

1 HB305  
2 197848-1  
3 By Representatives Sorrell, Rowe, Weaver, Reynolds and Ball  
4 RFD: Agriculture and Forestry  
5 First Read: 02-APR-19

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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 reasonably protected from the elements,  
15 including heat, cold, wind, and water. The measure shall have  
16 a roof, sides, and be of a size to allow the animal to enter,  
17 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.