

The National Agricultural
Law Center



University of Arkansas School of Law

An Agricultural Law Research Project

States' Animal Cruelty Statutes

State of Massachusetts

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UNIVERSITY of ARKANSAS
SCHOOL of LAW

States' Animal Cruelty Statutes

STATE OF MASSACHUSETTS

Current through Chapter 121 of the 2010 2nd Annual Session.

M.G.L.A. 272 § 77. Cruelty to animals

Whoever overdrives, overloads, drives when overloaded, overworks, tortures, torments, deprives of necessary sustenance, cruelly beats, mutilates or kills an animal, or causes or procures an animal to be overdriven, overloaded, driven when overloaded, overworked, tortured, tormented, deprived of necessary sustenance, cruelly beaten, mutilated or killed; and whoever uses in a cruel or inhuman manner in a race, game, or contest, or in training therefor, as lure or bait a live animal, except an animal if used as lure or bait in fishing; and whoever, having the charge or custody of an animal, either as owner or otherwise, inflicts unnecessary cruelty upon it, or unnecessarily fails to provide it with proper food, drink, shelter, sanitary environment, or protection from the weather, and whoever, as owner, possessor, or person having the charge or custody of an animal, cruelly drives or works it when unfit for labor, or willfully abandons it, or carries it or causes it to be carried in or upon a vehicle, or otherwise, in an unnecessarily cruel or inhuman manner or in a way and manner which might endanger the animal carried thereon, or knowingly and willfully authorizes or permits it to be subjected to unnecessary torture, suffering or cruelty of any kind shall be punished by imprisonment in the state prison for not more than 5 years or imprisonment in the house of correction for not more than 2 1/2 years or by a fine of not more than \$2,500, or by both such fine and imprisonment.

In addition to any other penalty provided by law, upon conviction for any violation of this section or of sections seventy-seven A, seventy-eight, seventy-eight A, seventy-nine A, seventy-nine B, eighty A, eighty B, eighty C, eighty D, eighty F, eighty-six, eighty-six A, eighty-six B or ninety-four the defendant shall forfeit to the custody of any society, incorporated under the laws of the commonwealth for the prevention of cruelty to animals or for the care and protection of homeless or suffering animals, the animal whose treatment was the basis of such conviction.

§ 77A. Willfully injuring police dogs and horses

Whoever willfully tortures, torments, beats, kicks, strikes, mutilates, injures, disables or otherwise mistreats, a dog or horse owned by a police department or police agency of the commonwealth or any of its political subdivisions or whoever, willfully by any action whatsoever, interferes with the lawful performance of such dog or horse shall be punished by a fine of not less than one hundred dollars and not more than five hundred dollars or by imprisonment for not more than two and one-half years or both. Persons violating this section may be arrested without a warrant by any officer qualified to serve criminal process provided said offense is committed in his presence.

§ 77B. Exhibition of wild animals

No person shall exhibit or sponsor an exhibition of any wild animal for the purpose of attracting trade at or for any place of amusement, recreation or entertainment. This section shall not be deemed to prevent the exhibition of any wild animal in a zoological garden or in connection with any theatrical exhibition or circus or by any educational institution or wild animal farm, whether on or off the premises of such educational institution or wild animal farm. Whoever violates the provisions of this section shall be punished by a fine of not more than two hundred dollars or by imprisonment for not more than thirty days.

§ 78. Selling, leading, or using horses not fit for work; forfeiture of auctioneer's license

No person holding an auctioneer's license shall receive or offer for sale or sell at public auction, nor shall any person sell at private sale, or lead, ride or drive on any public way, for any purpose except that of conveying the horse to a proper place for its humane keeping or killing, or for medical or surgical treatment, any horse which, by reason of debility, disease or lameness, or for other cause, could not be worked in the commonwealth without violating the laws against cruelty to animals. This section shall not prohibit the purchase of horses by humane societies incorporated under the laws of the commonwealth for the purpose of humanely killing the same. Violation of this section shall be punished by a fine of not less than five nor more than one hundred dollars or by imprisonment for not more than six months. If a licensed auctioneer violates this section, he shall also forfeit his license.

