



2013 ASSEMBLY BILL 230

June 4, 2013 – Introduced by Representatives SPIROS, BERCEAU, BERNIER, JACQUE, JOHNSON, NASS, OHNSTAD, PASCH, SCHRAA, SHANKLAND, SINICKI, C. TAYLOR and WEATHERSTON, cosponsored by Senators LASSA and RISSER. Referred to Committee on Public Safety and Homeland Security.

AUTHORS SUBJECT TO CHANGE

1 **AN ACT to consolidate, renumber and amend** 173.12 (3) (a) and (b) of the
2 statutes; **relating to:** animals believed to have been involved in fighting or
3 being held as evidence.

Analysis by the Legislative Reference Bureau

Under current law, if an animal is being held in custody, the owner of the animal is convicted of a crime related to animal fighting, and the animal is one year old or older or shows indication of having participated in fighting, the animal must be disposed of in a proper and humane manner. Under the bill, if any animal is being held in custody and the owner of the animal is convicted of having participated in animal fighting, the animal may either be disposed of in a proper and humane manner or, if the person with custody of the animal determines that the animal does not pose a threat to humans or other animals, be released to a person other than the owner.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

4 **SECTION 1.** 173.12 (3) (a) and (b) of the statutes are consolidated, renumbered
5 173.12 (3) and amended to read:

ASSEMBLY BILL 230

1 173.12 **(3)** If the owner is convicted under s. 951.08 or is subject to the
2 restrictions under s. 951.08 (2m), the animal shall be delivered to the local humane
3 officer or county or municipal pound. If there is no local humane officer or pound,
4 the animal may be delivered to a local humane society or to another person
5 designated by the court. ~~If the animal is one year old or older or shows indication of~~
6 ~~having participated in fighting, the animal shall be disposed of in a proper and~~
7 ~~humane manner. (b) If the animal is less than one year old and shows no indication~~
8 ~~of having participated in fighting, the animal shall be released to a person other than~~
9 ~~the owner or disposed~~ The person to whom the animal is delivered may either dispose
10 of the animal in a proper and humane manner or, if the person determines that the
11 animal does not pose a threat to humans or other animals, release the animal to a
12 person other than the owner. If the animal is a dog, the release or disposal shall be
13 in accordance with s. 173.23 (1m), except that the fees under s. 173.23 (1m) (a) 4. are
14 covered under s. 173.24.

(END)