

**HOUSE BILL NO. 386**

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - SECOND SESSION

**BY REPRESENTATIVES GRUSSENDORF, Finkelstein, B.Davis**

**Introduced: 1/5/96**

**Referred: Resources, Judiciary**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to cruelty to animals and the provision of food and water to**  
2 **confined or impounded animals."**

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

4 **\* Section 1.** AS 03.55 is amended by adding a new section to read:

5           Sec. 03.55.100. CONFINEMENT OF ANIMALS WITHOUT FOOD AND  
6 WATER; INTERVENTION BY OTHERS. (a) Except as provided in (b) of this  
7 section, if an animal is impounded or confined without necessary food and water for  
8 more than 36 consecutive hours, a person may, as necessary, enter the pound or place  
9 of confinement in which the animal is confined, and supply the animal with necessary  
10 food and water.

11           (b) The authority of a person to enter and provide necessary food and water  
12 under (a) of this section does not apply to the impoundment or confinement of an  
13 animal that

14                           (1) conforms to accepted veterinary practice;

1 (2) is part of scientific research governed by accepted standards; or  
2 (3) is necessarily incident to lawful hunting or trapping activities.

3 (c) A person that provides necessary food and water under (a) of this section  
4 is not liable for the entry and may collect from the animal's owner the reasonable cost  
5 of the food and water provided.

6 (d) Notwithstanding another provision of law, an animal to whom necessary  
7 food and water is provided under (a) of this section is subject to attachment for the  
8 costs of the food and water provided and is not exempt from levy and sale upon  
9 execution issued upon the judgment.

10 (e) In this section, "animal" has the meaning given in AS 11.61.140.

11 \* **Sec. 2.** AS 11.61.140(a) is amended to read:

12 (a) A person commits the crime of cruelty to animals if the person

13 (1) intentionally inflicts severe and prolonged physical pain or suffering  
14 on an animal;

15 (2) **with criminal negligence**, [RECKLESSLY] neglects an animal and,  
16 as a result of that neglect, causes the death of the animal or causes severe pain or  
17 suffering to the animal; or

18 (3) kills an animal by the use of a decompression chamber.