

“Law for the Welfare and Protection of Animals”

Law No. 154 of August 4, 2008, as amended

(Contains amendments incorporated by the following laws:

[Law No. 208 of October 20, 2011](#))

To establish the “Law for the Welfare and Protection of Animals”, in order to establish judicial processes, facilitate multi-sector coordination between municipalities, government agencies and private organizations; classify crimes and impose penalties; repeal Law No. 67 of May 31, 1973, as amended, known as the Animal Protection Law, among others; and other purposes.

STATEMENT OF MOTIVES

The 21st century presents innumerable challenges for Puerto Rican society, among which is a change in the perception and treatment of animals. Over the past few years, the world's view of animals has changed dramatically; These have become a fundamental part of our lives and, therefore, of society. It has been recognized that animals are sensitive entities and worthy of humane treatment.

Since 1977, when the International League for Animal Rights adopted a declaration, which was subsequently approved by the United Nations Educational, Scientific and Cultural Organization (UNESCO) and by the General Assembly of the United Nations Organization, which is based on the premise that every animal has rights and, in particular, the right to existence, respect, attention, care and protection by human beings. , avant-garde countries have adopted statutes in favor of animals. Others have updated their legislation; all collecting the principles of respect, defense and protection.

On the other hand, in Puerto Rico two thirds of households have at least one pet. However, many people who are unaware of the purpose of animals in the world are unaware of the responsibility that comes with owning an animal and choose to abandon and mistreat these innocent creatures.

For this reason, it is vitally important to protect and care for animals so that they develop in a healthy environment that benefits the Puerto Rican family and identifies us as a cutting-edge and mentally healthy society.

Animal abuse can manifest itself in many ways. Although Law No. 67 of May 31, 1973, contains provisions to deter and/or prosecute people from abuse against animals, it does not cover other areas necessary to address today's challenges.

Likewise, there are other laws that address other aspects of animal regulation but which, like Law 67, have not been completely effective. This Law includes those provisions of the statutes that address specific cases and others are included to make it more complete and rigorous.

Many of the efforts to channel those who mistreat animals are frustrated, due to the processes and penalties imposed, some of them very light for the crime committed. If we want our animals to be protected, a comprehensive statute is needed that encourages deterrence of abuse. Animals are part of our environment, they are living beings that deserve fair and dignified treatment.

On the other hand, there are scientific studies on the connection that exists between mistreatment of animals and violence towards people. Animal abuse can indicate the existence of a much deeper problem. Children, young people or people who abuse animals may be suffering situations of abuse and may become beings who disregard respect for life and human dignity. Violence is violence regardless of the victim; A person who abuses animals may not have empathy towards other living beings and has the risk of generating violence towards others. Measures must be taken to prevent further abuse of animals.

The penalties established here seek to deter aggressive behavior that may have repercussions on a larger problem, which may even involve human beings. We must convey the message to citizens that this type of behavior will not be tolerated.

Puerto Rico must stand out as a sensitive and avant-garde society that respects, protects and cares for its animals. A new law is necessary not only for the protection of these defenseless beings, but also to help develop a mentally healthy Puerto Rican society.

It is decreed by the Legislative Assembly of Puerto Rico:

CHAPTER I — GENERAL PROVISIONS

Article 1. — Title. (5 LPRA § 1660 note)

This Law will be known as the “Law for the Welfare and Protection of Animals”.

Article 2. — Definitions. (5 LPRA § 1660)

For the purposes of this Law, the following terms will have the meaning expressed below: **(a) “Abandonment”** —means the voluntary neglect or neglect, temporary or permanent, of the responsibilities of the guardian of the animal. **(b) “Animal”** – means any mammalian animal, birds, reptiles, amphibians, fish, cetaceans and any other animal of the higher *phyla* or which is in captivity or under the control of any person, or any animal protected by federal or state laws or municipal ordinances. **(c) “Royal animal”** – is one that has no known guardian.

(d) “Special collar” — means a collar that applies pressure to the animal's neck when the animal pulls in a direction against the will of the keeper or when the keeper pulls to temporarily restrict the movement of the animal. **(e) “Continuing care”** – means the preventive care that a prudent person provides to an animal to prevent permanent injury, illness, or severe condition or cause death. death.

(f) “Minimal care” means care sufficient to preserve the health and well-being of an animal, excluding emergencies or circumstances beyond the reasonable control of the keeper.

