provide life-sustaining provisions or violations of animal abandonment, neglect, abuse, hoarding, and/or cruelty will result in forfeiture of custody and guardianship rights to the animal(s), permanent prohibition of guardianship rights to companion animals, & will be prosecuted according to the law.

Caregiver: A caregiver is any person(s) who has been charged by the guardian, his/her representative, or an entity under which the individual is employed or volunteers with, with the daily care & wellbeing of a companion animal, but does not have permanent legal guardianship rights to the animal. This includes animal grooming, boarding facility, animal shelter, & daycare employees, etc. Failure to provide life-sustaining provisions through direct or indirect means or violations of animal abandonment, neglect, abuse, hoarding, and/or cruelty will be prosecuted according to the law.

Definitions (cont.):

Custodian: *An entity or organization, including but not limited to animal shelters or “pounds”, animal rescue groups, licensed animal boarding facilities or kennels, and/or animal sanctuaries, that has been charged with the daily care & wellbeing of a companion animal, but does not have permanent legal guardianship rights to the animal OR temporary legal guardianship until the animal is adopted. Failure to provide life-sustaining provisions through direct or indirect means or violations of animal abandonment, neglect, abuse, hoarding, and/or cruelty will be prosecuted according to the law. Additionally, suspension, revocation, and/or prohibition of regaining licensing may be penalties of such violations.*

Entity: *Any facility charged with the care of companion animals, including: licensed and practicing veterinarian practices, animal hospitals, animal urgent care facilities, and/or animal shelters or “pounds”, but does not include animal rescue groups, licensed animal boarding facilities or kennels, and/or animal sanctuaries. Failure to provide life-sustaining provisions through direct or indirect means or violations of animal abandonment, neglect, abuse, hoarding, and/or cruelty will be prosecuted according to the law. Additionally, suspension, revocation, and/or prohibition of regaining licensing may be penalties of such violations.*

Custody: *The protective care & guardianship of a companion animal. Can be permanent or temporary, as is the case with boarding facilities and animal shelters, or until the animal is adopted or reunited with his/her legal guardian or the guardian’s representative.*

Surrender: *The willful and knowing act of forfeiture of guardian rights to a companion animal by the animal’s guardian and/or his/her representative to an entity, through proper and correct procedural means and is confirmed with written documentation and/or written consent from the guardian and/or his/her representative. The act of surrendering a companion animal is exempt from animal abandonment violations, however, if the animal exhibits clear and reasonable signs of animal abuse, neglect, and/or cruelty as defined by Article X, the surrendering party or parties may be prosecuted for animal neglect, abuse, and/or cruelty, as defined and outlined in Article IX.*

Veterinarian: *A certified, licensed, and practicing doctor of animal medicine qualified to care for sick and/or injured animals per state and federal regulations.*

Animal husbandry: *A type of farming that involves raising animals for food, fur, milk, eggs, etc.*

Article VII: Custody

1. In pet or companion animal custody cases, the animal's best interests shall be considered in order to determine custody and/or visitation rights. The animal shall be placed with, and custody and/or visitation rights instituted or reinstituted with, the party that best provides the fundamental necessities for the animal's quality of life. The following standardized list of factors to be considered when determining which party best provides the fundamental necessities for the animal's quality of life and therefore the animal's best interests include, but are not limited to:
 - a. The financial ability to provide proper medical and maintenance care for the duration of the animal's lifespan,
 - b. A history of animal abandonment, neglect, abuse, hoarding, and/or cruelty, including: former, present, or ongoing investigations or charges of animal abandonment, neglect, abuse, hoarding, and/or cruelty,
 - i. Any prior investigations or convictions that scientifically have been shown to correlate with animal abuse and/or cruelty, including but not limited to: domestic violence, elderly abuse, serial murders, etc., or that otherwise puts into question the safety and welfare of the animal in that person's custody
 - c. The ability to provide proper & sufficient housing, including a properly-sized, safe, and hygienic living environment,
 - d. The ability to provide basic life-sustaining provisions, including adequate food and potable drinking water,
 - e. The animal's bond with each party, both the present and former caregiver or guardian, shall be considered when deciding the animal's placement.
2. The aforementioned clauses shall be decisive factors when determining which party should resume or be granted custody and/or visitation rights. These factors shall supersede other legislation dictating custody, previously known as "ownership", of companion animals.
3. Guardians who do not have a permanent residence and qualify as "homeless" may retain guardianship of a companion animal, as long as the guardian is not in violation of aforementioned clauses 1.b and 1.d and the animal(s) does not exhibit physical signs of animal neglect, abuse, and/or cruelty
4. Guardians and his/her representative have the right to surrender a companion animal to an entity in order to forfeit custody rights to the animal(s) and is an exemption from animal abandonment violation(s)
 - a. Any persons who finds an abandoned or stray companion animal shall surrender the animal to an entity in order for the animal to receive necessary emergency medical care and/or make the animal available to be fostered, adopted, and/or be reunited with the animal's legal guardian or his/her representative
 - b. Guardians who surrender their companion animals to an entity forfeit all guardian and custody rights and will not be able to have those rights reinstated

- c. An aforementioned entity who has companion animals surrendered to them for euthanasia may deny performing euthanasia, if:
 - i. the animal is deemed healthy
 - ii. the animal is able to have a good quality of life
 - iii. the animal is able to be rehabilitated and/or cured
 - iv. Entities that deny euthanasia of a companion animal may instead assume or take over guardianship of the animal(s), make the animal available for foster and/or adoption, and/or transfer the animal to another entity so that the animal is made available for rehabilitation, foster, and/or adoption
- d. Guardians or his/her representative who leave a companion animal at an entity or an animal boarding facility for a period of 10 days or more beyond contracted boarding stay and/or without response to entity's personal service, registered mail, return receipt request, voicemail, etc. will therefore relinquish guardian rights to the companion animal(s) and be subject to animal abandonment violation(s). See Article IX.1.a.

