

ENROLLED ACT NO. 83, SENATE

SIXTY-FIRST LEGISLATURE OF THE STATE OF WYOMING
2011 GENERAL SESSION

AN ACT relating to cruelty to animals; defining elements of household pet animal cruelty and providing penalties; creating the animals protection account; providing for a continuous appropriation; providing for a report; providing an appropriation; and providing for an effective date.

Be It Enacted by the Legislature of the State of Wyoming:

Section 1. W.S. 6-3-203 by creating new subsections (o) and (p) is amended to read:

6-3-203. Cruelty to animals; penalties; limitation on manner of destruction.

(o) There is created the "cruelty to household pet animals protection account." Funds shall be credited to the account as provided by law. Funds in the account are continuously appropriated to the attorney general to reimburse county law enforcement agencies for eligible expenses regarding household pet animal cruelty cases under subsection (p) of this section. The attorney general shall develop rules and regulations to establish eligible expenses and to determine how county law enforcement agencies will be reimbursed for the costs of any household pet animal cruelty case, in an amount not to exceed ninety percent (90%) in any particular case. Any reimbursement under this subsection shall be contingent upon available funding and upon a showing that the agency has made reasonable efforts to seek reimbursement from the offender of expenses incurred by the agency, as permitted by law. All funds in the account may be used for and are continuously appropriated for eligible expenses authorized to be made under this subsection. The cruelty to household pet animals protection account shall be a permanent, nonreversion account within the state auditor's office. As

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used in this subsection and subsection (p) of this section, "household pet" means any privately owned dog, cat, rabbit, guinea pig, hamster, mouse, gerbil, ferret, bird, fish, reptile, amphibian, invertebrate or any other species of domesticated animal sold, transferred or retained for the purpose of being kept as a pet in or near a house. "Household pet" shall not include any livestock as defined in W.S. 23-1-102(a)(xvi).

(p) A person commits household pet animal cruelty if he:

(i) Keeps any household pet in a manner that results in chronic or repeated serious physical harm to the household pet; or

(ii) Keeps the household pet confined in conditions which constitute a public health hazard.

Section 2.

(a) There is appropriated one hundred thousand dollars (\$100,000.00) from the general fund to the cruelty to household pet animals protection account created by W.S. 6-3-203(o). Notwithstanding any other provision of law, this appropriation shall not be transferred or expended for any other purpose.

(b) Prior to November 1, 2012, the attorney general shall provide a report to the joint appropriations interim committee and the joint agriculture, state and public lands and water resources interim committee. The report shall identify possible funding mechanisms, including restitution and private contributions for the cruelty to household pet animals protection account, the amount of funds needed, number of cases for which reimbursement was provided under

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this act and other beneficial information as determined by
the attorney general.

Section 3. This act is effective immediately upon
completion of all acts necessary for a bill to become law
as provided by Article 4, Section 8 of the Wyoming
Constitution.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the Senate.

Chief Clerk