1   HB256

2   189144-1

3   By Representatives Butler and Nordgren

4   RFD: Public Safety and Homeland Security

5   First Read: 18-JAN-18

1   189144-1:n:12/13/2017:KBH/tj LSA2017-3724

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8   SYNOPSIS: Under existing law, a person commits the

9   crime of cruelty to a dog or cat in the second

10   degree if he or she deprives the animal of

11   necessary shelter.

12   This bill would provide a specific

13   definition of the shelter required.

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15   A BILL

16   TO BE ENTITLED

17   AN ACT

18

19   Relating to animals; to amend Section 13A-11-240,

20   Code of Alabama 1975, relating to definitions for animal

21   cruelty laws, to provide a definition of shelter.

22   BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

23   Section 1. Section 13A-11-240, Code of Alabama 1975,

24   is amended to read as follows:

25   "§13A-11-240.

26   "(a) The word "torture" as used in this article

27   shall mean the act of doing physical injury to a dog or cat by

1   the infliction of inhumane treatment or gross physical abuse

2   meant to cause ~~said animal~~ the dog or cat intensive or

3   prolonged pain or serious physical injury, or thereby causing

4   the death of the dog or cat due to ~~said~~ the act.

5   "(b) The word "cruel" as used in this article shall

6   mean~~: Every~~ every act, omission, or neglect, including

7   abandonment, where unnecessary or unjustifiable pain or

8   suffering, including abandonment, is caused or where

9   unnecessary pain or suffering is allowed to continue.

10   "(c) The words "dog or cat" as used in this article

11   shall mean any domesticated member of the dog or cat family.

12   "(d) The word "shelter" as used in this article

13   shall mean a measure by which a dog or cat regularly

14   maintained outdoors is protected from the elements, including

15   heat, cold, wind, and water. The measure shall have a roof,

16   sides, and a floor and be of a size to allow the animal to

17   enter, turn around, and lie down."

18   Section 2. This act shall become effective

19   immediately following its passage and approval by the

20   Governor, or its otherwise becoming law.