

H.566

An act relating to animal cruelty

The Senate proposes to the House to amend the bill by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 13 V.S.A. § 352 is amended to read:

§ 352. CRUELTY TO ANIMALS

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

(1) ~~intentionally~~ Intentionally kills or attempts to kill any animal belonging to another person without first obtaining legal authority or consent of the owner;

(2) ~~overworks~~ Overworks, overloads, tortures, torments, abandons, administers poison to, cruelly ~~beats~~ harms or mutilates an animal; or exposes a poison with intent that it be taken by an animal;

(3) ~~ties~~ Ties, tethers, or restrains an animal, either a pet or livestock, in a manner that is inhumane or is detrimental to its welfare. Livestock and poultry husbandry practices are exempted;

(4) ~~deprives~~ Deprives an animal ~~which~~ that a person owns, possesses, or acts as an agent for; of adequate food, water, shelter, rest, sanitation, or necessary medical attention; or transports an animal in overcrowded vehicles;

(5)(A) ~~owns~~ Owns, possesses, keeps, or trains an animal engaged in an exhibition of fighting; ~~or~~; possesses, keeps, or trains any animal with intent

that it be engaged in an exhibition of fighting; or permits any such act to be done on premises under his or her charge or control; ~~or,~~

(B) ~~owns~~ Owns, possesses, ships, transports, delivers, or keeps a device, equipment, or implement for the purpose of training or conditioning an animal for participation in animal fighting; or enhancing an animal's fighting capability.

(6) ~~acts~~ Acts as judge or spectator at events of animal fighting or bets or wagers on the outcome of such fight;

(7) ~~as~~ As poundkeeper, officer, or agent of a humane society or as an owner or employee of an establishment for treatment, board, or care of an animal, knowingly receives, sells, transfers, or otherwise conveys an animal in his or her care for the purpose of research or vivisection;

(8) ~~intentionally~~ Intentionally torments or harasses an animal owned or engaged by a police department or public agency of the State or its political subdivisions; or interferes with the lawful performance of a police animal;

(9) ~~knowingly~~ Knowingly sells, offers for sale, barter, or displays living baby chicks, ducklings, or other fowl ~~which~~ that have been dyed, colored, or otherwise treated so as to impart to them an artificial color; or fails to provide poultry with proper brooder facilities;

(10) ~~uses~~ Uses a live animal as bait or lure in a race, game, or contest; or in training animals in a manner inconsistent with 10 V.S.A. Part 4 or the rules adopted thereunder;

- (11)(A) ~~engages~~ Engages in sexual conduct with an animal;
- (B) ~~possesses~~ Possesses, sells, transfers, purchases, or otherwise obtains an animal with the intent that it be used for sexual conduct;
- (C) ~~organizes~~ Organizes, promotes, conducts, aids, abets, or participates in as an observer an act involving any sexual conduct with an animal;
- (D) ~~causes~~ Causes, aids, or abets another person to engage in sexual conduct with an animal;
- (E) ~~permits~~ Permits sexual conduct with an animal to be conducted on premises under his or her charge or control; ~~or~~
- (F) ~~advertises~~ Advertises, offers, or accepts the offer of an animal with the intent that it be subject to sexual conduct in this State.

Sec. 1a. 13 V.S.A. § 353(a) is amended to read:

(a) Penalties.

\* \* \*

(5) A person who violates subdivision 352(1) of this title by intentionally killing or attempting to kill an animal belonging to another or subdivision 352(2) of this title by torturing, administering poison to, or cruelly ~~beating~~ harming or mutilating an animal shall be imprisoned not more than two years or fined not more than \$5,000.00, or both.

Sec. 2. EFFECTIVE DATE

This act shall take effect on passage.