

HB0235

Care of animals.

Sponsored By: Representative(s) Zwonitzer, Brown, Furphy, Paxton and Yin

AN ACT relating to animals; modifying provisions governing the treatment of animals; modifying penalties; authorizing conditions a court may require as part of an order of protection in a domestic abuse case related to animal protection; and providing for an effective date.

1/23/2019 Bill Number Assigned  
1/24/2019 H Received for Introduction  
1/25/2019 H Introduced and Referred to H01 - Judiciary  
1/29/2019 H01 - Judiciary:Recommend Amend and Do Pass 8-1-0-0-0

ROLL CALL

**Ayes:** Representative(s) Burlingame, Gray, Jennings, Kirkbride, Pelkey, Salazar, Stith, Washut

**Nays:** Representative Pownall

**Ayes** 8    **Nays** 1    **Excused** 0    **Absent** 0    **Conflicts** 0

1/29/2019 H Placed on General File

HB0235HS001/ADOPTED

Page 1-line 10 Delete "6-3-203(c)(ii)" and insert "6-3-203(a)(intro) and (ii) and (c)(ii)".

Page 1-line 11 Delete "and" and insert ","; After "(h)," insert "(m) and (n),".

Page 2-after line 5 Insert:

"(a) A person commits cruelty to animals if he knowingly and with intent to cause ~~death,~~ injury or undue suffering:

(ii) Unnecessarily ~~or cruelly~~ beats, ~~tortures,~~ ~~torments,~~ ~~or~~ injures, ~~mutilates or attempts to kill~~ an animal; or".

Page 3-line 8 After "(viii)" insert "Knowingly and with intent to cause death, injury or undue suffering,".

Page 3-line 9 After "poisons," insert "seriously".

Page 4-after line 17 Insert:

"(m) Nothing in subsection (a), (b), (c)(vii) or (viii) or (n) of this section shall be construed to prohibit:

(n) A person commits a felony if he commits aggravated cruelty to animals as defined in subsection (c) of this section. ~~or knowingly and with intent to cause death, injury or undue suffering, cruelly beats, tortures, torments, injures or mutilates an animal resulting in the death or required euthanasia of the animal.~~ A felony under this subsection or subsection (c) of this section is punishable by not more than two (2) years imprisonment, a fine of not more than five thousand dollars (\$5,000.00), or both."

Page 7-line 2 Delete entirely.

Page 7-line 4 Delete "**Section 3.**" and insert "**Section 2.**". KIRKBRIDE, CHAIRMAN

2/4/2019 H COW:Passed

2/5/2019 H 2nd Reading:Passed

HB0235H3001/ADOPTED

Page 4-after line 17 Delete the House standing committee amendment (HB0235HS001/A) to this line and further amend as follows:

Page 4-after line 7 Insert:

"(m) Nothing in subsection (a), (b), (c)(vii) or (viii) or (n) of this section shall be construed to prohibit:

(i) A person from humanely destroying an animal, including livestock;

(ii) The use of industry accepted agricultural and livestock practices on livestock or other animal used in the practice of agriculture;

(iii) Rodeo events, whether the event is performed in a rodeo, fair, jackpot, agricultural exhibition or otherwise; or

(iv) The hunting, capture, killing or destruction of any predatory animal or other wildlife in any manner not otherwise prohibited by law.

(n) A person commits a felony if he commits aggravated cruelty to animals as defined in subsection (c) of this section, ~~or knowingly and with intent to cause death, injury or undue suffering, cruelly beats, tortures, torments, injures or mutilates an animal resulting in the death or required euthanasia of the animal.~~ A felony under this subsection or subsection (c) of this section is punishable by not more than two (2) years imprisonment, a fine of not more than five thousand dollars (\$5,000.00), or both.". ZWONITZER