Includes, but is not limited to, the following requirements:

Yo. Quantity and quality of food sufficient to allow growth or maintenance of normal body weight for the animal.

ii. Open or adequate access to drinking water, of a drinking temperature in sufficient quantity to meet the animal's needs.

iii. Access to a stable, house or any other structure that can protect the animal from inclement weather, and that has an appropriate sleeping place that protects it from cold, excessive heat and humidity.

iv. Provide such veterinary care as a prudent person deems necessary to protect the animal from suffering; includes vaccination and preventive care.

v. Continuous access to an area. Continuous access to an area is:

a) That the animal has adequate space for exercise necessary for its health. Inadequate space may be evidenced by weakness, stress, or abnormal patterns of behavior.

b) Temperature suitable for the health of the animal in consideration of its natural habitat. **c)** Adequate ventilation.

d) Regular daylight cycles, whether natural or artificial light.

e) A clean environment free of excess waste or other contaminants that may affect the health of the animal.

(g) “Commercial animal breeder” — is a natural or legal person engaged in the business of raising animals for sale.

(h) “Provisional custody” – means that granted by a judge in an action for deprivation of custody or possession, or when a protection order is issued against the guardian of the animal, for a defined period of time, subject to review until the conclusion of the procedures. **(i) “Emergency”** – means

any situation in which an animal is found and represents an imminent risk to its safety, health or physical integrity. **(j) “Euthanasia”** — means quick, painless death, a humane method of death.

(k) “Guardian” – means the natural or legal person who has control, custody, possession or title over an animal. **(l) “Physical injury”** —means

physical trauma, loss or impairment of function, or pain inconsistent with reasonable training or handling techniques.

(m) “Severe physical injury” — means a physical injury that causes a risk of death or causes disfigurement, prolonged health impairment, or prolonged loss and/or disability of a function of a limb or bodily organ. **(n)**

“Abuse” – means any act or omission committed

by a person, whether guardian or not, that causes or puts an animal at risk of suffering harm to its health and physical integrity and/or

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emotional. Exceptions from this definition are those necessary procedures contemplated in [Law No. 241 of 1999, known as the New Wildlife Law of Puerto Rico](#), and Regulation No. 6765 of March 12, 2004, as amended, of the Department of Natural and Environmental Resources. **(o) “Neglect”** – means a type of abuse that consists of failing to perform duties or failing to

exercise the powers to adequately provide minimal and continuous care to an animal; failure to comply with the duty of care and supervision. **(p) “Police Officer”, “Police Officer” or “Animal Control Officer”** – includes any member of a force, established under any law to

carry out police functions, duties or powers under the Commonwealth of Puerto Rico. They include, without the enumeration being understood as a limitation, the members of the Puerto Rico Police, the municipal police, the members of the Vigilante Corps of the Department of Natural and Environmental Resources, the inspectors of the Department of Consumer Affairs and the inspectors from the Department of Health and the [State Office of Animal Control \(OECA\)](#).

(q) “Protection order” – means any order issued in writing under the seal of a court, in which measures are issued to a person who mistreats an animal to refrain from incurring or carrying out certain acts or behaviors constituting abuse and/or neglect. **(r) “Person”** – means an individual, corporation, trust, association, partnership or

any other legal, natural or juridical entity.

(s) “Possession” – means having physical custody or exercising dominion or control over an animal.

(t) “Imminent risk” — means any situation that represents a danger to the health, safety, physical or emotional well-being of an animal. **(u) “Unnecessary suffering”** — means

causing suffering that is not necessary for the safety, health or well-being of the animal or other beings in its environment. **(v) “Torture”** – means an action taken for the primary purpose of inflicting or prolonging pain.

(w) “Physical trauma” — means fractures, cuts, burns, bruises or other wounds and/or physical injuries to the animal's body.

(x) “Veterinarian” – means that person with the degree of doctor of veterinary medicine, licensed by the Board of Examiners of Veterinary Doctors and registered by the College of Veterinary Doctors.

Article 3. — Responsibilities and coordination with other agencies. (5 LPRA § 1660)

To guarantee faithful compliance with this Law, the municipalities of the Commonwealth of Puerto Rico must comply with the provisions of the [Autonomous Municipalities Law, Law No. 81 of August 30, 1991, and will pay priority attention to situations of abuse, and/or negligence](#) against real animals that come to their knowledge. The municipalities, in coordination with the Central Office of Municipal Affairs (OCAM) [*Note: Replaced by the Municipal Management Office, attached to the Management and Budget Office, by Law 81-2017; which amended Law 147-1980*], They will be obliged to respond as a priority to situations of abuse against real animals, as well as to their collection and care. [OCAM will coordinate](#) its efforts with other government and private agencies when the provision of related services is required.

with the identification, prevention or treatment of people involved in acts of violence against these animals. Coordination will include joint planning, public education and information services, use of each other's facilities, training and joint activities for personnel development, evaluation and case management.

