

SENATE FILE NO. SF0100

Cruelty to animals.

Sponsored by: Senator(s) Geis

A BILL

for

1 AN ACT relating to cruelty to animals; modifying elements  
2 of the offense of cruelty to animals; classifying animal  
3 hoarding and puppy mill ownership and operation as animal  
4 cruelty; creating the animals protection account; providing  
5 definitions; providing penalties for animal hoarders and  
6 owners or operators of puppy mills; providing for a  
7 continuous appropriation; providing an appropriation; and  
8 providing for an effective date.

9

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

11

12 **Section 1.** W.S. 6-3-203(a)(intro), (b) and by  
13 creating new subsections (o) and (p) is amended to read:

14

15 **6-3-203. Cruelty to animals; penalties; limitation on**  
16 **manner of destruction.**

17

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

4  
5 (b) A person commits cruelty to animals if he:

6  
7 (i) Is the owner or has the charge and custody  
8 of any animal and unnecessarily fails to provide it with  
9 the proper food, drink or protection from the weather;~~;~~ ~~or~~  
10 ~~eruelly~~

11  
12 (ii) Abandons the animal; ~~or in the case of~~  
13 ~~immediate, obvious, serious illness or injury,~~

14  
15 (iii) Fails to provide the animal with  
16 appropriate care~~;~~ in the case of immediate, obvious,  
17 serious illness or injury;

18  
19 (iv) Is an animal hoarder;

20  
21 (v) Owns or operates a puppy mill.

22  
23 (o) There is created the "cruelty to animals  
24 protection account." Funds shall be credited to the

1 account as provided by law. Funds in the account are  
2 continuously appropriated to the Wyoming livestock board to  
3 reimburse county law enforcement agencies for eligible  
4 expenses regarding animal cruelty cases. The Wyoming  
5 livestock board shall develop rules and regulations to  
6 establish eligible expenses and to determine how county law  
7 enforcement agencies will be reimbursed for the costs of  
8 any animal welfare case, in an amount not to exceed ninety  
9 percent (90%) in any particular case. Any reimbursement  
10 under this subsection shall be contingent upon available  
11 funding. All funds in the account may be used for and are  
12 continuously appropriated for eligible expenses authorized  
13 to be made under this subsection. The cruelty to animals  
14 protection account shall be a permanent, nonreversion  
15 account within the state auditor's office.

16

17 (p) For purposes of this section:

18

19 (i) "Animal hoarder" means a person who:

20

21 (A) Possesses fifteen (15) or more  
22 companion animals;

23

1                   (B) Keeps any companion animal in an  
2 overcrowded environment; and

3  
4                   (C) Displays an inability to recognize or  
5 understand the nature of or has a reckless disregard for  
6 the conditions under which the companion animal is living  
7 and the harmful impact the person has on the animals'  
8 health, well-being and safety.

9  
10                  (ii) "Companion animal" means any dog or cat,  
11 and any other domesticated animal normally maintained in or  
12 near the household of the owner or person who cares for the  
13 domesticated animal. "Companion animal" shall not include  
14 any livestock as defined in W.S. 23-1-102(a)(xvi).

15  
16                  (iii) "Puppy mill" means a dog or cat breeding  
17 facility where:

18  
19                   (A) The total number of animals exceeds  
20 fifty (50);

21  
22                   (B) The animals are kept in substandard  
23 conditions regarding the well-being of the animals; and

1                   (C) The facility is operated with an  
2   emphasis upon profits above animal welfare.

4           **Section 2.** There is appropriated two hundred thousand  
5 dollars (\$200,000.00) from the general fund to the cruelty  
6 to animals protection account created by W.S. 6-3-203(o).  
7 Notwithstanding any other provision of law, this  
8 appropriation shall not be transferred or expended for any  
9 other purpose. An appropriation of four hundred thousand  
10 dollars (\$400,000.00) shall be included in the Wyoming  
11 livestock board's 2013-2014 standard biennial budget  
12 request to be deposited into the cruelty to animals  
13 protection account.

15           **Section 3.** This act is effective July 1, 2011.

17 (END)