2/6/2019 H 3rd Reading:Passed 41-18-1-0-0

#### ROLL CALL

**Ayes:** Representative(s) Barlow, Blake, Brown, Burlingame, Clem, Clifford, Connolly, Crank, Dayton-Selman, Duncan, Eklund, Freeman, Furphy, Gray, Haley, Hallinan, Harshman, Henderson, Kinner, Kirkbride, Loucks, MacGuire, Miller, Newsome, Obermueller, Paxton, Pelkey, Piiparinen, Pownall, Roscoe, Salazar, Schwartz, Simpson, Stith, Styvar, Sweeney, Washut, Western, Wilson, Yin, Zwonitzer

**Nays:** Representative(s) Blackburn, Burkhardt, Clausen, Edwards, Eyre, Flitner, Greear, Hunt, Jennings, Larsen, Laursen, Lindholm, Nicholas, Olsen, Sommers, Tass, Walters, Winter

**Excused:** Representative Northrup

**Ayes** 41      **Nays** 18      **Excused** 1      **Absent** 0      **Conflicts** 0

2/8/2019 S Received for Introduction

2/11/2019 S Introduced and Referred to S05 - Agriculture

2/20/2019 S05 - Agriculture:Recommend Amend and Do Pass 5-0-0-0-0

#### ROLL CALL

**Ayes:** Senator(s) Boner, Bouchard, Kost, Moniz, Steinmetz

**Ayes** 5      **Nays** 0      **Excused** 0      **Absent** 0      **Conflicts** 0

2/20/2019 S Placed on General File

#### HB0235SS001/ADOPTED

#### (TO ENGROSSED COPY)

Page 1-line 1 Delete "modifying provisions governing".

Page 1-lines 2 and 3 Delete entirely.

Page 1-line 10 After "W.S." delete balance of the line.

Page 1-lines 11 through 14 Delete entirely.

Page 2-line 1 Delete "are" and insert "is".

Page 2-lines 4 through 23 Delete entirely.

Pages 3 through 6 Delete entirely.

Page 7-lines 2 through 11 Delete entirely. BONER, CHAIRMAN

2/20/2019 S COW:Passed  
2/21/2019 S 2nd Reading:Passed  
2/22/2019 S 3rd Reading:Passed 17-13-0-0-0

#### ROLL CALL

**Ayes:** Senator(s) Anderson, Anselmi-Dalton, Biteman, Boner, Bouchard, Case, Coe, Driskill, Ellis, Gierau, James, Moniz, Nethercott, Pappas, Rothfuss, Scott, Von Flatern

**Nays:** Senator(s) Agar, Baldwin, Bebout, Dockstader, Hicks, Hutchings, Kinskey, Kost, Landen, Perkins, Schuler, Steinmetz, Wasserburger

**Ayes** 17     **Nays** 13     **Excused** 0     **Absent** 0     **Conflicts** 0

2/22/2019 H Received for Concurrence  
2/25/2019 H Concur:Failed 15-43-2-0-0

#### ROLL CALL

**Ayes:** Representative(s) Clausen, Edwards, Eklund, Greear, Hunt, Jennings, Laursen, MacGuire, Nicholas, Olsen, Pelkey, Pownall, Sommers, Walters, Winter

**Nays:** Representative(s) Barlow, Blackburn, Blake, Brown, Burkhart, Burlingame, Clifford, Connolly, Crank, Dayton-Selman, Duncan, Eyre, Flitner, Freeman, Furphy, Gray, Haley, Hallinan, Harshman, Henderson, Kinner, Kirkbride, Larsen, Lindholm, Loucks, Miller, Newsome, Obermueller, Paxton, Piiparinen, Roscoe, Salazar, Schwartz, Simpson, Stith, Styvar, Sweeney, Tass, Washut, Western, Wilson, Yin, Zwonitzer

**Excused:** Representative(s) Clem, Northrup

**Ayes** 15     **Nays** 43     **Excused** 2     **Absent** 0     **Conflicts** 0

2/25/2019 H Appointed JCC01 Members  
Representative(s) Zwonitzer, Eyre, Paxton  
2/25/2019 S Appointed JCC01 Members  
Senator(s) Biteman, Boner, Steinmetz  
2/27/2019 H Adopted HB0235JC001: 39-20-1-0-0

#### HB0235JC001/HADOPTED (TO ENGROSSED COPY)

Delete the following Senate amendments:

HB0235SS001/A

Further amend the ENGROSSED COPY as follows:

Page 1-line 2                    After "penalties;" delete "modifying".