§ 78A. Sale of foals under five months; penalty

No person shall sell, offer for sale or otherwise dispose of any foal under five months of age other than for the purpose of immediate slaughter or humane killing unless such foal is accompanied by its dam. Violation of this section shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than six months.

§ 79. Corporation's responsibility under Sec. 77 or Sec. 78

A corporation violating either of the two preceding sections shall be punished by a fine as therein provided, and shall be responsible for the knowledge and acts of its agents and servants relative to animals transported, owned or used by it or in its custody.

§ 79A. Cutting bones or muscles to dock or set tail of horse; wound as evidence

Whoever cuts the bone of the tail of a horse for the purpose of docking the tail, or whoever causes or knowingly permits the same to be done upon premises of which he is the owner, lessee, proprietor or user, or whoever assists in or is present at such cutting, shall be punished by imprisonment for not more than one year or by a fine of not less than one hundred nor more than three hundred dollars; and whoever cuts the muscles or tendons of the tail of a horse for the purpose of setting up the tail, or whoever causes or knowingly permits the same to be done upon premises of which he is the owner, lessee, proprietor or user, or whoever assists in or is present at such cutting, shall be punished by a fine of not more than two hundred and fifty dollars. If a horse is found with the bone of its tail cut as aforesaid or with the muscles or tendons of its tail cut as aforesaid, and with the wound resulting from such cutting unhealed, upon the premises or in the charge and custody of any person, such fact shall be prima facie evidence of a violation of this section by the owner or user of such premises or the person having such charge or custody, respectively.

§ 79B. Exhibiting horse with tail cut under Sec. 79A; affidavit as to cutting in state where not prohibited; inspection

Whoever shows or exhibits at any horse show or exhibition in the commonwealth a horse with its tail cut in either manner prohibited in section seventy-nine A shall be punished by a fine of not more than two hundred and fifty dollars; provided, that this section shall not apply to the showing or exhibiting at such a show or exhibition of a horse with its tail cut in either manner prohibited by section seventy-nine A, if the owner of such horse furnishes to the manager or other official having charge of the horse show or exhibition at which such horse is shown or exhibited an affidavit by the owner, in a form approved by the director of the division of animal health of the department of food and agriculture, that the tail of such horse was so cut in a state wherein such cutting was not then specifically prohibited by the laws thereof and while the horse was actually owned by a legal resident of such state. Said affidavit shall state the year of such cutting, the name of the state wherein the cutting was done, and the sex and age of the horse, shall describe the markings of the horse, if any, and shall be subject to inspection by any officer or agent mentioned in section eighty-four.

§ 80A. Cropping or cutting off ear of dog; wound as prima facie evidence

Whoever, not being a veterinarian duly registered under chapter one hundred and twelve, crops or cuts off the whole or any part of the ear of a dog shall be punished by a fine of not more than two hundred and fifty dollars. If a dog with an ear cropped or cut off in whole or in part and with the wound resulting therefrom unhealed is found confined upon the premises or in the charge or custody of any person other than such veterinarian, or a dog officer of a city or town duly appointed under section one hundred and fifty-one of chapter one hundred and forty, such fact shall be prima facie evidence of a violation of this section by the person in control of such premises or the person having such charge or custody.

§ 80B. Exhibiting dogs with ears cropped or cut off

Whoever shows or exhibits or procures to be shown or exhibited at any dog show or exhibition in the commonwealth a dog with an ear or ears cropped or cut off, except when and as certified to be reasonably necessary by a veterinarian duly registered under the laws of the state of his residence, shall be punished by a fine of not more than two hundred and fifty dollars.

§ 80C. Taking cat, dog or bird to exhibit it, subject it to experimentation or mutilation, or to sell it for such purposes; application of law

Whoever, without the consent of the owner, takes a cat, dog or bird, with intent to exhibit or cause it to be exhibited or to subject it or cause it to be subjected to experimentation or mutilation while alive, or with intent to sell it or cause it to be sold for the purpose of being exhibited or subjected to experimentation or mutilation as aforesaid, shall be punished by a fine of not less than one hundred dollars nor more than the maximum fine permitted by law for the larceny of an article of the same value as such cat, dog or bird. This section shall not apply to an institution acquiring a cat, dog or bird under the provisions of chapter forty-nine A.

