

1 STATE OF OKLAHOMA

2 2nd Session of the 55th Legislature (2016)

3 SENATE BILL 1048

By: Holt

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5
6 AS INTRODUCED

7 An Act relating to cruelty to animals; amending 21
8 O.S. 2011, Section 1685, which relates to
9 establishing offense of cruelty to animals; modifying
10 allowable offenses; modifying punishments and fines;
11 requiring certain payments for offenses; and
12 providing an effective date.

13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

14 SECTION 1. AMENDATORY 21 O.S. 2011, Section 1685, is
15 amended to read as follows:

16 Section 1685. A. Any person who shall willfully or maliciously
17 torture, destroy or kill, or cruelly beat or injure, maim or
18 mutilate any animal in subjugation or captivity, whether wild or
19 tame, and whether belonging to the person or to another, or deprive
20 any such animal of necessary food, drink, shelter, or veterinary
21 care to prevent suffering; or who shall cause, procure or permit any
22 such animal to be so tortured, destroyed or killed, or cruelly
23 beaten or injured, maimed or mutilated, or deprived of necessary
24 food, drink, shelter, or veterinary care to prevent suffering; or
who shall willfully set on foot, instigate, engage in, or in any way

1 further any act of cruelty to any animal, or any act tending to
2 produce such cruelty, shall be guilty of a ~~felony~~ misdemeanor for
3 the first offense and ~~shall be punished by imprisonment in the State~~
4 ~~Penitentiary not exceeding five (5) years, or by imprisonment in the~~
5 ~~county jail not exceeding one (1) year, or by a fine not exceeding~~
6 ~~Five Thousand Dollars (\$5,000.00)~~ punishable by the imposition of a
7 fine not exceeding One Thousand Dollars (\$1,000.00) or by
8 imprisonment in the county jail not exceeding one (1) year or both
9 such fine and imprisonment. ~~Any animal so maltreated or abused~~
10 ~~shall be considered an abused or neglected animal.~~

11 B. A person who commits a second or subsequent offense of
12 cruelty to an animal, as defined in this section shall be guilty of
13 a felony and shall be punished by imprisonment in the custody of the
14 Department of Corrections for a period of not more than five (5)
15 years, or by a fine not to exceed Five Thousand Dollars (\$5,000.00).

16 C. Any animal so maltreated or abused shall be considered an
17 abused or neglected animal.

18 D. Any person convicted of an offense under this section shall
19 be required to pay any fees incurred as a result of impoundment of
20 the animal maltreated, as well as board and care fees, including
21 charges for veterinary services while any animal is impounded, prior
22 to the release of any such animal.

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SECTION 2. This act shall become effective November 1, 2016.

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