

HOUSE BILL 2060

By Mannis

AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 17 and Title 70, relative to abuse of wildlife.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 39, Chapter 17, is amended by adding the following as a new part:

(a) As used in this part:

(1) "Torture" means every act, omission, or neglect whereby unreasonable physical pain, suffering, or death is caused or permitted, but nothing in this part prohibits the shooting of birds or game for the purpose of human food or the use of animate targets by incorporated gun clubs; and

(2) "Wildlife" means wild vertebrates, mollusks, crustaceans, and fish.

(b) A person commits an offense who intentionally or knowingly:

(1) Tortures, maims, or grossly overworks wildlife;

(2) Transports or confines wildlife in a cruel manner; or

(3) Inflicts burns, cuts, lacerations, or other injuries or pain to wildlife, by any method.

(c) Subsection (b) does not prohibit or interfere with the following:

(1) Engaging in lawful hunting, trapping, or fishing activities;

(2) Dispatching rabid or diseased wildlife;

(3) Dispatching wildlife posing a clear and immediate threat to human safety;

(4) Performing or conducting bona fide scientific tests, experiments, or investigations within or for a bona fide research laboratory, facility, or institution;

(5) Performing accepted veterinary medical practices or treatments; or

(6) Dispatching wildlife on a farm or residential real property absent aggravated cruelty, as defined in § 39-14-212(b).

(d) A violation of this part is a Class E felony.

(e) In addition to the penalty imposed by subsection (d), the court may require the defendant to undergo psychological evaluation and counseling, the cost to be borne by the defendant. If the defendant is indigent, the court may, where practicable, direct the defendant to locate and enroll in a counseling or treatment program with an appropriate agency.

(f) This section is not to be construed to change, modify, or amend any provision of title 70, involving fish and wildlife.

SECTION 2. This act takes effect January 1, 2023, the public welfare requiring it.