§ 80D. Living rabbits, baby chickens, ducklings or other fowl; sale, barter or gift

No person shall sell, offer for sale, barter or give away as premiums living baby chickens, ducklings or other fowl under two months of age.

No person shall sell, offer for sale, barter, display or give away living rabbits, chickens, ducklings or other fowl which have been dyed, colored or otherwise treated so as to impart to them an artificial color.

Nothing in this section shall be construed to prohibit the sale or display of baby chickens, ducklings or other fowl under two months of age by breeders or stores engaged in the business

of selling for purposes of commercial breeding and raising; provided, however, that prior to May first in any year, such ducklings may be sold or purchased only in quantities of twenty-four or more.

This section shall not prohibit, however, the sale or donation of such chickens, ducklings or fowl to schools for use in classroom instruction.

Whoever violates the provisions of this section shall be punished by a fine of not more than one hundred dollars.

§ 80E. Use of decompression chambers for putting animals to death

Whoever puts any animal to death by the use of a decompression chamber shall be punished by a fine of not less than one hundred dollars.

§ 80F. Giving away live animals as prize or award

No person shall offer or give away any live animal as a prize or an award in a game, contest or tournament involving skill or chance. The provisions of this section shall not apply to awards made to persons participating in programs relating to animal husbandry.

Whoever violates the provisions of this section shall be punished by a fine of not more than one hundred dollars.

§ 80G. Experiments on vertebrates; vivisection, dissection of animals; care

No school principal, administrator or teacher shall allow any live vertebrate to be used in any elementary or high school under state control or supported wholly or partly by public money of the state as part of a scientific experiment or for any other purpose in which said vertebrates are experimentally medicated or drugged in a manner to cause painful reactions or to induce painful or lethal pathological conditions, or in which said vertebrates are injured through any other type of treatment, experiment or procedure including but not limited to anesthetization or electric shock, or where the normal health of said animal is interfered with or where pain or distress is caused.

No person shall, in the presence of a pupil in any elementary or high school under state control or supported wholly or partly by public money of the state, practice vivisection, or exhibit a vivisected animal. Dissection of dead animals or any portions thereof in such schools shall be confined to the class room and to the presence of pupils engaged in the study to be promoted thereby, and shall in no case be for the purpose of exhibition.

Live animals used as class pets or for purposes not prohibited in paragraphs one and two hereof in such schools shall be housed or cared for in a safe and humane manner. Said animals shall not remain in school over periods when such schools are not in session, unless adequate care is provided at all times.

The provisions of the preceding three paragraphs shall also apply to any activity associated with or sponsored by the school.

Whoever violates the provisions of this section shall be punished by a fine of not more than one hundred dollars.

§ 80H. Motor vehicles; striking, injuring or killing dogs or cats

The operator of a motor vehicle that strikes and injures or kills a dog or cat shall forthwith report such an accident to the owner or custodian of said dog or cat or to a police officer in the

town wherein such accident has occurred. A violation of this section shall be punished by a fine of not more than fifty dollars.

§ 80I. Leasing or renting dogs; penalties

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

“Assistance and service dog”, a canine specifically trained to help persons with disabilities or a canine trained to help a person with a disability in life; provided, however, that “assistance and service dog” shall also include a canine trained for search and rescue and a medical response dog.

“Canine foster care”, an organization that places canines in a temporary home while awaiting pet adoption.

“Earth dog”, a canine breed used as a hunting dog to track game above and below ground.

“Farm dog”, a canine that works on a farm to assist humans or other animals.

“Pet adoption”, the permanent ownership of and responsibility for a pet that a previous owner has abandoned or otherwise abdicated its responsibility.

“Renting and leasing”, the practice of renting a dog for a fee or a cost which will knowingly result in a temporary possession of the animal by another party.

