

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 * * *

12 § 352. CRUELTY TO ANIMALS

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

14 (1) intentionally kills or attempts to kill any animal belonging to another
15 person without first obtaining legal authority or consent of the owner, or

16 engages in a reckless course of conduct that results in the death of an animal;

17 * * *

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

21 (11)(A) engages in sexual contact with an animal;

1 (B) possesses, sells, transfers, purchases, or otherwise obtains an
2 animal with the intent that it be used for sexual contact;

3 (C) organizes, promotes, conducts, aids, abets, or participates in as an
4 observer an act involving any sexual contact with an animal;

5 (D) causes, aids, or abets another person to engage in sexual contact
6 with an animal;

7 (E) permits sexual contact with an animal to be conducted on
8 premises under his or her charge or control; or

9 (F) advertises, offers, or accepts the offer of an animal with the intent
10 that it be subject to sexual contact in this State.

11 § 352a. AGGRAVATED CRUELTY TO ANIMALS

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

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

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

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

19 * * *

20 § 353. DEGREE OF OFFENSE; SENTENCING UPON CONVICTION

21 (a) Penalties.

1 (1) Except as provided in subdivision (3) ~~or (4)~~, or (5) of this
2 subsection, cruelty to animals under section 352 of this title shall be punishable
3 by a sentence of imprisonment of not more than one year, or a fine of not more
4 than \$2,000.00, or both. Second and subsequent convictions shall be
5 punishable by a sentence of imprisonment of not more than two years or a fine
6 of not more than \$5,000.00, or both.

7 (2) Aggravated cruelty under section 352a and a violation of
8 subdivision 352(11) of this title shall be punishable by a sentence of
9 imprisonment of not more than three years or a fine of not more than
10 \$5,000.00, or both. Second and subsequent offenses shall be punishable by a
11 sentence of imprisonment of not more than five years or a fine of not more
12 than \$7,500.00, or both.

13 * * *

14 (5) A person who violates subdivision 352(1) of this title by
15 intentionally killing or attempting to kill an animal belonging to another shall
16 be imprisoned not more than two years or fined not more than \$5,000.00, or
17 both.

18 * * *

19 Sec. 2. EFFECTIVE DATE

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

21

1

2 (Committee vote: _____)

3

4

Representative _____

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FOR THE COMMITTEE