Page 1-line 3                    Delete entirely.

Page 1-lines 10 through 14     Delete entirely.

Page 2-lines 1 and 2     Delete entirely and insert:

"Section 1. W.S. 6-3-203(m) and 35-21-105(a) by creating new paragraphs (ix) and (x) are amended to read:".

Page 2-lines 7 through 23     Delete entirely.

Page 3-lines 1 through 23     Delete entirely.

Page 4-lines 1 through 15     Delete entirely.

Page 4-line 17 and 18     Delete all new language.

Page 5-lines 15 and 16     Delete all new language, reinsert all stricken language.

Page 5-line 17                Reinsert stricken "injures or mutilates an animal"; after "animals" insert ".".

Page 5-line 23                Delete entirely.

Page 6-lines 1 through 23     Delete entirely.

Page 7-lines 1 through 11     Delete entirely.

ZWONITZER, EYRE, PAXTON, BITEMAN, BONER, STEINMETZ

#### ROLL CALL

**Ayes:** Representative(s) Barlow, Blackburn, Blake, Brown, Burlingame, Clifford, Connolly, Crank, Dayton-Selman, Duncan, Eklund, Eyre, Flitner, Freeman, Furphy, Gray, Haley, Hallinan, Harshman, Henderson, Kinner, Kirkbride, Larsen, Newsome, Olsen, Paxton, Pelkey, Piiparinen, Roscoe, Salazar, Schwartz, Simpson, Stith, Styvar, Washut, Western, Wilson, Yin, Zwonitzer

**Nays:** Representative(s) Burkhart, Clausen, Clem, Edwards, Greear, Hunt, Jennings, Laursen, Lindholm, Loucks, MacGuire, Miller, Nicholas, Obermueller, Pownall, Sommers, Sweeney, Tass, Walters, Winter

**Excused:** Representative Northrup

**Ayes** 39      **Nays** 20      **Excused** 1      **Absent** 0      **Conflicts** 0

2/27/2019      S Did Not Adopt HB0235JC001: 4-24-2-0-0

**HB0235JC001/HADOPTEDSFAILED (TO ENGROSSED COPY)**

Delete the following Senate amendments:

HB0235SS001/A

Further amend the ENGROSSED COPY as follows:

Page 1-line 2                      After "penalties;" delete "modifying".

Page 1-line 3                      Delete entirely.

Page 1-lines 10 through 14      Delete entirely.

Page 2-lines 1 and 2      Delete entirely and insert:

    "**Section 1.** W.S. 6-3-203(m) and 35-21-105(a) by creating new paragraphs (ix) and (x) are amended to read:".

Page 2-lines 7 through 23      Delete entirely.

Page 3-lines 1 through 23      Delete entirely.

Page 4-lines 1 through 15      Delete entirely.

Page 4-line 17 and 18      Delete all new language.

Page 5-lines 15 and 16      Delete all new language, reinsert all stricken language.

Page 5-line 17                      Reinsert stricken "injures or mutilates an animal"; after "animals" insert ".".

Page 5-line 23                      Delete entirely.

Page 6-lines 1 through 23      Delete entirely.

Page 7-lines 1 through 11      Delete entirely.