“Therapy dog”, a 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 or renting a dog. A dog held for such leasing or renting may be seized or impounded by an organization or agent thereof that is authorized to seize or impound animals under the General Laws. A violation of this section shall be punished by a fine of not less than \$100 for the first violation, not less than \$500 for the second violation and \$1,000 for subsequent violations. Fines may be levied on both the business that is leasing a dog and the person that has entered into a rental agreement. Nothing in this section shall prohibit service animal businesses or organizations, pet adoption and foster care services, and working animals for the following purposes including, 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 authorized to do so under the General Laws, dogs participating in performance sports or activities including, but not limited to, sporting, hunting, earth dog and racing dog activities and people engaged in breeding, training and showing dog, and dogs used for medical or scientific purposes so long as such use is lawful. This section shall not prohibit a pet store, kennel, pet adoption service or other entity authorized to sell pets under the General Laws for a fee or a cost from taking back a pet that it may have sold if the owner is unable to keep or handle that pet.

§ 81. Rest, water and feed for transported animals; lien; liability for detention

Railroad corporations shall not permit animals carried or transported by them to be confined in cars longer than twenty-eight consecutive hours without unloading them for at least five consecutive hours for rest, water and feeding, unless prevented by storm or accident. In estimating such confinement, the time during which the animals have been confined without

such rest on connecting roads from which they are received shall be included. Animals so unloaded shall during such rest be properly fed, watered and sheltered by the owner or person having the custody of them, or, in case of his default, by the railroad corporation transporting them, at the expense of said owner or person in custody thereof. In such case the corporation shall have a lien upon such animals for food, care and custody furnished, and shall not be liable for such detention. A corporation, owner or custodian of such animals failing to comply with this section shall be punished by a fine of not less than one hundred nor more than five hundred dollars. This section shall not apply to animals carried in cars in which they can and do have proper food, water, space and opportunity for rest.

§ 82. Arrest without warrant for violation of Sec. 77 or 81; notice; care of animals; lien

A person found violating any provision of section seventy-seven or eighty-one may be arrested and held without a warrant as provided in section fifty-four; the person making an arrest with or without a warrant shall use reasonable diligence to give notice thereof to the owner of animals found in the charge or custody of the person arrested, shall properly care and provide for such animals until the owner thereof takes charge of them, not, however, exceeding sixty days from the date of said notice, and shall have a lien on said animals for the expense of such care and provision.

§ 83. Complaint, warrant and search relative to cruelty to animals

If complaint is made to a court or magistrate authorized to issue warrants in criminal cases that the complainant has reasonable cause to believe that the laws relative to cruelty to animals have been or are violated in any particular building or place, such court or magistrate, if satisfied that there is reasonable cause for such belief, shall issue a search warrant authorizing any sheriff, deputy sheriff, constable or police officer to search such building or place; but no such search shall be made after sunset, unless specially authorized by the magistrate upon satisfactory cause shown.

§ 84. Prosecutions under Secs. 77 to 81

Sheriffs, deputy sheriffs, constables and police officers shall prosecute all violations of sections seventy-seven to eighty-one, inclusive, which come to their notice.

§ 85A. Injuring, taking away or harboring domesticated animals or birds; removal of dog license tag, collar or harness; imitation tag

Whoever with wrongful intent kills, maims, entices or carries away a dog or other domesticated animal or bird shall be liable in tort to its owner for three times its value. Any person who removes from the dog of another its license tag, collar or harness, or who, without the authorization of the owner or keeper, holds or harbors a dog or other domesticated animal of another, or who holds or harbors a lost or strayed dog or other domesticated animal for more than forty-eight hours after such animal comes into his possession without reporting or taking it to the police station or dog officer nearest to the place where it was found and informing the police officer or dog officer in charge where such dog or other animal was found, the name, color, age, size and pedigree, as fully as possible, of such animal and the person's own name and address, or who shall cause a dog to wear an imitation or counterfeit of the official tag prescribed by section one hundred and thirty-seven, one hundred and thirty-seven A or one hundred and thirty-seven B of chapter one hundred and forty, shall be punished by a fine of not more than one hundred dollars.

§ 85B. Assistance animals stolen or attacked; actions for economic and non-economic damages

(a) A physically impaired person who uses an assistance animal or the owner of the assistance animal, may bring an action for economic and non-economic damages against a person who steals or attacks the assistance animal. The action authorized by this subsection may be brought by the physically impaired person or owner notwithstanding that the assistance animal was in the custody or under the supervision of another person when the theft or attack occurred. If any other non-assistance animal should attack an assistance animal, the owner of the assistance animal may seek compensation from the owner or custodian of the non-assistance animal found to have caused harm to the assistance animal.

