

1 HB201
2 182235-1
3 By Representative Patterson
4 RFD: Public Safety and Homeland Security
5 First Read: 14-FEB-17

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8 SYNOPSIS: Under existing law, a person commits the
9 crime of cruelty to a dog or cat in the second
10 degree if he or she deprives the animal necessary
11 shelter.

12 This bill would provide a specific
13 definition of the shelter required.

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15 A BILL
16 TO BE ENTITLED
17 AN ACT

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19 Relating to animals; to amend Section 13A-11-240,
20 Code of Alabama 1975, relating to definitions for animal
21 cruelty laws, to provide a definition of shelter.

22 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

23 Section 1. Section 13A-11-240, Code of Alabama 1975,
24 is amended to read as follows:

25 "§13A-11-240.

26 "(a) The word "torture" as used in this article
27 shall mean the act of doing physical injury to a dog or cat by

1 the infliction of inhumane treatment or gross physical abuse
2 meant to cause ~~said animal~~ the dog or cat intensive or
3 prolonged pain or serious physical injury, or thereby causing
4 the death of the dog or cat due to ~~said the~~ act.

5 "(b) The word "cruel" as used in this article shall
6 mean: ~~Every~~ every act, omission, or neglect, including
7 abandonment, where unnecessary or unjustifiable pain or
8 suffering, including abandonment, is caused or where
9 unnecessary pain or suffering is allowed to continue.

10 "(c) The words "dog or cat" as used in this article
11 shall mean any domesticated member of the dog or cat family.

12 "(d) The word "shelter" as used in this article
13 shall mean a measure by which a dog or cat regularly
14 maintained outdoors is protected from the elements, including
15 heat, cold, wind, and water. The term includes a commercially
16 manufactured or constructed structure with a roof, three
17 sides, and a floor that satisfies all of the following:

18 "(1) Is structurally sound.

19 "(2) Enables the dog or cat to remain dry and clean.

20 "(3) Provides sufficient space to allow the dog or
21 cat adequate freedom of movement.

22 "(4) Is properly ventilated and periodically cleaned
23 to minimize health hazards."

24 Section 2. This act shall become effective
25 immediately following its passage and approval by the
26 Governor, or its otherwise becoming law.