

HOUSE CS FOR CS FOR SENATE BILL NO. 273(JUD)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIFTH LEGISLATURE - SECOND SESSION

BY THE HOUSE JUDICIARY COMMITTEE

Offered: 4/10/08

Referred: Rules

Sponsor(s): SENATOR WIELECHOWSKI

REPRESENTATIVE Lynn

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to cruelty to animals and promoting an exhibition of fighting animals."**

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

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

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

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

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

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

11 [OR]

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

13 **or**

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

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

1 **another person.**

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

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

5 * **Sec. 3.** AS 11.61.140(f) is amended to read:

6 (f) Cruelty to animals **under (a)(1), (3), or (4) of this section** is a **class C**
7 **felony. Cruelty to animals under (a)(2) or (5) of this section is a** class A
8 misdemeanor. **In addition to these penalties, the** [THE] court may also

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

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

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

16 * **Sec. 4.** AS 11.61.145(d) is amended to read:

17 (d) Promoting an exhibition of fighting animals

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

19 (2) under (a)(3) of this section is a violation for the first offense,
20 [AND] a class B misdemeanor for the second **offense,** and **a class A misdemeanor**
21 **for the third and** each subsequent offense.