

Introduced by

Senators Oban, Luick, Myrdal

Representatives Maragos, Seibel, Guggisberg

1 A BILL for an Act to amend and reenact sections 12.1-17-09 and 25-13-06 of the North Dakota
2 Century Code, relating to killing or injuring a law enforcement support animal or service animal;
3 and to provide a penalty.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1. AMENDMENT.** Section 12.1-17-09 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **12.1-17-09. Killing or injury of law enforcement support animal - Definition - Penalty.**

- 8 1. A person is guilty of a class ~~G~~ A felony and is subject to a civil penalty of up to ten
9 thousand dollars if that person willfully and unjustifiably kills, shoots, tortures,
10 torments, beats, kicks, strikes, mutilates, disables, or otherwise injures a law
11 enforcement support animal.
- 12 2. A person is guilty of a class ~~A misdemeanor~~ C felony and is subject to a civil penalty of
13 up to five thousand dollars if that person willfully:
- 14 a. Harasses, taunts, or provokes a law enforcement support animal;
15 b. Interferes with a law enforcement support animal while the animal is working; or
16 c. Interferes with the individual handling the animal.
- 17 3. For purposes of this section, "law enforcement support animal" means any animal
18 used by or on behalf of a law enforcement officer in the performance of the officer's
19 functions and duties, including crowd control, corrections, arson investigation, or
20 search and rescue, regardless of whether the animal is on or off duty.
- 21 4. This section does not apply to a law enforcement officer or a veterinarian who
22 terminates the life of a law enforcement support animal to relieve the animal of undue
23 suffering and pain.

1 **SECTION 2. AMENDMENT.** Section 25-13-06 of the North Dakota Century Code is
2 amended and reenacted as follows:

3 **25-13-06. Killing or injury of service animal - Penalty.**

- 4 1. A person is guilty of a class ~~G~~ A felony and is subject to a civil penalty of up to ten
5 thousand dollars if that person willfully and unjustifiably kills, shoots, tortures,
6 torments, beats, kicks, strikes, mutilates, disables, or otherwise injures a service
7 animal.
- 8 2. A person is guilty of a class ~~A misdemeanor~~ C felony and is subject to a civil penalty of
9 up to five thousand dollars if that person willfully:
- 10 a. Harasses, taunts, or provokes a service animal; or
11 b. Interferes with a service animal while the animal is working.
- 12 3. This section does not apply to a veterinarian who terminates the life of a service
13 animal to relieve the animal of undue suffering and pain.