Article 4. — Emergency Management. (5 LPRA § 1662)

When an animal is in an emergency situation, it will be the responsibility of the municipality where the animal is located to provide the necessary and appropriate help to the Police and the personnel of the government and/or private agency that intervene with the emergency. Every municipality is obliged to develop a management plan for emergency cases, collection and protection, related to animals, under penalty of not providing them or canceling funds from the [State Animal Control Office](#). Such management plan must be drafted within a period of one (1) year from the effective date of this Law.

Article 5. — Coordination and cooperation with non-governmental organizations. (5 LPRA § 1663)

The Government of Puerto Rico, its public corporations, departments, agencies and instrumentalities and officials must take the initiative to:

- to.** Facilitate and maintain continuous efforts to integrate the perspectives of non-governmental and community entities in the different aspects of their services;
- b.** Promote the participation of representatives of these organizations, as well as the people these organizations have served, in the planning, development, offering and evaluation of services related to people involved in animal abuse;
- c.** Establish collaboration agreements with non-governmental organizations that provide service projects for animals and/or for families involved in violence or neglect towards animals, such as for young people or abusive adults. These agreements may be established, but not limited to, the following areas: design and establishment of procedures aimed at promoting and guaranteeing the best welfare of animals; protection and security plans; support services for the prevention and management of violence in families for individuals, families, communities and for the country;
- d.** Offer all the support that these entities need to guarantee their participation and to make multi-sector collaboration possible in all aspects of compliance with this Law, respecting the autonomy of the organizations.

CHAPTER II – JUDICIAL PROCEDURE

A. GENERAL PROHIBITIONS

Article 1. — Animal abandonment. (5 LPRA § 1664)

to. If a person intentionally, knowingly, carelessly or with criminal negligence leaves the animal in a place with the intention of abandoning it, he or she commits the crime of animal abandonment. **b.** Animal abandonment is a fourth-degree

felony, which carries a prison sentence of between six (6) months and one (1) day, and three (3) years.

Yo. If the accused is convicted and qualifies and agrees to serve the sentence on probation or any other alternative method to prison confinement, a mandatory fine of one thousand (1,000) to five (5) thousand dollars would apply to the sentence.

c. If as a result of abandoning the animal it suffers a severe physical injury or causes death, the crime will be considered serious of the third degree, which entails a sentence of imprisonment between three (3) years and one day, and eight (8) years. .

Yo. If the accused is convicted and qualifies and agrees to serve the sentence on probation or any other alternative method to prison confinement, a mandatory fine of three (3) thousand to eight (8) thousand dollars would apply to the sentence.

Article 2. — Confinement of animals. (5 LPRA § 1665)

to. Any person in control of an animal must provide it with adequate space that allows freedom of movement, within the guardian's property.

b. Any person who confines, ties or otherwise limits the movement of an animal, causing it unnecessary suffering, will commit a misdemeanor that entails the imposition of an individualized fine, not exceeding ninety (90) days, a fine or a daily sentence of community service not greater than ninety (90) days or confinement or home restriction in calendar days of up to ninety (90) days, or a combination of these penalties, the total sum of which does not exceed ninety (90) days. It is also provided that to walk it, you must wear it with a collar and a walking leash; with control of the animal, in pertinent cases, without causing harm or suffering, with the exception of animals weighing over 60 pounds that require a “special collar.” **c.** Recurrence of this crime will be penalized with a prison sentence of up to six (6) months.

d. If the accused is convicted and qualifies and agrees to serve the sentence on probation or any other alternative method to prison confinement, a mandatory fine of five hundred (500) to two (2) thousand dollars would apply to the sentence. Then, for each repeat offense, the number of the last fine imposed by the Court will be doubled.

Article 3. — Abuse due to negligence. (5 LPRA § 1666)

to. A person shall be deemed negligent if such person knowingly, carelessly or negligently fails to provide minimal care to an animal in such person's possession.

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b. Animal neglect is a misdemeanor that carries a fine of up to five (5) thousand dollars or up to six (6) months in prison or both at the discretion of the Court.

c. If the accused is convicted and qualifies and agrees to serve the sentence on probation or any other alternative method to prison confinement, a mandatory fine of five hundred (500) to two (2) thousand dollars would apply to the sentence.

d. A person commits negligence if he runs over a dog, cat, horse and/or livestock with his car and does not take the necessary measures for it to be treated or, if he has caused its death, the necessary measures for its removal, provided that Don't put your safety at risk. Among the steps you must carry out are: call an animal collection center in the municipality, and if you do not have the information, call the Police. Any person who does not comply with this subsection will commit a misdemeanor, which entails the imposition of an individualized fine, not exceeding ninety (90) days, a fine or a daily sentence of community service not exceeding ninety (90) days, or confinement or restriction. home in calendar days of up to ninety (90) days, or a combination of these penalties, the total sum of which does not exceed ninety (90) days.

