

26-LS0351\T
Luckhaupt
2/4/10

CS FOR HOUSE BILL NO. 138()

**IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SIXTH LEGISLATURE - SECOND SESSION**

BY

**Offered:
Referred:**

Sponsor(s): REPRESENTATIVES GATTO, Gruenberg

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to penalties for cruelty to animals."**

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 *** Section 1.** AS 11.61.140(f) is amended to read:

4 (f) Except as provided in (g) of this section, cruelty to animals under (a)(2) or
5 (5) of this section is a class A misdemeanor. The court may also

6 (1) require forfeiture of any animal affected to the state or to a
7 custodian that supplies shelter, care, or medical treatment for the animal;

8 (2) require the defendant to reimburse the state or a custodian for all
9 reasonable costs incurred in providing necessary shelter, care, veterinary attention, or
10 medical treatment for any animal affected;

11 (3) prohibit or limit the defendant's ownership, possession, or custody
12 of animals for up to 10 years.

13 *** Sec. 2.** AS 11.61.140(g) is amended to read:

14 (g) Cruelty to animals under (a)(1), (3), or (4) of this section is a class C
15 felony. Cruelty to animals is also a class C felony if the person is convicted under

1 (a)(2) or (5) of this section and [IF] the person has been previously convicted on one
 2 [TWO] or more separate occasions within 10 years of the date of the present offense
 3 of a crime under this section, AS 11.61.145(a)(1) or (2), or a law or ordinance of
 4 another jurisdiction having elements similar to those offenses. For a conviction
 5 under this subsection, the [THE] court may also

6 (1) require forfeiture of any animal affected to the state or to a
 7 custodian that supplies shelter, care, or medical treatment for the animal;

8 (2) require the defendant to reimburse the state or a custodian for all
 9 reasonable costs incurred in providing necessary shelter, care, veterinary attention, or
 10 medical treatment for any animal affected;

11 (3) prohibit or limit the defendant's ownership, possession, or custody
 12 of animals for up to 10 years.

13 * **Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section to
 14 read:

15 **APPLICABILITY.** The changes to penalties under AS 11.61.140(f) and (g), made by
 16 secs. 1 and 2 of this Act, apply to offenses occurring on or after the effective date of this Act.