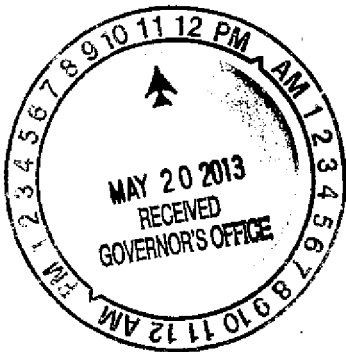


ACT 2013 - 369

1 HB27
2 151314-3
3 By Representative Faust
4 RFD: Agriculture and Forestry
5 First Read: 05-FEB-13
6 PFD: 12/07/2012



1
2 ENROLLED, An Act,

3 To amend Section 13A-11-14, Code of Alabama 1975,
4 relating to animal cruelty, to further provide for penalties;
5 to establish the crime of aggravated cruelty to animals and to
6 provide penalties; and in connection therewith would have as
7 its purpose or effect the requirement of a new or increased
8 expenditure of local funds within the meaning of Amendment 621
9 of the Constitution of Alabama of 1901, now appearing as
10 Section 111.05 of the Official ReCompilation of the
11 Constitution of Alabama of 1901, as amended.

12 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

13 Section 1. Section 13A-11-14, Code of Alabama 1975,
14 is amended to read as follows:

15 "§13A-11-14.

16 "(a) A person commits the crime of cruelty to
17 animals if, except as otherwise authorized by law, he or she
18 ~~intentionally or,~~ recklessly or with criminal negligence:

19 "(1) Subjects any animal to cruel mistreatment; or

20 "(2) Subjects any animal in his or her custody to
21 cruel neglect; or

22 "(3) Kills or injures without good cause any animal
23 belonging to another.

24 "(b) Cruelty to animals is a Class B A misdemeanor
25 and on the first conviction of a violation of this section

1 shall be punished by a fine of not more than three thousand
2 dollars (\$3,000) or imprisonment in the county jail for not
3 more than ~~six months~~ one year, or both fine and imprisonment;
4 on a second conviction of a violation of this section, shall
5 be punished by a fine of not less than five hundred dollars
6 (\$500) nor more than three thousand dollars (\$3,000) or
7 imprisonment in the county jail for not more than ~~six months~~
8 one year, or both fine and imprisonment; and on a third or
9 subsequent conviction of a violation of this section, shall be
10 punished by a fine of not less than one thousand dollars
11 (\$1,000) nor more than three thousand dollars (\$3,000) or
12 imprisonment in the county jail for not more than ~~six months~~
13 one year, or both fine and imprisonment."

14 Section 2. (a) A person commits the crime of
15 aggravated cruelty to animals if the person intentionally or
16 knowingly violates Section 13A-11-14, Code of Alabama 1975,
17 and the act of cruelty or neglect involved the infliction of
18 torture to the animal.

19 (b) The word "torture" as used in this act shall
20 mean the act of doing physical injury to an animal by the
21 infliction of inhumane treatment or gross physical abuse meant
22 to cause the animal intensive or prolonged pain or serious
23 physical injury, or by causing the death of the animal.

24 (c) For purposes of this act, the terms "torture"
25 and "cruelty" do not include the following:

1 (1) Actions taken if there is a reasonable fear of
2 imminent attack, or conduct which is otherwise permitted under
3 the agricultural or animal husbandry laws, customs, or
4 practices of this state or the United States, including, but
5 not limited to, catfish, cattle, goats, horses, pigs, hogs,
6 poultry, sheep, pen-raised game, rodeo stock and other farm
7 animals.

8 (2) Conduct which is permitted under the fishing,
9 hunting, and trapping laws, customs, or practices of this
10 state or the United States.

11 (3) Conduct that is permitted under the laws,
12 customs, or practices of this state or the United States
13 related to the training, conditioning, and use of animals for
14 rodeos, equine activities, livestock shows, field trials, and
15 similar activities, or the use of dogs for hunting, service
16 work, or similar activities.

17 (4) Conduct that is licensed or lawful under the
18 Alabama Veterinary Practice Act or conduct by any licensed
19 veterinarian that complies with accepted standards of practice
20 of the profession within the State of Alabama, including, but
21 not limited to, euthanasia.

22 (5) Conduct that is lawful under the laws of this
23 state or the United States relating to activities undertaken
24 by research and education facilities and institutions.

1 (6) Conduct that is prohibited under Section
2 13A-12-4, Code of Alabama 1975.

3 (d) Aggravated cruelty to animals is a Class C
4 felony.

5 Section 3. Although this bill would have as its
6 purpose or effect the requirement of a new or increased
7 expenditure of local funds, the bill is excluded from further
8 requirements and application under Amendment 621, now
9 appearing as Section 111.05 of the Official ReCompilation of
10 the Constitution of Alabama of 1901, as amended, because the
11 bill defines a new crime or amends the definition of an
12 existing crime.

13 Section 4. This act shall become effective on the
14 first day of the third month following its passage and
15 approval by the Governor, or its otherwise becoming law.

~~_____~~
Speaker of the House of Representatives

Kay Ivey

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in
and was passed by the House 09-APR-13, as amended.

Jeff Woodard
Clerk

Senate	<u>20-MAY-13</u>	Amended and Passed
House	<u>20-MAY-13</u>	Concurred in Sen- ate Amendment

APPROVED

May 24, 2013

TIME

7:30 a.m.

Robert Bentley

GOVERNOR

Alabama Secretary Of State

Act Num....: 2013-369
Bill Num....: H-27

Recv'd 05/24/13 12:38pmSLF

NSOR

Carroll
PONSORS

HOUSE ACTION

I HEREBY CERTIFY THAT THE
RESOLUTION AS REQUIRED IN
SECTION C OF ACT NO. 81-889
WAS ADOPTED AND IS ATTACHED
TO THE BILL, H.B. 27

YEAS 57 NAYS 0

JEFF WOODARD, Clerk

I HEREBY CERTIFY THAT THE
NOTICE & PROOF IS ATTACHED
TO THE BILL, H.B. _____
AS REQUIRED IN THE GENERAL
ACTS OF ALABAMA, 1975 ACT NO.
919.

JEFF WOODARD, Clerk

CONFERENCE COMMITTEE

House Conferees _____

SENATE ACTION

DATE: 4-24 2013

RD 1 RFD 27

This Bill was referred to the Standing
Committee of the Senate on Health

and was acted upon by such Committee in
session and is by order of the Committee
returned therefrom with a favorable report
w/amend(s) 1 w/sub _____ by a vote of
yeas 91 nays 0 abstain 0

this 17 day of April 2013

Samuel B. King, Chairperson

DATE: 4-24 2013

RF FAU 11A00(1) RD 2 CAL

DATE: _____ 20____

RE-REFERRED ☐ RE-COMMITTED ☐

Committee _____

I hereby certify that the Resolution as
required in Section C of Act No. 81-889
was adopted and is attached to the Bill,
HB _____

YEAS _____ NAYS _____

PATRICK HARRIS,
Secretary