

SENATE FILE NO. SF0137

Protection of animals.

Sponsored by: Senator(s) Burns and Representative(s)
Zwonitzer, Dn.

A BILL

for

1 AN ACT relating to protection of animals; providing for
2 authority to prevent animal cruelty and to take charge of
3 certain animals as specified; making conforming changes;
4 and providing for an effective date.

5

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

7

8 **Section 1.** W.S. 6-3-203(h) and by creating new
9 subsections (q) and (r) is amended to read:

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11 **6-3-203. Cruelty to animals; penalties; limitation on**
12 **manner of destruction.**

13

14 (h) If a person convicted of a violation of this
15 section is also the owner of the animal, the court may
16 require the person to forfeit ownership of the animal to

1 the county in which the person is convicted. This
2 subsection shall not affect the interest of any secured
3 party or other person who has not participated in the
4 offense. Nothing in this subsection shall be deemed to
5 affect any authority to prevent animal cruelty under
6 subsection (q) or (r) of this section.

7
8 (q) Any local government peace officer or animal
9 control officer as authorized by W.S. 15-1-103(a)(xiv) may
10 lawfully interfere to prevent the perpetration of any act
11 of cruelty upon any animal, including a household pet, in
12 his presence. Any person who interferes with, obstructs or
13 resists any peace officer in the discharge of his duty
14 under this subsection shall be fined not less than two
15 hundred dollars (\$200.00) nor more than one thousand five
16 hundred dollars (\$1,500.00), or imprisoned not more than
17 one (1) year, or both. As used in this subsection "animal"
18 shall not include livestock as defined in W.S.
19 11-20-101(a)(iv). Except in cases of gross or willful
20 negligence, nothing in this subsection shall apply to any
21 livestock guarding animal or livestock herding dog which is
22 actively engaged in protecting or herding livestock.

23

1 (r) Any local government peace officer or animal
2 control officer as authorized by W.S. 15-1-103(a)(xiv) may
3 take charge of any animal including a household pet found
4 abandoned, neglected or cruelly treated as defined in this
5 section. He shall give notice to the owner, if known, and
6 may care and provide for the animal until the animal is
7 released or destroyed. The expenses of care and provision
8 is a charge against the owner of the animal and collectible
9 from the owner by the local government employing the peace
10 officer taking charge of the animal in a civil action. The
11 local government may detain the animal until the expense
12 for food, shelter and care is paid and may have a lien upon
13 the animal. As used in this subsection "animal" shall not
14 include livestock as defined in W.S. 11-20-101(a)(iv).
15 Except in cases of gross or willful negligence, nothing in
16 this subsection shall apply to any livestock guarding
17 animal or livestock herding dog which is actively engaged
18 in protecting or herding livestock.

19

1 **Section 2.** This act is effective immediately upon
2 completion of all acts necessary for a bill to become law
3 as provided by Article 4, Section 8 of the Wyoming
4 Constitution.

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6

(END)