

ENROLLED ACT NO. 126, HOUSE OF REPRESENTATIVES

SIXTY-FIFTH LEGISLATURE OF THE STATE OF WYOMING
2019 GENERAL SESSION

AN ACT relating to animals; modifying provisions governing the treatment of animals; modifying penalties; authorizing conditions a court may require as part of an order of protection in a domestic abuse case related to animal protection; 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)(intro) and (ii), (m)(i) through (iv) and (n) and 35-21-105(a) by creating new paragraphs (ix) and (x) are 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:~~

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

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

(i) A person from humanely destroying an animal, including livestock;

(ii) The use of industry accepted agricultural and livestock practices on livestock or other animal used in the practice of agriculture;

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(iii) Rodeo events, whether the event is performed in a rodeo, fair, jackpot, agricultural exhibition or otherwise; or

(iv) The hunting, capture, killing or destruction of any predatory animal or other wildlife in any manner not otherwise prohibited by law.

(n) A person commits a felony ~~if he commits aggravated cruelty to animals as defined in subsection (c) of this section or 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 or subsection (c) of this section is punishable by not more than two (2) years imprisonment, a fine of not more than five thousand dollars (\$5,000.00), or both.~~ punishable by not more than two (2) years imprisonment, a fine of not more than five thousand dollars (\$5,000.00) or both, if the person:

(i) Commits aggravated cruelty to animals as defined in subsection (c) of this section, resulting in the death or required euthanasia of the animal; or

(ii) Knowingly, and with intent to cause death or undue suffering, cruelly beats, tortures, torments or mutilates an animal.

35-21-105. Order of protection; contents; remedies; order not to affect title to property; conditions.

(a) Upon finding that an act of domestic abuse has occurred, the court shall enter an order of protection ordering the respondent household member to refrain from

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abusing the petitioner or any other household member. The order shall specifically describe the behavior that the court has ordered the respondent to do or refrain from doing. As a part of any order of protection, the court may:

(ix) Grant sole possession of any household pet, as defined in W.S. 6-3-203(o), owned, possessed or kept by the petitioner, the respondent or a minor child residing in the residence or household of either the petitioner or the respondent to the petitioner during the period the order of protection is effective if the order is for the purpose of protecting the household pet;

(x) Order that the respondent shall not have contact with any household pet, as defined in W.S. 6-3-203(o), in the custody of the petitioner and prohibit the respondent from abducting, removing, concealing or disposing of the household pet if the order is for the purpose of protecting the household pet.

ORIGINAL HOUSE
BILL NO. HB0235

ENGROSSED

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Section 2. This act is effective July 1, 2019.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the House.

Chief Clerk