Article 4. — Aggravated negligence against animals. (5 LPRA § 1667)

to. A person commits aggravated negligence when he intentionally, knowingly, carelessly, or with criminal negligence:

Yo. Failure to provide minimal care to an animal in such person's possession and the failure to provide such care results in severe physical injury or death of the animal. This crime is classified as serious of the fourth degree, which carries a sentence of imprisonment between six (6) months and one (1) day, and three (3) years.

a) If the accused is convicted and qualifies and agrees to serve the sentence on probation or any other alternative method to prison confinement, a mandatory fine of one thousand (1,000) to three (3) thousand dollars would apply to the sentence.

Article 5. — Abuse of animals. (5 LPRA § 1668)

to. A person commits the crime of animal abuse if the person intentionally, knowingly, carelessly, or through criminal negligence causes any physical injury or suffering to the animal. **b.** Animal abuse is considered a fourth-degree felony, which

carries the imposition of imprisonment between six (6) months and one day, and three (3) years. **Yo.** If the accused is convicted and qualifies and agrees to serve the sentence on probation or any other alternative method to prison confinement, a mandatory fine of one thousand (1,000) to three (3) thousand dollars would apply to the sentence.

c. Notwithstanding subsection (b) of this Article, animal abuse is a serious crime of the third degree, which carries a sentence of imprisonment between three years (3) and one day and eight (8) years if:

Yo. The person committing the crime of animal abuse has been previously convicted of one or more offenses related to:

a) Any law related to the protection of animals of Puerto Rico or equivalent laws or regulations of any other jurisdiction; either

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- b) Any Puerto Rico statute on domestic violence, abuse of minors or the elderly, or equivalent laws of another jurisdiction; either
- c) The person knowingly commits animal abuse in the immediate presence of a minor. For purposes of this paragraph, a minor is in the immediate presence of animal abuse if the abuse is seen or directly perceived in any way by the minor.

If the accused is convicted, he qualifies and agrees to serve the sentence 1. on probation or any other alternative method to prison confinement, a mandatory fine of three (3) thousand to ten (10) thousand dollars would apply to the sentence. .

Article 6. — Third degree animal abuse. (5 LPRA § 1669)

to. A person commits the crime of animal abuse as a third-degree felony if a person intentionally, knowingly, carelessly, or through criminal negligence:

- Yo.** Causes some serious physical injury; either
- ii. Causes the death of an animal.

b. This crime carries imprisonment between three (3) years and one day, and eight (8) years.

Yo. If the accused is convicted and qualifies and agrees to serve the sentence on probation or any other alternative method to prison confinement, a mandatory fine of three (3) thousand to ten (10) thousand dollars would apply to the sentence.

c. Notwithstanding, subsection (a) of this Article, animal abuse will be classified as a second degree serious crime that carries a prison sentence of between eight (8) years and one day, and 15 years if:

Yo. The person, committing the crime of animal abuse, has been previously convicted of one or more offenses related to:

- a) Any law related to the protection of animals of Puerto Rico or equivalent laws or regulations of another jurisdiction; either
- b) Any Puerto Rico statute on domestic violence, abuse of minors or the elderly, or equivalent laws of another jurisdiction; either
- c) The person knowingly commits animal abuse in the immediate presence of a minor. For purposes of this paragraph, a minor is in the immediate presence of animal abuse if the abuse is seen or otherwise directly perceived by the minor.

1. If the accused is convicted, he qualifies and accepts to serve the sentence on probation or any other alternative method to prison confinement, a mandatory fine of ten (10) thousand dollars to fifteen (15) thousand dollars would apply to the sentence. dollars.

Article 7. — Aggravated abuse of animals. (5 LPRA § 1670)

to. A person commits the crime of aggravated animal abuse if the person intentionally or knowingly: i. Torture an animal; either

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ii. Kills an animal under circumstances that demonstrate premeditated malice or gross disregard for life.

b. Aggravated animal abuse is classified as a second-degree serious crime, the penalty for which is imprisonment for a term of not less than eight (8) years and one day, and a maximum of fifteen (15) years.

