1	TO THE HOUSE OF REPRESENTATIVES:
2	The Committee on Judiciary to which was referred Senate Bill No. 12
3	entitled "An act relating to increasing the maximum prison sentence for first,
4	second, and subsequent offenses of aggravated animal cruelty" respectfully
5	reports that it has considered the same and recommends that the House propose
6	to the Senate that the bill be amended by striking out all after the enacting
7	clause and inserting in lieu thereof the following:
8	Sec. 1. 13 V.S.A. chapter 8 is amended to read:
9	CHAPTER 8. HUMANE AND PROPER TREATMENT OF ANIMALS
10	Subchapter 1. Cruelty to Animals
11	§ 351. DEFINITIONS
12	As used in this chapter:
13	(1) "Animal" means all living sentient creatures, not human beings.
14	***
15	(19) "Sexual conduct" means:
16	(A) any act between a person and animal that involves contact
17	between the mouth, sex organ, or anus of a person and the mouth, sex organ, or
18	anus of an animal; or
19	(B) without a bona fide veterinary or animal husbandry purpose, the
20	insertion, however slight, of any part of a person's body or of any instrument,
21	apparatus, or other object into the vaginal or anal opening of an animal.

1	* * *
2	§ 352. CRUELTY TO ANIMALS
3	A person commits the crime of cruelty to animals if the person:
4	(1) intentionally kills or attempts to kill any animal belonging to another
5	person without first obtaining legal authority or consent of the owner, or
6	engages in a reckless course of conduct that results in the death of an animal;
7	* * *
8	(10) uses a live animal as bait or lure in a race, game, or contest, or in
9	training animals in a manner inconsistent with 10 V.S.A. Part 4 of Title 10 or
10	the rules adopted thereunder:
11	(11)(A) engages in sexual conduct with an animal;
12	(B) possesses, sells, transfers, purchases, or otherwise obtains an
13	animal with the intent that it be used for sexual conduct;
14	(C) organizes, promotes, conducts, aids, abets, or participates in as an
15	observer an act involving any sexual conduct with an animal;
16	(D) causes, aids, or abets another person to engage in sexual conduct
17	with an animal;
18	(E) permits sexual conduct with an animal to be conducted on
19	premises under his or her charge or control; or
20	(F) advertises, offers, or accepts the offer of an animal with the intent
21	that it be subject to sexual conduct in this State.

1	§ 352a. AGGRAVATED CRUELTY TO ANIMALS
2	A person commits the crime of aggravated cruelty to animals if the person:
3	(1) kills an animal by intentionally causing the animal undue pain or
4	suffering;
5	(2) intentionally, maliciously, and without just cause tortures, mutilates,
6	or cruelly beats an animal; or
7	(3) intentionally injures or kills an animal that is in the performance of
8	official duties while under the supervision of a law enforcement officer.
9	* * *
10	§ 353. DEGREE OF OFFENSE; SENTENCING UPON CONVICTION
11	(a) Penalties.
12	(1) Except as provided in subdivision (3) or, (4), or (5) of this
13	subsection, cruelty to animals under section 352 of this title shall be punishable
14	by a sentence of imprisonment of not more than one year, or a fine of not more
15	than \$2,000.00, or both. Second and subsequent convictions shall be
16	punishable by a sentence of imprisonment of not more than two years or a fine
17	of not more than \$5,000.00, or both.
18	(2) Aggravated cruelty under section 352a of this title shall be
19	punishable by a sentence of imprisonment of not more than three years or a
20	fine of not more than \$5,000.00, or both. Second and subsequent offenses

1	shall be punishable by a sentence of imprisonment of not more than five years
2	or a fine of not more than \$7,500.00, or both.
3	* * *
4	(5) A person who violates subdivision 352(1) of this title by
5	intentionally killing or attempting to kill an animal belonging to another shall
6	be imprisoned not more than two years or fined not more than \$5,000.00, or
7	both.
8	* * *
9	Sec. 2. EFFECTIVE DATE
10	This act shall take effect on July 1, 2017.
11	
12	
13	(Committee vote:)
14	
15	Representative
16	FOR THE COMMITTEE