(b) If the theft or attack of an assistance animal as described in subsection (a) results in the death of the animal or the animal is not returned or if injuries sustained prevent the assistance animal from returning to service, the measure of economic damages shall include, but are not limited to, the veterinary medical expenses and the replacement cost of an equally trained assistance animal, without any differentiation for the age or the experience of the animal.

(c) A cause of action shall not arise under this section if the physically impaired individual, owner or the individual having custody or supervision of the assistance animal was engaged in the commission of a crime at the time of injury sustained by the assistance animal.

§ 86. Stabling horses or mules on second or higher floors, in places other than cities

No person shall stable a horse or mule on the second or any higher floor of any building, unless there are two means of exit therefrom, at opposite ends of the building, to the main or street floor, unless such building is equipped with an automatic sprinkler system. This section shall not apply to cities.

§ 86A. Stabling horses and mules above first floor; exceeding six; fire exits

No person shall stable a horse or mule above the first or ground floor of any building not equipped with an automatic sprinkler system, or horses or mules exceeding six in all on the first or ground floor of any building not so equipped, unless there are two unobstructed means of exit from each floor whereon it or they are stabled, as far apart as practicable and so constructed as to grade that the said animal or animals can quickly and safely leave the building in case of fire and approved as to situation, arrangement and utility by the chief of the fire department. The person in charge of horses and mules stabled in any building not equipped with such a system and requiring two exits as aforesaid shall cause each such animal to use each such exit at least once a week. This and the four following sections shall apply only to cities.

§ 86B. Stabling horses or mules exceeding fifteen

No person shall stable horses or mules exceeding fifteen in all at any one time in a building not equipped with an automatic sprinkler system unless a watchman is employed constantly on the premises to guard against fire.

§ 86C. Smoking in buildings used for stabling horses or mules

No person shall have a lighted cigarette, cigar or pipe in his possession in any building in which by the provisions of section eighty-six A two unobstructed means of exit are required or in which by the provisions of section eighty-six B the employment of a watchman is required, except in a room in said building made fire-resisting.

§ 86D. Pails of water and sand in buildings used for stables

On every floor of a building not equipped with an automatic sprinkler system, where horses or mules are stabled, there shall be kept in accessible locations and filled at all times, four pails of water and one pail of sand, for each one thousand square feet of floor space, to be used for no other purpose than extinguishing fires and to be so marked.

§ 86E. Entry upon premises to enforce Secs. 86A to 86D; orders

The chief of the fire department or any person designated by him may, at all reasonable hours, enter into buildings within their jurisdiction where horses or mules are stabled, or upon premises adjacent thereto, for the purpose of enforcing sections eighty-six A to eighty-six D, inclusive, and if any such official or person so authorized finds the existence of conditions likely to cause a fire in such buildings or on such premises, he shall order such conditions to be remedied. Such order shall be served by delivering the same in hand or by posting the same in a conspicuous place on the building or premises affected thereby.

§ 86F. Violation of Secs. 86 to 86D; refusal or neglect to comply with Sec. 86E orders

Whoever violates any provision of sections eighty-six to eighty-six D, inclusive, shall be punished by a fine of not more than two hundred dollars or by imprisonment for not more than one month, or both. Whoever refuses or unreasonably neglects to comply with any order issued under section eighty-six E shall be punished by a fine of not more than ten dollars for each day during which such refusal or neglect continues after service of said order.

§ 87. Keeping or using birds to be shot at; shooting them; permitting premises to be used for shooting

Whoever keeps or uses any live bird, to be shot at either for amusement or as a test of skill in marksmanship, or shoots at a bird kept or used as aforesaid, or is a party to such shooting, or lets any building, room, field or premises, or knowingly permits the use thereof, for the purpose of such shooting, shall be punished by a fine of not more than fifty dollars or by imprisonment for not more than one month, or both. Nothing herein contained shall apply to the shooting of wild game.