Yo. If the accused is convicted, he qualifies and agrees to serve the sentence on probation or any other alternative method to prison confinement, a mandatory fine of ten (10) thousand to twenty (20) thousand dollars would apply to the sentence.

c. Notwithstanding, subsection (b) of this Article, aggravated animal abuse will be classified as a second degree serious crime without the right to alternative benefits to prison confinement if:

Yo. The person committing the crime of animal abuse has been previously convicted of one or more offenses related to:

a) Any law related to the protection of animals of Puerto Rico or equivalent laws or regulations of another jurisdiction; either

b) Any Puerto Rico statute on domestic violence, abuse of minors or the elderly, or equivalent laws of another jurisdiction; either

c) The person knowingly commits the abuse of animals in the immediate presence of a minor. For purposes of this paragraph, a minor is in the immediate presence of animal abuse if the abuse is seen or otherwise directly perceived by the minor.

Article 8. —Animal fighting. (5 LPRA § 1671)

to. No person shall cause, sponsor, organize, carry out, or promote any animal to fight, threaten or injure another animal for the purpose of sport, entertainment, economic gain or any other purpose, with the exception of fighting cocks, the practice of which is regulated by Law No. 98 of 2007.

b. For the purposes of this Article, a person encourages an animal to fight, threaten or injure another animal for sporting purposes, entertainment, economic gain, among others, if the person: i. Knowingly, is present or betting on said event of fight, threat

or injury to another animal for sporting purposes, entertainment, economic gain, among others;

ii. The guardian trains, transports, possesses, reproduces or equips an animal with the intention that it be involved in said event of fight, threat or injury to another animal for sporting purposes, entertainment, economic gain, among others;

iii. Knowingly allows any type of fight, threat or injury to another animal for the purpose of sport, entertainment, economic gain, to occur in any location owned or controlled by the person, among others;

iv. Knowingly allows an animal used for said event of fighting, threat or injury to another animal for the purpose of sport, entertainment, or economic gain, among others, to be kept, housed or trained or transported in any place or vehicle owned by the of or controlled by the person;

v. Knowingly use any means of communication with the purpose of promoting said event of fight, threat or injury to another animal for sporting, entertainment, economic gain, among others; either

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vi. Knowingly possesses an animal used to fight, threaten or injure another animal for the purpose of sport, entertainment, economic gain, among others, or any intentional mechanism that enhances the ability of an animal to fight, threaten or injure for sporting purposes, entertainment, economic gain, among others.

c. Any person who carries out any or all of the actions described in this Article will be accused of inciting or participating in animal fights, which is classified as a second-degree felony.

Yo. If the accused is convicted in any of its classifications, he qualifies and accepts to serve the sentence on probation or any other alternative method to prison confinement, a mandatory fine of ten (10) thousand to twenty-five (25) thousand dollars.

If the owner of the town is a repeat offender, the property will be confiscated for the benefit of the Commonwealth of Puerto Rico.

d. Notwithstanding subsection (c) of this Article, the crime will be classified as a second-degree felony without the right to alternative benefits to prison confinement if:

Yo. The person, committing the crime of animal abuse, has been previously convicted of one or more offenses related to:

- a) Any law related to the protection of animals of Puerto Rico or equivalent laws or regulations of another jurisdiction; either
- b) Any Puerto Rico statute on domestic violence, abuse of minors or the elderly, or equivalent laws of another jurisdiction; either
- c) The person knowingly carries out any of the activities mentioned in this subsection on animal fighting in the immediate presence of a minor. For purposes of this paragraph, a minor is in the immediate presence of animal abuse if the abuse is seen or otherwise directly perceived by the minor; either

d) If as a result of said fight, an animal dies. **and.** The Puerto Rico

Police will confiscate all animals, equipment, materials and/or money found in the place where animal fights take place, without any distinction as to who is the owner of the materials or money or guardians of the items. animals. For this action, the procedure established in [Law No. 93 of July 13, 1988, known as the Uniform Confiscation Law of 1998](#), will be followed. [Note: Repealed and replaced by [Law 119-2011, as amended, “Uniform Confiscation Law of 2011” \(34 LPRR §§ 1724 et seq.\)](#)]. **F.** The seized animals must be evaluated by the Department of Health, which will carry out an evaluation of the dangerousness of the animals and, if it is determined that they are dangerous, they will be disposed of by euthanasia by a veterinarian. Otherwise, they will be delivered to a shelter, which will have all the discretion to accept or reject the animals, in order, if possible, to seek adoption for them.

