Honorable Mayor,

I am writing to ask for your help, and resources available through your office, to work with the thousands of residents and rescue organizations that wish to see Puerto Rico free from animals suffering on our streets, beaches, and mountains. Rescuers would like to work together with you to find humane, effective, and long-lasting solutions to this problem.

Some solutions we can assist with, under your leadership are:

1. Spaying and Neutering Programs
2. Animal Shelters and Adoption Centers
3. Community Awareness Campaigns
4. Volunteer and Support Groups
5. Collaboration with Veterinarians
6. Legislation and Enforcement
7. Public-Private Partnerships

## The applicable legislations on domestic animal control that guide our collective efforts are:

## Act No. 26 of May 30, 1984, the Law of the State Office of Animal Control (“OECA”) ascribed to the Department of Health

## Act No. 154, Puerto Rico’s Animal Welfare and Protection Law

## Regulation 137 on Funds from the State Office of Animal Control

## Resolution 270 of November 15, 2021, to require the Commission for Natural Resources, Environmental Concerns and Recycling of the House of Representatives to investigate OECA and operating regional animal control centers.

## Civil Code of 2020

These legislations are detailed below.

Thank you for your service to the people of this beautiful island. I look forward to speaking with you and creating a lasting change to benefit residents, businesses, and tourists.

Please call me at **PHONE NUMBER??**

You may also reach me by email at **unitedforsatosygatos@gmail.com**.

Sincerely,

## 

## **Legislation**

## **Act No. 26 for Domestic Animal Control**–Puerto Rico enacted [Act No. 26 of 1984](https://bvirtualogp.pr.gov/ogp/Bvirtual/leyesreferencia/PDF/Animales/36-1984.pdf) to control domestic animal overpopulation. The act recognizes the injustice inherent in domestic animal overpopulation and homelessness. The act seeks to create programs, government resources, and centers for animal care, adoption, sterilization, and education. Among its requirements, the government must establish and maintain animal control and adoption centers, and municipalities must keep registries of animals.

[In 2000, the act was amended](https://www.lexjuris.com/lexlex/leyes2000/lex2000242.htm) to create the State Animal Control Office (“OECA”) under the Department of Health. OECA is responsible for implementing Act No. 36 and centralizing animal control efforts across regions and municipalities. OECA *must establish* animal control protocols and regulations, and municipalities must follow these protocols. An animal control center will be located in Puerto Rico’s e[ight (8) regions](https://www.salud.gov.pr/CMS/144). These are funded with state, federal, or private funds.

Each municipality serviced by one of these centers must also contribute financially to the operation of the animal control center. The area’s population and the number of animals serviced determine the contribution amount. OECA can contract private individuals to operate the centers, acquire needed space and resources, and collaborate in animal identification systems.

## **Animal Welfare and Protection Act**–[Act 154, Puerto Rico’s Animal Welfare and Protection Law](https://bvirtualogp.pr.gov/ogp/Bvirtual/leyesreferencia/PDF/Justicia/154-2008/154-2008.pdf) reiterates municipalities’ responsibilities towards stray domestic animals, including taking them off the street, ensuring proper care, and attending to cases of neglect and abuse of strays. Municipalities must attend to emergencies involving strays and are obligated to develop emergency plans and plans for animal control and protection. This law criminalizes and punishes abusive actions with rigorous penalties between six months and 15 years in prison. This encompasses acts such as abandonment, confinement, abuse, neglect, poisoning, animal fights, and the transport of animals in such ways that cause the animal unnecessary suffering.

## **Regulation 137 on Funds from the State Office of Animal Control**–[Department of Health enacted Regulation 137](http://app.estado.gobierno.pr/ReglamentosOnLine/Reglamentos/7741.pdf). This Regulation outlines the requirements and the processes that municipalities and private entities must follow when submitting requests for funding and contracting from OECA. These requests would be for the rescue, trapping, control, and adoption of stray animals and the development of animal shelters and educational programs. The Regulation requires that entities awarded funding and contracts submit reports on their activities and expenses each trimester and comply with a Code of Ethics applicable to government contractors.

## **Resolution 270 to investigate OECA and Animal Control Centers**–In 2021, Puerto Rico’s House of Representatives passed [Resolution 270 of November 15, 2021](https://sutra.oslpr.org/osl/esutra/MedidaReg.aspx?rid=137863), requiring the Commission for Natural Resources, Environmental Concerns, and Recycling of the House of Representatives to investigate OECA and the operating animal control centers. The Resolution cites faults in the operations of the centers and their adoption initiatives. The Resolution notes that the faults are “particularly concerning considering that the picking up and keeping of animals has become a lucrative activity for which municipalities pay thousands of dollars to private companies contracted for this work. To the extent that State and municipal responsibilities are privatized, greater supervision and transparency should be required.”

## **Civil Code of 2020**–The Civil Code of 2020 established the duties of people with respect to domestic and domesticated animals, lists the processes for the retention and custody of lost animals, and, finally, it establishes the process that the court must follow for the judicial adjudication of the duties of protection and care, in the event of separation or divorce of the family that shares the care of the animal, if there is no agreement between the parties. The code defines domestic and domesticated animals as sentient beings, excluding them from the definition of goods or things and providing that they are not subject to seizure.