

1 HB27
2 151314-2
3 By Representative Faust
4 RFD: Agriculture and Forestry
5 First Read: 05-FEB-13
6 PFD: 12/07/2012

1 "(3) Kills or injures without good cause any animal
2 belonging to another.

3 "(b) Cruelty to animals is a Class ~~B~~ A misdemeanor
4 and on the first conviction of a violation of this section
5 shall be punished by a fine of not more than three thousand
6 dollars (\$3,000) or imprisonment in the county jail for not
7 more than ~~six months~~ one year, or both fine and imprisonment;
8 on a second conviction of a violation of this section, shall
9 be punished by a fine of not less than five hundred dollars
10 (\$500) nor more than three thousand dollars (\$3,000) or
11 imprisonment in the county jail for not more than ~~six months~~
12 one year, or both fine and imprisonment; and on a third or
13 subsequent conviction of a violation of this section, shall be
14 punished by a fine of not less than one thousand dollars
15 (\$1,000) nor more than three thousand dollars (\$3,000) or
16 imprisonment in the county jail for not more than ~~six months~~
17 one year, or both fine and imprisonment."

18 Section 2. (a) A person commits the crime of
19 aggravated cruelty to animals if the person intentionally or
20 knowingly violates Section 13A-11-14, Code of Alabama 1975,
21 and the act of cruelty or neglect involved the infliction of
22 torture to the animal.

23 (b) The word "torture" as used in this act shall
24 mean the act of doing physical injury to an animal by the
25 infliction of inhumane treatment or gross physical abuse meant
26 to cause the animal intensive or prolonged pain or serious
27 physical injury, or by causing the death of the animal.

1 (c) For purposes of this act, the terms "torture"
2 and "cruelty" do not include the following:

3 (1) Actions taken if there is a reasonable fear of
4 imminent attack, or conduct which is otherwise permitted under
5 the agricultural or animal husbandry laws, customs, or
6 practices of this state or the United States, including, but
7 not limited to, catfish, cattle, goats, horses, pigs, hogs,
8 poultry, sheep, pen-raised game, rodeo stock and other farm
9 animals.

10 (2) Conduct which is permitted under the fishing,
11 hunting, and trapping laws, customs, or practices of this
12 state or the United States.

13 (3) Conduct that is permitted under the laws,
14 customs, or practices of this state or the United States
15 related to the training, conditioning, and use of animals for
16 rodeos, equine activities, livestock shows, field trials, and
17 similar activities, or the use of dogs for hunting, service
18 work, or similar activities.

19 (4) Conduct that is licensed or lawful under the
20 Alabama Veterinary Practice Act or conduct by any licensed
21 veterinarian that complies with accepted standards of practice
22 of the profession within the State of Alabama, including, but
23 not limited to, euthanasia.

24 (5) Conduct that is lawful under the laws of this
25 state or the United States relating to activities undertaken
26 by research and education facilities and institutions.

1 (d) Aggravated cruelty to animals is a Class C
2 felony.

3 Section 3. Although this bill would have as its
4 purpose or effect the requirement of a new or increased
5 expenditure of local funds, the bill is excluded from further
6 requirements and application under Amendment 621, now
7 appearing as Section 111.05 of the Official Recompilation of
8 the Constitution of Alabama of 1901, as amended, because the
9 bill defines a new crime or amends the definition of an
10 existing crime.

11 Section 4. This act shall become effective on the
12 first day of the third month following its passage and
13 approval by the Governor, or its otherwise becoming law.

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House of Representatives

Read for the first time and re-
ferred to the House of Representa-
tives committee on Agriculture and
Forestry..... 05-FEB-13

Reported from Agriculture and For-
estry as Favorable with 1 substi-
tute..... 28-FEB-13

Read for the third time and passed
as amended..... 09-APR-13
Yeas 97, Nays 0, Abstains 1

Jeff Woodard
Clerk