Article 9. — Transport of animals. (5 LPRR § 1672)

to. When an animal is transported or carried under such conditions or in such a manner or position as to cause the animal unnecessary suffering, in conditions that do not provide adequate ventilation, light or shelter in which such animal is exposed to excessive heat, cold, inclement weather of the weather, sun or rain, or without taking due precautions to ensure that such animal has sufficient food, water or adequate rest, the person responsible for its transportation will commit a misdemeanor.

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serious, which entails the imposition of up to (5) thousand dollars in fine and/or imprisonment of up to six (6) months.

b. When the

transported animal suffers any physical injury due to not being transported properly, the crime will be serious of the fourth degree. **Yo.** If the accused is convicted and qualifies and

agrees to serve the sentence on probation or any other alternative method to prison confinement, a mandatory fine of one thousand (1,000) to three (3) thousand dollars would apply to the sentence.

Article 10. — Abuse of animals by legal entities. (5 LPRA § 1673)

to. Any entity, whether or not dedicated to activities related to animals, that mistreats an animal will be subject to the same penalties, according to the type of crime established in this Law. **i.** If found guilty, in addition to the penalties applicable

according to this Law, the person who owns the guilty company will not be able to engage in any management related to animals.

Article 11. — Poisoning. (5 LPRA § 1674)

to. If any person uses any type of poison, even if they hire a third party to do so, without taking the necessary measures to avoid physical injury to an animal that is not a pest, they will be charged with a misdemeanor, which entails the imposition of a fine. individualized, not exceeding ninety (90) days, a fine or a daily community service sentence not exceeding ninety (90) days, or confinement or home restriction on calendar days of up to ninety (90) days, or a combination of these penalties , whose total sum does not exceed ninety (90) days. It will not be a defense if an animal has entered its property. Recidivism will be classified as less serious with a fine of up to five (5) thousand dollars and/ or imprisonment of up to six (6) months. A subsequent recidivism will be classified as a fourth degree felony. **b.** Poisoning an animal is classified as a fourth-degree felony if:

Yo. An animal ingests the poison placed without proper precautions and results in severe physical injury to the animal.

a) If the accused is convicted of a fourth degree serious crime, he qualifies and accepts to serve the sentence on probation or any other alternative method to prison confinement, a mandatory fine of one thousand (1,000) to five would apply to the sentence. (5) thousand dollars.

c. Poisoning an animal is classified as a third-degree felony if:

Yo. Any poison or substance that is poisonous or causes severe physical injury or death is intentionally administered to any animal.

a) If the person accused by subsection (c) is convicted, he qualifies and accepts to serve the sentence on probation or any other alternative method to prison confinement, a mandatory fine of three (3) thousand up to ten (10) thousand dollars.

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Article 12. — Traps to capture animals. (5 LPRA § 1675)

to. If any person uses any type of trap or device to capture animals, other than pests, without taking the necessary measures to avoid unnecessary injury or suffering to an animal, the animal will be charged with a misdemeanor, which entails the imposition of an individualized fine, not exceeding ninety (90) days, a fine or a daily penalty of community service not exceeding ninety (90) days or confinement or home restriction on calendar days of up to ninety (90) days, or a combination of these penalties, which total sum does not exceed ninety (90) days. Recidivism will be classified as less serious with a fine of up to five (5) thousand dollars and/or imprisonment of up to six (6) months. A subsequent recidivism will be classified as a fourth degree felony.

Yo. It will be considered a fourth degree felony if such entrapment results in severe injury or death. **a)** If the accused is convicted of a fourth

degree serious crime, he qualifies and accepts to serve the sentence on probation or any other alternative method to prison confinement, a mandatory fine of one thousand (1,000) to three thousand (3) thousand dollars.

Article 13. — Euthanasia. (5 LPRA § 1676)

to. The termination of the life of an animal can only be carried out by a veterinarian or by appropriately trained personnel and under the supervision of a veterinarian, using techniques approved by the AVMA (*American Veterinary Medical Association*) and in compliance with the provisions of the laws: [Law 194 of August 4, 1979](#) [Note: “*Law on the Practice of Veterinary Medicine of Puerto Rico*”], [Law 247 of September 3, 2004](#) [Note: “*Puerto Rico Pharmacy Law*”], and [Law 4 of June 23, 1971, as amended](#) [Note: “*Puerto Rico Controlled Substances Law*”].

b. The animal must be cared for throughout the process, until its death is certified by a veterinarian. **c.** Any person who violates

this Article of the Law will commit a third degree felony.