§ 88. Complaints and warrants relative to fighting animals; searches; arrests

If complaint is made to a court or magistrate authorized to issue warrants in criminal cases that the complainant has reasonable cause to believe that preparations are being made for an exhibition of the fighting of birds, dogs or other animals, or that such exhibition is in progress, or that birds, dogs or other animals are kept, owned, possessed, trained, bred, loaned, sold, exported or otherwise transferred in violation of section 94 at any place or in any building or tenement, such court or magistrate, if satisfied that there is reasonable cause for such belief, shall issue a search warrant authorizing any sheriff, deputy sheriff, constable or police officer, or special police officer duly appointed by the colonel of the state police at the request of the Massachusetts Society for the Prevention of Cruelty to Animals or at the request of the Animal Rescue League of Boston, to search such place, building or tenement at any hour of the day or night and take possession of all such animals and all paraphernalia, implements, equipment or other property used or employed, or intended to be used or employed, in violation of section 94 there found, and arrest all persons there present.

§ 89. Exhibition place of fighting animals; entry without warrant; arrests; seizure of animals

Any officer authorized to serve criminal process, or any special police officer duly appointed by the colonel of the state police at the request of the Massachusetts Society for the Prevention of Cruelty to Animals, or any municipal officer involved with animal control may, without a warrant, enter any place or building in which there is an exhibition of any fighting birds, dogs or other animals, preparations are being made for such an exhibition, or birds, dogs or other

animals are owned, possessed, kept, trained, bred, loaned, sold, exported or otherwise transferred in violation of section 94. Any such officer may arrest all persons there present and take possession of and remove from the place of seizure such animals there found in violation of said section 94, and hold the same in custody subject to the order of court as hereinafter provided.

§ 90. Custody of arrested persons; time limitation

Persons arrested under either of the two preceding sections shall be kept in jail or other convenient place not more than twenty-four hours, Sundays and legal holidays excepted, at or before the expiration of which time they shall be taken before a district court and proceeded against according to law.

§ 91. Application for decree of forfeiture; notice; hearing; adjudication; returning or killing of animals

After seizure and removal of animals or property used or employed, or intended to be used or employed, in violation of section 94, application shall be made to a district court for a decree of forfeiture of the animals or property. If, after hearing on the application, notice thereof having been previously given as the court orders, it shall be found that the animals, at the time of seizure, were engaged, or were intended to be engaged, in fighting at an exhibition thereof or the animals were owned, possessed, kept, trained, bred, loaned, sold, exported or otherwise transferred in violation of section 94, such animals shall be adjudged forfeited and the court shall thereupon, unless an appeal is taken as provided in the following section, issue an order for killing them. The order shall be directed to any officer authorized to serve criminal process and the officer receiving such order shall cause the animals to be killed within 24 hours thereafter. Animals or property seized as hereinbefore provided, which are not adjudged forfeited, shall be delivered to the owner or person entitled to the possession thereof. Any person shall be allowed to appear as claimant in the proceeding upon the application for a decree of forfeiture.

§ 92. Appeal; recognizance; custody and disposition of animals

An owner or claimant aggrieved by such judgment may, within twenty-four hours after the entry thereof and before its execution, appeal therefrom to the superior court; and all proceedings upon and after such appeal, including the right of exception, shall conform, so far as may be, to those in criminal cases, except that before such appeal is allowed the appellant shall recognize to the commonwealth in the sum of two hundred dollars, with sufficient sureties, to prosecute his appeal and to pay such expenses of the prosecution as the court may order and such expenses as may be thereafter incurred in the care and keeping of the birds, dogs or other animals claimed by such appellant if final judgment is rendered against them, and to abide the judgment of the court thereon. Upon the final judgment, the birds, dogs or other animals held in custody to abide such judgment shall be disposed of, under the direction of the superior court, in like manner as the court or justice might have disposed of them if no appeal had been taken. During the pendency of the appeal, all birds, dogs or other animals adjudged forfeited shall be kept in custody in a place other than that from which they were taken.

