

# MAINE STATE LEGISLATURE

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# 130th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2021

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Legislative Document

No. 535

S.P. 222

In Senate, February 24, 2021

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**An Act To Provide for the Well-being of Companion Animals upon  
the Dissolution of Marriages**

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Received by the Secretary of the Senate on February 22, 2021. Referred to the Committee on Judiciary pursuant to Joint Rule 308.2 and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT  
Secretary of the Senate

Presented by Senator CHIPMAN of Cumberland.  
Cosponsored by Representative HARNETT of Gardiner and  
Senators: BAILEY of York, BENNETT of Oxford, CLAXTON of Androscoggin,  
Representatives: CLOUTIER of Lewiston, DODGE of Belfast, McCREA of Fort Fairfield.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 19-A MRSA §953, sub-§10** is enacted to read:

3 **10. Companion animals.** In the disposition of property pursuant to subsection 1, the  
4 court, with respect to a companion animal, shall consider the well-being of the companion  
5 animal and all relevant factors, including, but not limited to:

6 A. The basic daily needs of the companion animal;

7 B. The amount of time each party has spent with the companion animal during the  
8 marriage tending to the companion animal's nutritional, grooming, physical and  
9 medical needs;

10 C. The ability of a party to continue to own, financially support and provide adequate  
11 care for the companion animal;

12 D. The emotional attachment of a party to the companion animal;

13 E. The emotional attachment of any child in the household to the companion animal  
14 and the benefit to the child of the companion animal's remaining in the primary  
15 residence of the child;

16 F. Any domestic violence between the parties or in the household of the parties; and

17 G. Any history of animal abuse or other unsafe conditions for the companion animal.

18 For the purposes of this subsection, "companion animal" means an animal kept primarily  
19 for companionship rather than as a working animal, service animal or farm animal kept for  
20 profit.

21 **SUMMARY**

22 This bill provides that in a proceeding for legal separation or divorce, in the disposition  
23 of property a court must consider the well-being of a companion animal and all relevant  
24 factors and specifies a number of factors that the court must consider.