

1 S.12

2 Introduced by Senator Starr

3 Referred to Committee on Judiciary

4 Date: January 10, 2017

5 Subject: Crimes; animal cruelty; aggravated animal cruelty; penalties

6 Statement of purpose of bill as introduced: This bill proposes to increase the  
7 maximum prison sentence for the first offense of aggravated animal cruelty to  
8 five years and increase the maximum prison sentence for second and  
9 subsequent offenses of aggravated animal cruelty to seven years.

10 An act relating to increasing the maximum prison sentence for first, second,  
11 and subsequent offenses of aggravated animal cruelty

12 It is hereby enacted by the General Assembly of the State of Vermont:

13 ~~Sec. 1. 13 V.S.A. § 353 is amended to read:~~

14 § 353. DEGREE OF OFFENSE; SENTENCING UPON CONVICTION

15 (a) Penalties.

16 (1) Except as provided in subdivision (3) or (4) of this subsection,  
17 cruelty to animals under section 352 of this title shall be punishable by a  
18 sentence of imprisonment of not more than one year, or a fine of not more than  
19 \$2,000.00, or both. Second and subsequent convictions shall be punishable by  
20 ~~a sentence of imprisonment of not more than two years or a fine of not more~~

1 ~~than \$5,000.00, or both.~~

2 (2) Aggravated cruelty under section 352a of this title shall be  
3 punishable by a sentence of imprisonment of not more than ~~three~~ five years or  
4 a fine of not more than \$5,000.00, or both. Second and subsequent offenses  
5 shall be punishable by a sentence of imprisonment of not more than ~~five~~ seven  
6 years or a fine of not more than \$7,500.00, or both.

7 \* \* \*

8 Sec. 2. EFFECTIVE DATE

9 ~~This act shall take effect on July 1, 2017.~~

*Sec. 1. 13 V.S.A. chapter 8 is amended to read:*

*CHAPTER 8. HUMANE AND PROPER TREATMENT OF ANIMALS*

*Subchapter 1. Cruelty to Animals*

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*§ 352a. AGGRAVATED CRUELTY TO ANIMALS*

*A person commits the crime of aggravated cruelty to animals if the person:*

*(1) kills an animal by intentionally causing the animal undue pain or suffering;*

*(2) intentionally, maliciously, and without just cause tortures, mutilates, or cruelly beats an animal; or*

*(3) intentionally injures or kills an animal that is in the performance of official duties while under the supervision of a law enforcement officer.*

*§ 353. DEGREE OF OFFENSE; SENTENCING UPON CONVICTION*

*(a) Penalties.*

*(1) Except as provided in subdivision (3) or (4) of this subsection, cruelty to animals under section 352 of this title shall be punishable by a sentence of imprisonment of not more than one year, or a fine of not more than \$2,000.00, or both. Second and subsequent convictions shall be punishable by a sentence of imprisonment of not more than two years or a fine of not more*

*than \$5,000.00, or both.*

*(2) Aggravated cruelty under section 352a of this title shall be punishable by a sentence of imprisonment of not more than ~~three~~ five years or a fine of not more than \$5,000.00, or both. Second and subsequent offenses shall be punishable by a sentence of imprisonment of not more than ~~five~~ ten years or a fine of not more than \$7,500.00, or both.*

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*Sec. 2. EFFECTIVE DATE*

*This act shall take effect on July 1, 2017.*