§ 92A. Advertisement, book, notice or sign relative to discrimination; definition of place of public accommodation, resort or amusement

No owner, lessee, proprietor, manager, superintendent, agent or employee of any place of public accommodation, resort or amusement shall, directly or indirectly, by himself or another, publish, issue, circulate, distribute or display, or cause to be published, issued, circulated, distributed or displayed, in any way, any advertisement, circular, folder, book, pamphlet, written or painted or printed notice or sign, of any kind or description, intended to discriminate

against or actually discriminating against persons of any religious sect, creed, class, race, color, denomination, sex, sexual orientation, which shall not include persons whose sexual orientation involves minor children as the sex object, nationality, or because of deafness or blindness, or any physical or mental disability, in the full enjoyment of the accommodations, advantages, facilities or privileges offered to the general public by such places of public accommodation, resort or amusement.

A place of public accommodation, resort or amusement within the meaning hereof shall be defined as and shall be deemed to include any place, whether licensed or unlicensed, which is open to and accepts or solicits the patronage of the general public and, without limiting the generality of this definition, whether or not it be (1) an inn, tavern, hotel, shelter, roadhouse, motel, trailer camp or resort for transient or permanent guests or patrons seeking housing or lodging, food, drink, entertainment, health, recreation or rest; (2) a carrier, conveyance or elevator for the transportation of persons, whether operated on land, water or in the air, and the stations, terminals and facilities appurtenant thereto; (3) a gas station, garage, retail store or establishment, including those dispensing personal services; (4) a restaurant, bar or eating place, where food, beverages, confections or their derivatives are sold for consumption on or off the premises; (5) a rest room, barber shop, beauty parlor, bathhouse, seashore facilities or swimming pool, except such rest room, bathhouse or seashore facility as may be segregated on the basis of sex; (6) a boardwalk or other public highway; (7) an auditorium, theatre, music hall, meeting place or hall, including the common halls of buildings; (8) a place of public amusement, recreation, sport, exercise or entertainment; (9) a public library, museum or planetarium; or (10) a hospital, dispensary or clinic operating for profit; provided, however, that with regard to the prohibition on sex discrimination, this section shall not apply to a place of exercise for the exclusive use of persons of the same sex which is a bona fide fitness facility established for the sole purpose of promoting and maintaining physical and mental health through physical exercise and instruction, if such facility does not receive funds from a government source, nor to any corporation or entity authorized, created or chartered by federal law for the express purpose of promoting the health, social, educational vocational, and character development of a single sex; provided, further, that with regard to the prohibition of sex discrimination, those establishments which rent rooms on a temporary or permanent basis for the exclusive use of persons of the same sex shall not be considered places of public accommodation and shall not apply to any other part of such an establishment.

Any person who shall violate any provision of this section, or who shall aid in or incite, cause or bring about, in whole or in part, such a violation shall be punished by a fine of not more than one hundred dollars, or by imprisonment for not more than thirty days, or both.

§ 93. Expenses of care and destruction of fighting animals

The necessary expenses incurred in the care and destruction of such birds, dogs and other animals may be allowed and paid in the same manner as expenses in criminal prosecutions.

§ 94. Owning, possessing or training fighting animals; establishing or promoting exhibition; loaning, selling or exporting fighting animals; owning or possessing animals for breeding fighting animals

Whoever: (i) owns, possesses, keeps or trains any bird, dog or other animal, with the intent that it shall be engaged in an exhibition of fighting; (ii) establishes or promotes an exhibition of the fighting of any birds, dogs or other animals; (iii) loans, sells, exports or otherwise transfers any bird, dog or other animal for the purpose of animal fighting; or (iv) owns, possesses or keeps any bird, dog or other animal for the purpose of breeding such animal with the intent that its offspring be used for animal fighting shall be punished by imprisonment in the state prison for not more than 5 years or in the house of correction for not more than 1 year, or by a fine of not more than \$1,000 or by both such fine and imprisonment.

§ 95. Aiding or being present at exhibition of fighting animals

Whoever is present at any place, building or tenement where preparations are being made for an exhibition of the fighting of birds, dogs or other animals, with intent to be present at such exhibition, or is present at, aids in or contributes to such exhibition, shall be punished by a fine of not more than two hundred and fifty dollars or by imprisonment for not more than one month, or both.