Article VIII: Standards for Provisions & Maintenance of Care & Wellbeing:

1. Companion animals are sentient beings entitled to the following provisions of care & wellbeing, and being denied so through any intentional, neglectful, or reckless acts, whether by direct or indirect means by any persons, shall be punishable as pertained in Article IX:
 - a. Daily unlimited access to potable drinking water, as defined by:
 - i. Water that is free of debris & known toxins
 - ii. Water that is at a drinkable temperature, & is not frozen or at a temperature that would lead to burns, scorches, etc.
 - b. Daily access to adequate food, as defined by:
 - i. Food that is intended for the animal's species & meets the nutritional needs of the animal (i.e. canine food for canines, feline food for felines);
OR
 - ii. Human food that is prepared in such a way that meets the nutritional needs of the animal and is approved and/or designed by a veterinarian and/or animal nutritionist
 - iii. Food that is sufficient in quantity & adheres to the recommended guidelines of the AAFCO to maintain the animal's proper body condition (see____)
 - iv. Food shall be free of, served & stored in a container that is free of toxins, debris, rot, etc.
 - c. Daily unlimited access to proper and sufficient housing, as defined by:
 - i. Daily living in the interior of the guardian's home; OR (see c.ii.)
 - a. Interior of the guardian's home must be hygienic and free of hazards, including excessive feces, urine, and physical obstacles that may pose as a fire or health hazard and/or cruelly restricts the movement of the companion animal(s)
 - b. The housing of companion animals in unsanitary, overcrowded, or inhumane conditions that may create a health hazard to the animal(s), people within the household, and/or the general public is prohibited and subject to animal neglect, abuse, and/or cruelty violation(s)
 - c. Companion animals may have access to the entirety or a part(s) of the guardian's home, and/or a crate, kennel, bed, and/or secure sleeping area that is properly-sized (see ii.g.i. for "properly-sized")
 - d. Guardians must comply with state restrictions regarding permitted quantity of companion animals per household, or a maximum of 12 companion animals, whichever is fewer
 - e. Crates and kennels may not be stacked for animals weighing over 10lbs. and may only be stacked two kennels or crates high for animals weighing 10lbs or less

- i. Stacked crates and kennels must have solid flooring to prevent cross-contamination from feces, urine, or debris
- f. Only one companion animal per kennel or crate is permitted, unless the separation of a bonded pair would negatively impact the companion animals' mental, emotional, or physical health
- g. Companion animals may not be tied down or have movement restricted, unless otherwise required for a medical procedure or recovery from a medical procedure as approved, recommended, and/or defined by a veterinarian
- h. Companion animals may not be crated or kenneled for more than 10 hours at a time, including during long-distance ground transportation. Exemption is made for international air travel.
- ii. Daily living in an exterior shelter containing a roof, four insulated walls, and solid flooring
 - a. Indoor crates and kennels may not be used as an exterior shelter
 - b. Exterior shelter must be free of hazards, including but not limited to excessive feces, garbage, physical obstacles, etc.
 - c. Exterior shelter must be in good repair to protect the animal(s) from the elements, wildlife, and changes in temperature
 - d. Exterior shelter must include an enclosed natural grass or open area, hereby referred to as "a run", large enough for each companion animal to run or walk, with a minimum of 5x the length of the animal's body and with daily access to shade in warm or hot weather
 - i. A run must be free of hazards, as formerly defined in ii.a and ii.b
 - e. Companion animals may not be housed outdoors in temperatures at or below freezing (32 degrees Fahrenheit or below) and must be brought indoors
 - f. Companion animals may not be housed outdoors in temperatures above 85 degrees Fahrenheit or higher and must be brought indoors
 - g. Exterior shelters, interior crates, and interior kennels shall be properly-sized, as defined by:
 - i. Large enough for the animal to stand, lay down, turn around, & walk several paces in two directions comfortably
 - h. Permanent or long-term tethering and chaining of a companion animal outdoors is prohibited and subject to animal neglect, abuse, and/or animal cruelty violation(s) (see Article IX)
- d. Proper medical and maintenance care by a veterinarian and/or a specialist of veterinary medicine for the duration of the animal's lifespan, as defined by:
 - i. Routine and emergency medical care to prevent the suffering of the companion animal, including:

- ii. Vaccinations must remain current and up-to-date for all companion animals
 - iii. Rabies and “CORE” vaccinations (such as “canine distemper/adenovirus-2 (hepatitis)/parvovirus/parainfluenza vaccine, commonly referred to as DA2PP, DHPP, or DAPP”) must remain current and up-to-date
 - a. Documentation of proof of vaccination shall be given to guardian and/or his/her representative at time of vaccination
 - b. Exemptions from vaccinations shall be granted only in cases of veterinarian-diagnosed medical conditions exacerbated by vaccinations or preventatives & with written documentation by a veterinarian
 - iv. Additional vaccinations, also called “non-core vaccinations” as defined by state mandates, must remain up-to-date
 - a. States must establish clear mandates regarding additional non-core vaccinations required for companion animals
 - b. Exemptions from vaccinations shall be granted only in cases of veterinarian-diagnosed medical conditions exacerbated by vaccinations or preventatives & with written documentation by a veterinarian
 - v. Preventative Heartworm, and Flea & Tick treatments must remain current & up-to-date
 - a. Preventatives include veterinarian-approved medications and/or veterinarian-approved alternative preventatives deemed “natural” and/or “holistic”
 - vi. Companion animals must be spayed/neutered by the age of 2 years old, unless used for breeding in a state-licensed & regulated breeding facility (see Breeding statute) or the procedure has been determined by a veterinarian to pose a serious health risk to the animal
 - vii. All canine, feline, and equine companion animals must be microchipped by one (1) year of age
2. Any person(s), including but not limited to: a witnessing citizen, a veterinarian, certified veterinary technician or assistant, are hereby mandated reporters and shall report a suspected violation(s) to the proper authority; and any person(s) who reports in good faith and/or in the normal course of business, a suspected violation(s) of the aforementioned provisions of care shall not be liable for civil damages as a result of reporting the incident
 3. Permanent or long-term tethering, or chaining of a companion animal outdoors is prohibited and subject to animal neglect, abuse, and/or animal cruelty violation(s)
 - a. A person who is found guilty of this offense, shall be guilty of a felony in the Fourth Degree or Class D for the first offense and subject to a maximum sentence of 18 months in state prison and a \$10,000 fine. Subsequent violations will be sentenced as a felony in the First Degree or Class A. If the animal dies as

a result of violating the following tethering regulations, the person found guilty of this offense shall be guilty of a felony in the First Degree or Class A.

4. Temporary tethering of a companion animal outdoors shall be used solely as a means for physical exercise or mental stimulation to benefit the overall health and wellbeing of the animal and/or for a reasonable time for a person or the animal to complete a task, and is only permissible if compliant with the following provisions:
 - a. Tethering of a companion animal in hazardous or unhygienic conditions, and/or exacerbates or causes injury, illness, or bodily harm to the animal is prohibited and subject to animal neglect, abuse, and/or animal cruelty violation(s)
 - i. Excessive waste or excrement, as defined by more than one day's worth of waste or excrement, in the area where the dog is tethered is prohibited
 - b. The tether must be one designed for the use of the size, species, and breed of the animal
 - c. Tethered leads must have a minimum length of 10 feet or is at least five times the length of the animal, as measured from the tip of its nose to the base of its tail, whichever is longer
 - d. The tether must be a length that prevents the animal from reaching the property of another individual, a public walkway, or a road
 - e. The tether must be secured to a well-fitted collar or harness intended for the size and breed of the animal and by means of a swivel anchor, swivel latch, or other mechanism designed to prevent the canine from becoming entangled
 - f. A tethered animal must have unlimited access to potable water and an area of shade that permits the canine to escape the direct rays of the sun
 - g. The use of a tow or log chain, or a choke, pinch, prong or chain collar as a tether is prohibited
 - h. Companion animals tethered outside must be supervised by a guardian, the guardian's representative, or a caregiver
 - i. Companion animals may NOT be tethered outdoors in temperatures at or below freezing (32 degrees Fahrenheit or below) for more than 15 minutes at a time; or a total of 30 minutes per day
 - j. Companion animals may not be tethered outdoors in any inclement weather or conditions that the guardian or caregiver would not also reasonably want to be exposed to
 - k. Companion animals may NOT be tethered outdoors in temperatures exceeding 85 degrees Fahrenheit for more than 20 minutes at a time or exceeding 60 minutes per day
 - l. Companion animals may NOT be tethered outdoors in temperatures of 33-74 degrees Fahrenheit for more than 60 minutes at a time OR a total of 4 hours per day, as is reasonably necessary for the animal or guardian, his/her representative, or caregiver to complete a temporary task
 - m. Companion animals must be tethered in a manner that prevents the animal(s) from becoming entangled
 - n. Tethering a companion animal in compliance with the requirements of a camping or recreational area, a regulated, legal, and licensed performance or competition

event, field, obedience, and/or law enforcement training, and/or a regulated, legal, and licensed sporting or hunting event is permissible only if the above statutes are met or the animal is in no way caused physical, emotional, or mental harm

5. All canines must be leashed in public areas, with exceptions for places intended for canine recreation and/or duties, including but not limited to: dog parks, the duty of shepherding or herding livestock, or during regulated, legal, and licensed sporting or hunting events
 - a. A person who is found guilty of this offense, shall be guilty of a disorderly conduct offense with a maximum possible penalty of 30 days in jail and/or up to a \$500 fine.
6. Companions animals are entitled and required to participate in daily physical exercise and/or mental stimulation activity, unless otherwise advised or prescribed by a veterinarian, such as in cases of veterinarian-diagnosed medical conditions exacerbated by physical exercise, or preparation and/or recovery following a medical procedure
 - a. A minimum of 30 minutes of daily physical exercise and/or mental stimulation activities is required for all companion animals
 - b. Physical exercise and mental stimulation activities shall be designed and appropriate for the size, species, and breed of the animal(s), so as not to cause the animal physical, emotional, or mental harm
 - i. Overworking or overloading a companion animal is prohibited and is subject to violations of animal abuse and/or cruelty

Article IX: Malpractice & Veterinary Care, Animal Kidnapping, Abandonment, Neglect, Abuse, Hoarding, & Cruelty:

1. Violations of animal abandonment, neglect, abuse, hoarding, and cruelty shall henceforth be defined and prosecuted as both state and federal felony penalties, as outlined below.
2. Federal grants shall be created & disbursed to aide and support local enforcement and ensure local and state jurisdictions enforce the following provisions uniformly and appropriately
3. Any person(s), including but not limited to: a witnessing citizen, veterinarian, certified veterinary technician or assistant, who reports in good faith and in the normal course of business, a suspected violation of these subchapters to the proper authority shall not be liable for civil damages as a result of reporting the incident
4. The selling, consumption, advertising, butchering or preparation of canine and feline meat is prohibited and subject to animal cruelty violation(s).
5. A Federal Animal Abuse Registry shall be instituted and utilized by all 50 United States of America to keep record of violators of the aforementioned and/or following animal welfare laws and regulations; and establish permanent prohibition of guardianship rights to companion animals for violators
6. It is unlawful to sell or donate a canine or feline into/for experimentation
7. Scientific experimentation on canines and felines, including for medical, cosmetic, or scientific research, is prohibited and subject to animal cruelty violation(s)
8. It is unlawful to knowingly and/or deceptively sell, give away, or otherwise transfer guardian and/or custodian rights of a companion animal to another person or entity without the guardian's or custodian's knowledge or permission
 - a. A purchaser of a sick or injured pet must have his or her pet examined by a veterinarian within 14 days of purchase to receive a refund or exchange. Alternatively, a buyer may retain the pet and be reimbursed for veterinary bills up to two times the cost of the pet.
9. Companion animals have a right to life free of malpractice, kidnapping, abandonment, neglect, abuse, hoarding, and/or cruelty, as defined by:
 - a. **Malpractice:** Any illegal act, and/or grossly negligent treatment, misconduct, lack of ordinary skill, or a breach of duty in the performance of a professional service (as in medicine) resulting in injury or loss of life, by a veterinarian, and/or veterinarian assistant, technician, etc.
 - i. Individuals or facilities found to be guilty of malpractice shall be mandated to pay a fine of up to twice the cost of the animal's original adoption cost and reimbursement of the cost of the procedure(s) or treatment(s) in question. Additionally, suspension, revocation, and/or prohibition of regaining licensing may be penalties of such violations.
 - ii. Veterinarians and animal healthcare professionals must adhere to standards of care that prioritize the physical and mental well-being of companion animals

- iii. Only certified and licensed veterinarians, surgeons, and specialists are authorized to perform medical treatment on companion animals
- iv. Veterinarian medical facilities must meet specific standards in order to be designated as a "hospital" or "urgent care" for emergency care.
Veterinarian facilities, veterinarian hospitals, and veterinarian urgent care facilities must be clearly defined and differentiated, & include the hours of operation & clarification of the services provided by these facilities, in order to avoid misleading pet guardians and ensure the highest level of care for animals in medical distress or requiring emergency services
- v. There shall be transparency in the veterinary industry, with accessible records of complaints against veterinary licenses, ensuring that pet guardians can make informed decisions when choosing a veterinarian for their pets.
- vi. Veterinarians must obtain consent, including written consent or informed consent, from the guardian or custodian of the companion animal before performing any medical procedure, except in cases of emergency where immediate treatment is necessary to preserve the life or well-being of the animal.
- vii. Guardians or custodians of companion animals have the right to be present with their animal during necessary prolonged hospital stays, in accordance with the facility's visiting hours, so long as their presence does not interfere with the medical care or pose a risk to the safety of the animal(s) or others
- viii. Guardians or custodians of companion animals have the right to be involved in the care and decision-making process for treatment of the animal(s), such as through communication with healthcare providers and support services, & shall be included in the coordination of care of animal(s), except in cases of emergency where immediate treatment is necessary to preserve the life or well-being of the animal, such as during surgery
- ix. The Health Insurance Portability and Accountability Act (HIPAA) laws shall be enforced to protect the privacy and confidentiality of medical records and information related to companion animals, ensuring that only authorized individuals have access to such information
- x. The United States Department of Agriculture (USDA) shall establish and enforce regulations to ensure that veterinary practices and facilities meet prescribed standards of care for companion animals.
- b. **Kidnapping:** The act of holding captive, and/or forcibly or deceptively taking a companion animal from its guardian, guardian's representative, custodian, and/or custodial entity
 - i. A person who is found guilty of this offense shall be guilty of a first-degree misdemeanor and subject to a maximum sentence of 12 months in jail and a \$2,500 fine. A person who is found guilty of this offense may also be liable for additional fines and/or monetary retribution for emotional

distress and damages caused to the other party and any harm caused to the animal(s). Subsequent violations will be sentenced as a felony in the Fourth Degree or Class D.

