

1 HB27  
2 141024-1  
3 By Representative Faust  
4 RFD: Agriculture and Forestry  
5 First Read: 05-FEB-13  
6 PFD: 12/07/2012

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8 SYNOPSIS: Under existing law, a person commits the  
9 crime of cruelty to animals if, except as otherwise  
10 authorized by law, he or she intentionally or  
11 recklessly subjects any animal to cruel  
12 mistreatment, subjects any animal in his or her  
13 custody to cruel neglect, or kills or injures  
14 without good cause any animal belonging to another.  
15 Cruelty to animals is a Class B misdemeanor.

16 This bill would add acts that are done  
17 knowingly or with criminal negligence to the  
18 prohibition and make the crime a Class A  
19 misdemeanor.

20 This bill would provide for the crime of  
21 aggravated animal cruelty when the act of cruelty  
22 or neglect was heinous, atrocious, cruel, or  
23 involved infliction of torture to the animal.  
24 Aggravated animal cruelty would be a Class C  
25 felony.

26 Amendment 621 of the Constitution of Alabama  
27 of 1901, now appearing as Section 111.05 of the

1 Official ReCompilation of the Constitution of  
2 Alabama of 1901, as amended, prohibits a general  
3 law whose purpose or effect would be to require a  
4 new or increased expenditure of local funds from  
5 becoming effective with regard to a local  
6 governmental entity without enactment by a 2/3 vote  
7 unless: it comes within one of a number of  
8 specified exceptions; it is approved by the  
9 affected entity; or the Legislature appropriates  
10 funds, or provides a local source of revenue, to  
11 the entity for the purpose.

12 The purpose or effect of this bill would be  
13 to require a new or increased expenditure of local  
14 funds within the meaning of the amendment. However,  
15 the bill does not require approval of a local  
16 governmental entity or enactment by a 2/3 vote to  
17 become effective because it comes within one of the  
18 specified exceptions contained in the amendment.

19  
20 A BILL

21 TO BE ENTITLED

22 AN ACT

23  
24 To amend Section 13A-11-14, Code of Alabama 1975,  
25 relating to animal cruelty, to further provide for penalties;  
26 to establish the crime of aggravated cruelty to animals and to  
27 provide penalties; and in connection therewith would have as

1 its purpose or effect the requirement of a new or increased  
2 expenditure of local funds within the meaning of Amendment 621  
3 of the Constitution of Alabama of 1901, now appearing as  
4 Section 111.05 of the Official ReCompilation of the  
5 Constitution of Alabama of 1901, as amended.

6 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

9 "§13A-11-14.

10 "(a) A person commits the crime of cruelty to  
11 animals if, except as otherwise authorized by law, he or she  
12 intentionally or, knowingly, recklessly, or with criminal  
13 negligence:

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

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

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

19 "(b) Cruelty to animals is a Class ~~B~~ A misdemeanor  
20 and on the first conviction of a violation of this section  
21 shall be punished by a fine of not more than three thousand  
22 dollars (\$3,000) or imprisonment in the county jail for not  
23 more than ~~six months~~ one year, or both fine and imprisonment;  
24 on a second conviction of a violation of this section, shall  
25 be punished by a fine of not less than five hundred dollars  
26 (\$500) nor more than three thousand dollars (\$3,000) or  
27 imprisonment in the county jail for not more than ~~six months~~

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

7 Section 2. (a) A person commits the crime of  
8 aggravated cruelty to animals if the person violates Section  
9 13A-11-14, Code of Alabama 1975, and the act of cruelty or  
10 neglect was especially heinous, atrocious, cruel, or involved  
11 the infliction of torture to the animal.

12 (b) For purposes of this section, torture is the act  
13 of doing physical injury to an animal by the infliction of  
14 inhumane treatment or gross physical abuse meant to cause the  
15 animal intensive or prolonged pain, serious bodily injury, or  
16 death as a result of the act.

17 (c) Aggravated cruelty to animals is a Class C  
18 felony.

19 Section 3. This act shall become effective on the  
20 first day of the third month following its passage and  
21 approval by the Governor, or its otherwise becoming law.