
**Criminal Justice & Corrections
Committee**

HB 1257

Brief Description: Using dogs for fighting.

Sponsors: Representatives Carrell, Haigh, O'Brien and Shabro.

Brief Summary of Bill

- Creates a gross misdemeanor offense for participating in the sale or purchase of a dog with the intent to use the dog in fighting with other animals for exhibition.
- Specifies that ownership or possession of an animal does not create a presumption that the animal is owned for animal fighting or other practices prohibited by animal cruelty laws.

Hearing Date: 2/4/03

Staff: Derek Green (786-5793).

Background:

Participating in or promoting the exhibition of animal fighting is a gross misdemeanor. Persons are prohibited from owning, possessing, keeping or training an animal with the intent to use the animal for animal fighting exhibitions. It is also a gross misdemeanor to cause any animal to injure another for amusement or gain, to allow these activities on any premises under one's control, or to aid and abet in such activities. Spectators may also be punished with a misdemeanor offense. Prior to 1994, this law only applied to dogs.

Current law also prohibits general cruelty to animals. Animal cruelty in the first degree consists of intentionally inflicting substantial pain, injury, or death with undue suffering upon an animal, and is a class C felony. Animal cruelty in the second degree consists of inflicting unnecessary pain or suffering upon an animal that does not raise to the level of the first degree offense, and is a misdemeanor. Animal cruelty laws also contain more specific prohibitions on activities such as transporting or confining animals in an unsafe manner, cutting a horse's tail, cutting an animal's ear, and poisoning an animal. There are general exceptions for, among other things, following accepted husbandry practices and slaughtering

animals for food.

Summary of Bill:

The animal fighting statute is amended to create a gross misdemeanor offense for selling or purchasing a dog with the intent that the dog be used in an animal fighting exhibition. The statute is also amended to make it a gross misdemeanor offense to promote, aid or abet in the purchasing or selling of a dog for use in an exhibition of animal fighting, or to permit these activities on any premises under one's control.

In addition, a provision is added to the animal fighting statute stating that mere ownership or possession of any animal does not create a presumption that the animal is owned for any purposes prohibited within the entire animal cruelty chapter.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect ninety days after adjournment of session in which bill is passed.