- c. **Abandonment:** The act of abandoning or attempting to abandon a maimed, disabled, sick, infirm, and/or healthy companion animal to die in a public place and/or unoccupied residential or commercial building; OR the act of leaving an animal placed in the custody of an entity or animal boarding facility for a period of ten days or more without response from the animal's guardian or his/her representative after written or verbal notice by the entity via personal service, registered mail, return receipt requested, phone voicemail, etc.
- i. A person who is found guilty of this offense, shall be guilty of a felony in the Fourth Degree or Class D for the first offense and subject to a maximum sentence of 18 months in state prison and a \$10,000 fine. Subsequent violations will be sentenced as a felony in the First Degree or Class A.
 - ii. In addition to any other penalty provided by law, upon conviction for violating this section, the court may order the convicted person to undergo a psychological or psychiatric evaluation and to undergo any treatment at the convicted person's expense that the court determines to be appropriate after due consideration of the evidence. If the convicted person is a juvenile or a companion animal hoarder, the court must order the convicted person to undergo a psychological or psychiatric evaluation and to undergo treatment that the court determines to be appropriate after due consideration of the evaluation.
 - iii. A guardian or his/her representative who surrenders an animal to an entity, animal shelter or rescue groups is exempt from this violation, but may be prosecuted for animal neglect, abuse, and/or cruelty if the animal shows signs of the aforementioned
 1. Guardians who surrender their companion animal(s) to an entity forfeit all guardian and custody rights to the animal(s) and will not be able to have those rights reinstated.
 2. It is unlawful to abandon a companion animal at an entity outside of normal operating hours.
 3. If written notice is given to the owner or his/her representative at his/her last known address and return receipt is received by the entity or boarding facility, the animal may be turned over to the custody of the nearest humane society, association for the prevention of cruelty to animals, or animal shelter in the area. After 48 hours of receipt, such custodian may humanely euthanize the animal(s) to prevent further suffering of the animal or place the animal for foster or adoption. During such 48-hour period, the animal may be released only to the guardian or his/her representative. If the owner claims the animal, s/he shall be liable

for room and board charges for the animal during the abandonment period.

4. The giving of notice to the guardian or his/her representative by a veterinarian, animal hospital, animal urgent care, or animal boarding facility as provided in paragraph iv. and receipt of return receipt by the veterinarian, animal hospital, animal urgent care, or animal boarding facility, which shall be retained for 30 days, shall relieve the veterinarian, animal hospital, animal urgent care, or animal boarding facility, and any custodian to whom the animal may be given, of any further liability for disposal. It is further provided that such procedure by the veterinarian shall not constitute grounds for disciplinary action.
- d. **Neglect:** Failure of the guardian, caregiver, custodian, or any person(s) otherwise charged with the care of a companion animal to provide the animal with basic life-sustaining provisions, including: adequate food and potable drinking water, proper medical and maintenance care, and/or proper & sufficient housing, as defined by Article VIII
- i. A person who is found guilty of this offense, shall be guilty of a felony in the Third Degree or Class C for the first offense and subject to a maximum sentence is 5 years in state prison and/or federal prison and a \$15,000 fine. Subsequent violations will be sentenced as a felony in the First Degree or Class A.
 - ii. In addition to any other penalty provided by law, upon conviction for violating this section, the court may order the convicted person to undergo a psychological or psychiatric evaluation and to undergo any treatment at the convicted person's expense that the court determines to be appropriate after due consideration of the evidence. If the convicted person is a juvenile or a companion animal hoarder, the court must order the convicted person to undergo a psychological or psychiatric evaluation and to undergo treatment that the court determines to be appropriate after due consideration of the evaluation.
 - iii. In addition to any other penalty provided by law, upon conviction for violating this section, the court shall order permanent prohibition of guardianship rights to companion animals
 - iv. Animal trainers and behaviorists shall not use neglectful tactics aforementioned to train or rehabilitate animals and are not exempt from these violations
 - v. The withholding of food and/or water prior to a medical procedure and/or as advised by a veterinarian to treat or assist in the animal's preparation for and/or recovery from a medical condition or procedure is exempt from this violation.
- e. **Abuse:** Any intentional, knowing, or reckless act that, by any direct or indirect means, causes the companion animal bodily harm and/or physical pain beyond necessary for reasonable self-defense, including but not limited to: hitting,

striking, beating, starving, strangling or choking the animal; improper transport of a companion animal (see Article VIII.1.c.i.h); permanent or long-term tethering, or chaining of a companion animal outdoors; overdriving, overloading, driving when overloaded, and/or overworking a companion animal.

- i. A person who is found guilty of this offense, shall be guilty of a felony in the Second Degree or Class B for the first offense and subject to a maximum sentence of 10 years in state prison and/or federal prison and a \$150,000 fine. Subsequent violations will be sentenced as a felony in the First Degree or Class A.
 - ii. In addition to any other penalty provided by law, upon conviction for violating this section, the court may order the convicted person to undergo a psychological or psychiatric evaluation and to undergo any treatment at the convicted person's expense that the court determines to be appropriate after due consideration of the evidence. If the convicted person is a juvenile or a companion animal hoarder, the court must order the convicted person to undergo a psychological or psychiatric evaluation and to undergo treatment that the court determines to be appropriate after due consideration of the evaluation.
 - iii. In addition to any other penalty provided by law, upon conviction for violating this section, the court shall order permanent prohibition of guardianship rights to companion animals
 - iv. Animal trainers and behaviorists shall not use abusive tactics aforementioned to train or rehabilitate animals and are not exempt from these violations
- f. **Hoarding:** The act of exceeding state and/or federal restrictions regarding permitted quantity of companion animals per household, or a maximum of 12 companion animals, whichever is fewer
- i. A person who is found guilty of this offense, shall be guilty of a felony in the Third Degree or Class C for the first offense and subject to a maximum sentence is 5 years in state prison and/or federal prison and a \$15,000 fine. Subsequent violations will be sentenced as a felony in the First Degree or Class A.
 - ii. In addition to any other penalty provided by law, upon conviction for violating this section, the court may order the convicted person to undergo a psychological or psychiatric evaluation and to undergo any treatment at the convicted person's expense that the court determines to be appropriate after due consideration of the evidence. If the convicted person is a juvenile or a companion animal hoarder, the court must order the convicted person to undergo a psychological or psychiatric evaluation and to undergo treatment that the court determines to be appropriate after due consideration of the evaluation.
 - iii. In addition to any other penalty provided by law, upon conviction for violating this section, the court shall order permanent prohibition of guardianship rights to companion animals

