

AMENDMENT #1

Wielechowski

OFFERED IN THE SENATE

TO: SCS CSHB 307(JUD)

1 Page 1, line 1, following "to":

2 Insert "**cruelty to animals and promoting an exhibition of fighting animals; and**"

3

4 Page 2, following line 30:

5 Insert new bill sections to read:

6 **** Sec. 4.** AS 11.61.140(a) is amended to read:

7 (a) A person commits cruelty to animals if the person

8 (1) knowingly inflicts severe and prolonged physical pain or suffering
9 on an animal;

10 (2) with criminal negligence, fails to care for an animal and, as a result,
11 causes the death of the animal or causes severe physical pain or prolonged suffering to
12 the animal;

13 (3) kills or injures an animal by the use of a decompression chamber;

14 [OR]

15 (4) intentionally kills or injures a pet or livestock by the use of poison;

16 or

17 (5) knowingly kills or injures an animal, other than as provided in

18 (1) or (3) of this subsection, with the intent to intimidate, threaten, or terrorize

19 another person.

20 * **Sec. 5.** AS 11.61.140(b) is amended to read:

21 (b) Each animal that is subject to cruelty to animals under (a) [(a)(1) - (4)] of
22 this section shall constitute a separate offense.

23 * **Sec. 6.** AS 11.61.140(f) is amended to read:

24 (f) Except as provided in (g) of this section, cruelty [CRUELTY] to animals

1 is a class A misdemeanor. The court may also

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

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

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

9 * **Sec. 7.** AS 11.61.140 is amended by adding a new subsection to read:

10 (g) Cruelty to animals is a class C felony if the person has been previously
11 convicted on two or more separate occasions within 10 years of the date of the present
12 offense of a crime under this section, AS 11.61.145(a)(1) or (2), or a law or ordinance
13 of another jurisdiction having elements similar to those offenses. The court may also

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

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

19 (3) prohibit or limit the defendant's ownership, possession, or custody
20 of animals for up to ten years.

21 * **Sec. 8.** AS 11.61.145(d) is amended to read:

22 (d) Promoting an exhibition of fighting animals

23 (1) under (a)(1) or (2) of this section is a class C felony;

24 (2) under (a)(3) of this section is a violation for the first offense,

25 [AND] a class B misdemeanor for the second **offense, and a class A misdemeanor**
26 **for the third** and each subsequent offense."
27

28 Renumber the following bill section accordingly.