Yo. If the accused is convicted and qualifies and agrees to serve the sentence on probation or any other alternative method to prison confinement, a mandatory fine of three (3) thousand to ten (10) thousand dollars would apply to the sentence.

d. Emergency situations:

Yo. In emergency situations, in which an animal is of such a size that it cannot be transported, the person in charge or who finds the animal must contact the nearest Police Station so that an officer can communicate, through the Police Command Center, directly with a veterinarian in your region. In the event that the veterinarian is unable to reach the place, and after a detailed description by the police officer of the animal's conditions, the veterinarian may instruct him to give a compassionate death to the animal by means of a “*coup de grace*.” Any unauthorized person who kills an animal will commit a fourth-degree felony. **ii.** If the accused is convicted and qualifies and agrees to serve the sentence on probation or any other alternative method to prison confinement, a mandatory fine of one thousand (1,000) to five (5) thousand dollars would apply to the sentence.

Article 14. — Cosmetic surgeries. (5 LPRA § 1677)

to. All cosmetic surgery performed on an animal must be performed only and exclusively by a licensed and registered veterinarian.

b. Any unauthorized person who engages in this practice will be charged with a fourth-degree felony.

Yo. If the

accused is convicted and qualifies and agrees to serve the sentence on probation or any other alternative method to prison confinement, a mandatory fine of one thousand (1,000) to five (5) thousand dollars would apply to the sentence.

Article 15. — Protection orders. (5 LPRA § 1678)

to. In any case in which a person is accused of domestic violence or child abuse, the Court must, upon request, issue a protection order to the petitioner so that he or she is the sole custodian of the animal. The Court will order the defendant to stay away from the animal; prohibit any type of approach. **b.** A violation of the protective order will be considered a fourth degree felony.

Yo. If the accused is convicted and qualifies and agrees to serve the sentence on probation or any other alternative method to prison confinement, a mandatory fine of from one thousand (1,000) to three (3) thousand dollars would apply to the sentence.

Article 16. — Pre-conviction provisions. (5 LPRA § 1679)

to. When a person has been accused of acts of mistreatment of an animal, the Court or law enforcement officials may, as a precautionary and preventive measure for the benefit of the animal, remove or order the provisional removal of the animal while the case is being heard. Likewise, the Court may take or order those precautionary measures that it deems appropriate and necessary for the protection and well-being of the animal, including the issuance of a protection order. The animal must be delivered to the shelter of the municipality where the guardian resides or to that private organization that has intervened in the situation of abuse, if it requests it. **b.** If after a trial on its merits or hearing the existence of mistreatment of the animal is not demonstrated, it must be returned to its guardian.

Article 17. — Animal breeders. (5 LPRA § 1680)

to. The sale of animals is prohibited on the streets, highways, and public places in the country. **b.** All breeders must be licensed by the Commonwealth of Puerto Rico. The Department of Health will be the agency responsible for issuing licenses and establishing the requirements for them. Any breeder who operates without a license from the Department of Health for such purposes, after the availability of a license from the Department of Health, shall incur a felony of the fourth degree.

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Yo. If the accused is convicted and qualifies and agrees to serve the sentence on probation or any other alternative method to prison confinement, a mandatory fine of one thousand (1,000) to five (5) thousand dollars would apply to the sentence.

c. The sale of animals on the streets, highways or public places of the country will incur a fourth degree felony.

Yo. If the accused is convicted and qualifies and agrees to serve the sentence on probation or any other alternative method to prison confinement, a mandatory fine of one thousand (1,000) to five (5) thousand dollars would apply to the sentence.

d. The recurrence of this crime entails, in addition to what is provided in subsection (c), the imposition of a fixed fine of five (5) thousand dollars.

Yo. If the convicted person qualifies and agrees to serve the sentence on probation or any other alternative method to prison confinement, a mandatory fine of five (5) thousand dollars would apply to the sentence.

Article 18. — Embargoes. (5 LPRA § 1681)

to. Any expense incurred to provide minimal care to a confiscated animal will constitute a lien on the animal and the cost of this care must be paid by the warden before the animal is returned to the warden following a finding of not guilty or dismissal of charges. charges of the criminal accusation. If the cost is not paid within thirty (30) days, after the resolution of the criminal case, the guardian's legal custody of the confiscated animal will be immediately transferred to the agency or person who has custody, which will make arrangements for its possible adoption. The cost of caring for the animal will continue to be the responsibility of the guardian against whom the agency or person with custody may bring a civil action for collection of money.