- g. **Cruelty:** Any intentional, knowing, or reckless act, by any direct or indirect means and/or through the use of another living animal or creature, that puts the animal in imminent danger of death and/or results in the suffering or death of the animal, including but not limited to: beating; dragging; torturing; maiming; poisoning; drugging with or exposing to illicit drugs; hanging; stabbing; shooting; chemically burning; setting on fire; confining a companion animal in such a way that cruelly restricts the animal's movement and lessens the animal's quality of life; subjecting the animal to a dragging death; subjecting, encouraging, or forcing an animal to cannibalize another; overworking or overloading a companion animal; taunting or causing bodily harm to police animals and/or registered service animals; needlessly mutilating a companion animal, including but not limited to the cropping of ears, debarking of canines, docking of the tail beyond 5 days old, unless under the recommendation of a veterinarian and performed by a veterinarian with humane anesthesia; de-clawing of a canine; performing any medical or surgical procedure on a companion animal that would typically be performed by a veterinarian, including but not limited to: amputation, caesarian section birth, the cropping of ears and/or docking of the tail, etc.; an entity performing a surgical procedure or euthanasia without prior humane anesthesia or sedative; owning, training, purchasing and/or acquiring a companion animal for animal fighting; forcing, encouraging, inciting, causing or allowing a companion animal to engage in animal fighting; receiving compensation for the admission of another person to a place kept or used for animal fighting; promoting animal fighting; selling an animal for animal fighting; wagering on the outcome of an animal fight; attending an animal fight; knowingly permitting a place under the person's control or possession to be kept or used for animal fighting; being in possession of animal fighting paraphernalia; sexually assaulting a companion animal, whether between human and animal or forcible breeding between two animals; using or procuring a companion animal in any kind of sexual manner; initiating or allowing any kind of human sexual contact with a companion animal, including, but not limited to: sodomizing the animal, any sexual contact with the animal whether between a person and the animal by penetration of the penis or a foreign object into the vagina or anus, and/or contact between the mouth and genitalia, and/or between the genitalia of one and the genitalia or anus of the other.
- i. The term "sexual contact" does not include any medical procedure performed by a veterinarian or a licensed animal husbandry practice.
 - ii. A person who is found guilty of this offense, shall be guilty of a felony in the First Degree or Class A for the first offense and subject to a maximum sentence of 20 years in state prison and/or federal prison and a \$200,000 fine.
 - iii. In addition to any other penalty provided by law, upon conviction for violating this section, the court may order the convicted person to undergo a psychological or psychiatric evaluation and to undergo any treatment at the convicted person's expense that the court determines to be appropriate after due consideration of the evidence. If the convicted

person is a juvenile or a companion animal hoarder, the court must order the convicted person to undergo a psychological or psychiatric evaluation and to undergo treatment that the court determines to be appropriate after due consideration of the evaluation.

- iv. In addition to any other penalty provided by law, upon conviction for violating this section, the court shall order permanent prohibition of guardianship rights to companion animals
- v. Animal trainers and behaviorists shall not use cruel tactics aforementioned to train or rehabilitate animals and are not exempt from these violations

Article X: Right to Rescue:

1. Any companion animal found to be exhibiting clear and reasonable signs of neglect, abuse, and/or cruelty as defined below, has a right to be rescued and provided emergency medical care to prevent further suffering and/or death.
 - a. “Clear and reasonable signs” is defined as and includes, but is not limited to: an animal with visible open and/or necrotic wounds and/or sores; broken bones; burns; imbedded objects or foreign bodies; labored or difficulty breathing; difficulty walking or sitting up; profuse bleeding, discharge, and/or secretions from any bodily orifice or wound; an animal that is tethered or chained in inclement weather or temperatures at or below freezing or above 85 degrees; an animal that is being beaten or tormented, sexually abused, living in an abandoned or unoccupied residential or commercial building; is fighting or being attacked by another animal; and/or has a poor body condition (see Article AX 1.a.i.)
 - i. “poor body condition” is defined as emaciation in which the ribs, hips, pelvis, and/or backbone is visible and/or protruding, or a score of 2/5 or 2/9 or less on a BCS Point Scale
 - ii. If a companion animal appears to be suffering from any of the aforementioned clear and reasonable signs, then it will create a refutable presumption of abandonment, neglect, abuse, cruelty, and/or reasonable fear of death or suffering of the animal, and therefore permits the animal to be rescued by a humane officer, HLEO, law enforcement officer, or animal control officer
 - iii. If a proper authority or officer has not responded to a citizen’s report of witnessed clear and reasonable signs of neglect, abuse, and/or cruelty within 24 hours, then the animal(s) may be rescued by an individual or group of citizens or animal rescue employee(s) and taken to the nearest entity, humane society, or a prevention of cruelty to animals organization to provide emergency medical care to prevent further suffering and/or death of the animal(s)

Article XI: State Mandates Regarding Companion Animals:

1. Federal grants shall be created & dispersed to support State participation in the aforementioned animal welfare laws & following provisions
 - a. Create a federal Pet Guardian Federal Tax Credit not to exceed \$250.00 per licensed canine, feline, and/or equine companion animal for a maximum of \$750.00 per household with proof of license
2. All 50 United States of America shall establish, enforce, and make known to its citizens clear guidelines regarding the following aspects of companion animal welfare, and shall enforce and make known to its citizens all aforementioned federal animal welfare laws and regulations by 2028:
 - a. All States must establish leash laws for canines
 - i. Leash laws must be enforced by police and/or HLEO's
 - ii. All canines must be leashed in public areas, with exceptions for places intended for canine recreation and/or duties, including but not limited to: dog parks, the duty of shepherding or herding livestock, or during regulated, legal, and licensed sporting or hunting events
 - b. Restrictions regarding permitted quantity of companion animals per household, or a maximum of 12 companion animals, whichever is fewer
 - c. Establish an Animal Control Department in each county or shared between no more than 5 counties
 - d. Create humane euthanasia standards & regulations for animal shelters or "pounds," veterinarian practices, animal urgent care, & any entity or organization licensed & responsible for performing euthanasia
 - e. Create a Pet Guardian State Tax Credit not to exceed \$250.00 per licensed canine, feline, and/or equine companion animal for a maximum of \$750.00 per household with proof of license
 - f. Establish a department within law enforcement agencies for Humane Law Enforcement Officers (HLEO's)
 - i. HLEO's must be trained on the aforementioned animal welfare laws and regulations
 - ii. HLEO's shall enforce aforementioned animal welfare laws and regulations
 - iii. HLEO's shall investigate violations or possible violations of aforementioned animal welfare laws and regulations
 - iv. HLEO's shall follow protocols for prosecuting violations of aforementioned animal welfare laws and regulations
 - g. Eliminate breed-specific legislation for business-owned rental properties
 - h. Eliminate breed-specific restrictions & prohibitions for insurance companies
 - i. Establish programs to aid with the cost of pet guardianship, including:
 - i. Monthly pet pantries at a designated location, such as a county-run animal shelter, to provide low-income families with free or low-cost pet food & supplies
 - ii. Establish Low-Cost Spay & Neuter programs with local veterinarian practices, animal shelters, and/or animal clinics

1. Alternatively, offer free Spay & Neuter programs for families that qualify as low-income
- j. Amend State of Emergency plans to include the following provision: In the event that a state of emergency has been declared and an evacuation of any region of the State is in progress, the guardian or his/her representative or custodian of a companion animal shall be permitted to board any public transportation or public transportation service with the companion animal(s), so long as the animal(s) is under the person's control by use of a leash or tether, or is properly confined in an appropriate container or by other suitable means. Additionally, all passengers with service animals shall be given priority seating on all means of transportation.
- k. Create and fund Public Awareness Campaigns to educate the public on the responsibilities and costs associated with pet guardianship, how to transition a new pet into a family/home, etc.
- l. Abide by a temporary cessation of new issuances of breeder licenses until 2028 and thenceforth limit breeder licenses issued
- m. Establish and enforce regulations for breeders, including:
 - i. Reduce permitted quantities of litters per year, not to exceed 1 litter per breeding female per year
 - ii. Reduce permitted quantity of breeding males and females per property, not to exceed 3 breeding males and 3 breeding females
 - iii. Provisions of care for breeding animals and litters, in compliance with aforementioned provisions of care and welfare laws and regulations
 - iv. Establish and enforce random, bi-annual inspections of breeding facilities
 - v. Immediate closure and prosecution of non-licensed breeders and breeding facilities and/or breeders or breeding facilities in violation of aforementioned animal welfare laws and regulations
 1. Immediate confiscation of animals & prohibition of regaining license and/or guardianship of companion animals for breeders or breeding facilities that violate regulations
 - vi. Reduce issued breeder licenses by one-third by the year 2030
- n. Prohibit & immediate closure of businesses known or classified as "puppy mills"
- o. Encourage pet stores to utilize animals from animal shelters for its adoptions
- p. Regulate animal trainers and behaviorists to include the prohibition of neglectful, abusive, and/or cruel tactics to train and/or rehabilitate companion animals
- q. Establish clear regulations for animal shelters and animal rescue organizations to ensure compliance with aforementioned animal welfare laws, regulations, and provisions of care
 - i. Create clear guidelines for inspections of animal shelters and animal rescue organizations to ensure compliance with aforementioned animal welfare laws and regulations to be conducted quarterly or more per year
- r. All States must participate and utilize the Federal Animal Abuse Registry
- s. Establish Dangerous Dog laws to support public safety

Article XII: Rights for Entities & Animal Welfare Organizations:

1. Any entity, boarding facility or kennel, animal rescue organization, animal humane society, or animal sanctuary that reports in good faith and in the normal course of business, a suspected violation of the aforementioned animal welfare laws and regulations to the proper authority shall not be liable for civil damages as a result of reporting the incident
2. An annual minimum increase of two percent (2%) in local, state, and federal funding is guaranteed for all state and municipality-run animal shelters that meet local, state, & federal regulations. Additionally, all state and municipality-run animal shelters that are in compliance with aforementioned animal welfare laws & provisions of care shall receive an annual federal grant.
3. All state and municipality-run animal shelters are permitted to hold fundraising events or seek public or business donations to offset the cost of operations for local and state government agencies.
4. All entities are subject to random health & safety inspections from local, state, and/or federal agencies to ensure compliance with aforementioned animal welfare laws and provisions of care & health and safety regulations
5. All entities are mandated reporters and shall notify proper authorities of suspected violations of aforementioned animal welfare laws and regulations
 - a. Any entity knowingly withholding such information or failing to report violations or suspected violations will be prosecuted according to the law as a misdemeanor disorderly person offense for a maximum sentence of up to 2 years in jail and/or a fine up to \$5000. Additionally, suspension, revocation, and/or prohibition of regaining licensing may be penalties of such violations.
6. Animal shelters & animal rescue organizations are required to have a screening process in place for potential adopters and fosters. The screening process must contain the following components:
 - a. A paper or digital application that must be completed online or in person. The application must contain the following questions or components:
 - i. landlord approval via a copy of the lease or a letter from the landlord; or proof of ownership of a home via a mortgage statement or property tax bill; and
 - ii. a background check to screen for violations of animal, elderly, and/or domestic abuse; and
 - iii. a veterinarian practice that the adopter or foster will use for medical care of the animal; and
 - iv. agreement between the potential adopter or foster and the entity to allow possible home visits, allowing a representative from the shelter or rescue to visit the home; and
 - v. agreement between the potential adopter or foster and the entity that the animal may only be returned to the shelter or rescue & may not be rehomed, sold for scientific experimentation, etc.

- b. A meet and greet between the potential adopter(s) or foster(s) and animal(s) must be performed prior to approval, so that it can be determined if the animal is a good fit for the home & the person(s) is a qualified adopter or foster
- 7. Animal shelters & animal rescue organizations have the right to perform background checks on potential adopters and fosters and have the right to deny any person(s) from fostering or adopting an animal for any reason, including but not limited to: if the person(s) has prior investigations or convictions of animal neglect, abuse, and/or cruelty; the person(s) previously surrendered an animal; the person seems unfit, unwilling, or unable to adhere to aforementioned animal welfare laws and regulations and provide proper provisions of care for the animal(s); the person(s) has prior arrests, investigations, or convictions of child, domestic, and/or elderly abuse; is homeless or is knowingly becoming homeless in the near future
- 8. Animal shelters shall give 72-hour public notice prior to euthanizing a companion animal, so that the animal may be transferred to another animal shelter, rescue, or sanctuary organization, or be fostered or adopted.
- 9. Animal shelters and animal rescue organizations are permitted to have discounted adoption events to promote adoptions and/or fostering, but may not omit the screening process for potential adopters and fosters
- 10. The United States Department of Agriculture (USDA) shall create an educational video, not to exceed 30 minutes in length, intended for adopters and fosters that includes clear information regarding what to expect when bringing a new companion animal home and best practices to utilize to ease the transition (i.e. 333 Rule). Animal shelters & rescue organizations shall require adopters and fosters to watch this educational video prior to finalizing the adoption or foster application & sign a document stating the adopter or foster has done so accordingly
- 11. Animal Shelters must be granted access to free or low-cost online educational & training applications or apps (i.e. Maddie's Pet Assistance) & shall provide these applications or apps to new adopters and fosters, to assist with potential behavioral concerns & encourage permanent placement of the animal(s) in their care.
 - a. Animal shelters & rescues may require potential adopters and fosters to create an account with such an app prior to being granted approval
- 12. Placing a companion animal on a "court hold" and not allowing the animal to be placed in a reputable foster home is prohibited. Henceforth, any animal that has been reported as a victim or is part of an investigation of a suspected violation of aforementioned animal welfare laws and regulations shall no longer be held indefinitely at an animal shelter, boarding facility, or kennel as evidence; and instead photographic evidence of the animal's condition upon intake taken by the custodial entity or person(s), a veterinarian medical report, and BCS body scale score shall be filed with the proper authority and used as evidence in the investigation and trial of the accused
 - a. Henceforth, the animal(s) shall become available to be fostered after 10 days from initial intake or when the animal is largely recovered from his/her injuries, illness, etc., or is well enough to be introduced to a foster home environment

- b. The animal(s) may not be adopted or made available to adopt until the trial of the accused is completed or the guardian willingly relinquishes guardianship rights to the animal in writing and following proper protocol
 - c. The custodial entity has 48 hours from initial intake of the animal(s) to take photographs of the animal's physical condition to be included in the report filed with the proper authority
 - d. The custodial entity has 48 hours from initial intake of the animal(s) to have a veterinarian conduct a medical exam, file a medical report including a BCS body scale score, to be given to the proper authority, such as an HLEO officer
 - e. If the accused person(s) is found innocent of the suspected violation(s), guardianship may be reinstated and the animal(s) returned to the legal guardian
 - f. If the accused person(s) is found guilty of the suspected violation(s), then he/she shall be responsible for paying financial restitution to the entity(s) in the amount of the cost of any medical care, training, and rehabilitation provided to the animal(s), in addition to any penalties by law; and the animal(s) may become available for adoption
13. Any persons who finds an abandoned or stray companion animal shall surrender the animal to an entity in order for the animal to receive necessary emergency medical care and/or make the animal available to be fostered, adopted, and/or be reunited with the animal's legal guardian or his/her representative
- a. Guardians who surrender their companion animals to an entity forfeit all guardian and custody rights and will not be able to have those rights reinstated
14. An entity who has companion animals surrendered to them for euthanasia may deny performing euthanasia, if:
- a. the animal is deemed healthy
 - b. the animal is able to have a good quality of life
 - c. the animal is able to be rehabilitated and/or cured
 - d. Entities that deny euthanasia of a companion animal may instead assume or take over guardianship of the animal(s), make the animal available for foster and/or adoption, and/or surrender the animal to another entity so that the animal is made available for rehabilitation, to foster, and/or adoption