

ENROLLED ACT NO. 57, SENATE

FIFTY-SEVENTH LEGISLATURE OF THE STATE OF WYOMING
2003 GENERAL SESSION

AN ACT relating to cruelty to animals; providing for a felony offense if cruelty results in the death of an animal as specified; modifying elements of the misdemeanor offense of cruelty to animals; prescribing a penalty; making conforming amendments; and providing for an effective date.

Be It Enacted by the Legislature of the State of Wyoming:

Section 1. W.S. 6-3-203(a)(i), (ii), (e), (h), (j)(intro), (m)(intro) and by creating a new subsection (n) is amended to read:

6-3-203. Cruelty to animals; penalties; limitation on manner of destruction.

(a) A person commits cruelty to animals if he knowingly and with intent to cause death, injury or undue suffering:

(i) Overrides, an animal or drives an animal when overloaded; ~~tortures or torments an animal or deprives an animal of necessary sustenance;~~ or

(ii) Unnecessarily or cruelly beats, tortures, torments, injures, mutilates or ~~kills~~ attempts to kill an animal; or

(e) ~~Cruelty to animals~~ Unless punishable under subsection (n) of this section, a violation of this section is a misdemeanor punishable by imprisonment for not more than six (6) months, a fine of not more than seven hundred fifty dollars (\$750.00), or both except that a subsequent offense, or aggravated cruelty to animals as defined by ~~paragraphs~~ subsection (c)(ii), (iv), (v) and (vi) of this section is a high misdemeanor punishable by not more than

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one (1) year imprisonment, a fine of not more than five thousand dollars (\$5,000.00), or both.

(h) If a person convicted of ~~cruelty to animals under a violation of~~ this section is also the owner of the animal, the court may require the person to forfeit ownership of the animal to the county in which the person is convicted. This subsection shall not affect the interest of any secured party or other person who has not participated in the offense.

(j) In addition to any sentence and penalties imposed under subsections (e) ~~, and~~ (h) and (n) of this section, the court may:

(m) Nothing in subsection (a) ~~, or~~ (b) or (n) of this section shall be construed to prohibit:

(n) A person commits a felony if he knowingly and with intent to cause death, injury or undue suffering, cruelly beats, tortures, torments, injures or mutilates an animal resulting in the death or required euthanasia of the animal. A felony under this subsection is punishable by not more than two (2) years imprisonment, a fine of not more than five thousand dollars (\$5,000.00), or both.

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Section 2. This act is effective July 1, 2003.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the Senate.

Chief Clerk