Article 19. — Experiments. (5 LPRA § 1682)

The following provisions shall apply to experiments with live animals:

to. Experiments with live animals will be restricted to those cases considered necessary for scientific or medical research purposes that are carried out in university centers or in “Eligible Research and Experimentation Centers”, which have been duly authorized by the “Licensing Committee” created. in subsection (b) of this Article. Any experiment that meets the conditions indicated in this Article will have to comply with the laws and regulations applicable to such activity, including the applicable laws of the United States Government.

b. In order to administer and supervise everything related to the authorization of experimentation with live animals in Puerto Rico, according to the provisions of this Article, a “Licensing Committee” is created by this Law, which will have the power to issue licenses for this purpose. The “Licensing Committee” will establish through regulations the requirements and criteria necessary for an entity to be considered an “Eligible Research and Experimentation Center”, whose requirements will include the minimum criteria established by the PHS (*Public Health Service*) and those elements of the ICCVAM (*Interagency Coordinating Committee on the Validation of Alternative Methods*), OLAW (*Office of Laboratory Animal*

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Welfare), and AAALAC (*Association for Assessment and Accreditation of Laboratory Animal Care*) that the “Licensing Committee” decides to regulate. Entities that are already certified by AAALAC will be deemed to meet the minimum criteria to be considered by the “Licensing Committee” with respect to the experimentation under consideration. The “Licensing Committee” will be composed of the Secretary of the Department of Economic Development and Commerce; the Executive Director of the Industrial Development Company; the Executive Director of the Puerto Rico Science, Technology and Research Trust; the Rector of the Medical Sciences Campus of the University of Puerto Rico and the Secretary of the Department of Natural and Environmental Resources of Puerto Rico. The “Licensing Committee” will be chaired by the Secretary of Economic Development and Commerce, and in his absence by the Executive Director of the Industrial Development Company, and all decisions will be made by a simple majority of its members. The requirement for a license as an “Eligible Research and Experimentation Center” will not apply to university centers; However, any university center that carries out experimentation with live animals, as provided in this Article, must notify the “Licensing Committee” of its activities and protocols.

c. The establishment of scientific research centers will be encouraged to seek alternatives to animal experimentation, and the doctrine known as “the 3R’s doctrine” will be promoted, to promote: (1) the reduction in the number of specimens used in scientific research , (2) the refinement of experimental methods that alleviate or eliminate the potential pain or discomfort of specimens subject to scientific investigation and (3) the replacement of animal experimentation when possible. These scientific research centers may be established in the Science District and will be considered science and technology research and development activities under [Law 214 of August 18, 2004, as amended](#). and, therefore, they will be able to enjoy the benefits and tax exemptions provided in that Law.

d. Experimentation on live animals for purposes not contemplated in subsection (a) of this Article is prohibited. This prohibition is applicable to experimentation for purely cosmetic purposes.

and. Experiments for educational purposes will not be allowed at elementary, intermediate and higher levels. **F.** The importation of animals for experimentation under this Article may only be carried out by entities authorized by the “Licensing Committee.” Provided that this import prohibition will not apply to species for which Puerto Rico is their natural habitat and whose natural predators are native to Puerto Rico.

Article 20. — Payment of Fines. (5 LPRA § 1683)

It is established that, if the convicted person is unable to pay any fine imposed by the Court, he or she will have to serve jail time, which will be calculated on the basis of fifty dollars per day (\$50 per day).

Article 21. — Compensation Fund. (5 LPRA § 1684)

The money from the fines will go to a special fund that will be administered by the [OECA](#), to be distributed among [municipal](#) shelters, to provide direct services for the care of animals.

Article 22. — Approval of the Law. (5 LPRA § 1660 note)

This Law will take effect immediately after its approval.

Article 23. — The laws are repealed: (5 LPRA § 1660 note)

In accordance with the foregoing, and in accordance with the aforementioned, we repeal Law Number 67 of May 31, 1973, as amended, (5 LPRA Section 1651 et seq.), known as “Law for the Protection of Animals”, as well such as Law No. 107 of 1993.

Article 24. — Provision. (5 LPRA § 1660 note)

If any clause, part or Article of this Law is found to be illicit, illegal or void, according to the final and firm determination of any court with jurisdiction, then the same will be considered invalid. put in place and the remainder of the Law will remain in full force and effect.

Note. This document was compiled by staff from the [Office of Management and Budget](#) of the Government of Puerto Rico, as a means of alerting users of our Library of the latest amendments approved for this Law.

Although we have put all our effort into preparing it, this is not an official compilation and may not be completely free of inadvertent errors; which, when made aware, are immediately corrected. All the amendments made to the Law have been incorporated in it in order to facilitate its consultation. For accuracy and precision, refer to the original texts of said law and the collection of Annotated Laws of Puerto Rico LPRA. The annotations in italics and in brackets added to the text are not part of the Law; They are only included in the case in which a law was repealed and has been replaced by another that is in force. Internet links are only directed to government sources.

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