ZWONITZER, EYRE, PAXTON, BITEMAN, BONER, STEINMETZ

**ROLL CALL**

**Ayes:** Senator(s) Case, Gierau, Hicks, James

**Nays:** Senator(s) Anderson, Anselmi-Dalton, Baldwin, Bebout, Biteman, Boner, Bouchard, Coe, Dockstader, Driskill, Ellis, Hutchings, Kinskey, Kost, Landen, Moniz, Nethercott, Perkins, Rothfuss, Schuler, Scott, Steinmetz, Von Flatern, Wasserburger

**Excused:** Senator(s) Agar, Pappas

**Ayes** 4      **Nays** 24      **Excused** 2      **Absent** 0      **Conflicts** 0

2/27/2019      Pursuant to JR 2-1(c): H Appointed JCC02 Members  
Representative(s) Barlow, Kirkbride, Sommers

2/27/2019      Pursuant to JR 2-1(c):S Appointed JCC02 Members  
Senator(s) Ellis, Biteman, Steinmetz

2/27/2019      H Adopted HB0235JC002: 40-19-1-0-0

**HB0235JC002/HADOPTED (TO ENGROSSED COPY)**

Delete the following Senate amendment:

HB0235SS001/AE

Further amend the ENGROSSED COPY as follows:

Page 1-line 2                      After "penalties;" delete "modifying".

Page 1-line 3                      Delete entirely.

Page 1-lines 10 through 14 Delete entirely.

Page 2-lines 1 and 2 Delete entirely and insert:  
 "Section 1. W.S. 6-3-203(a)(intro) and (ii), (m)(i) through (iv) and (n) and 35-21-105(a) by creating new paragraphs (ix) and (x) are amended to read:".

Page 2-line 7 After "knowingly" insert ":".

Page 2-line 8 Strike entirely.

Page 2-line 10 After "Unnecessarily" strike "beats".

Page 2-line 11 Delete entirely and insert "~~torments, injures, mutilates or attempts to kill~~ beats or injures an animal;".

Page 2-lines 14 through 23 Delete entirely.

Page 3-lines 1 through 23 Delete entirely.

Page 4-lines 1 through 15 Delete entirely.

Page 4-lines 17 and 18 Delete all new language.

Page 5-lines 13 through 23 Delete entirely and insert:  
 "(n) A person commits a felony ~~if he commits aggravated cruelty to animals as defined in subsection (c) of this section or knowingly and with intent to cause death, injury or undue suffering, cruelly beats, tortures, torments, injures or mutilates an animal resulting in the death or required euthanasia of the animal. A felony under this subsection or subsection (c) of this section is punishable by not more than two (2) years imprisonment, a fine of not more than five thousand dollars (\$5,000.00), or both. punishable by not more than two (2) years imprisonment, a fine of not more than five thousand dollars (\$5,000.00) or both, if the person:~~  
(i) Commits aggravated cruelty to animals as defined in subsection (c) of this section, resulting in the death or required euthanasia of the animal; or  
(ii) Knowingly, and with intent to cause death or undue suffering, cruelly beats, tortures, torments or mutilates an animal.".

Page 6-lines 1 through 23 Delete entirely.

Page 7-lines 1 through 11 Delete entirely.

BARLOW, KIRKBRIDE, SOMMERS, ELLIS, BITEMAN, STEINMETZ

**ROLL CALL**

**Ayes:** Representative(s) Barlow, Blake, Brown, Burlingame, Clem, Clifford, Connolly, Crank, Dayton-Selman, Duncan, Eyre, Freeman, Furphy, Gray, Haley, Hallinan, Harshman, Henderson, Kinner, Kirkbride, Loucks, MacGuire, Miller, Newsome, Obermueller, Paxton, Pelkey, Piiparinen, Pownall, Roscoe, Schwartz, Simpson, Stith, Styvar, Sweeney, Washut, Western, Wilson, Yin, Zwonitzer

**Nays:** Representative(s) Blackburn, Burkhart, Clausen, Edwards, Eklund, Flitner, Greear, Hunt, Jennings, Larsen, Laursen, Lindholm, Nicholas, Olsen, Salazar, Sommers, Tass, Walters, Winter

**Excused:** Representative Northrup

**Ayes** 40      **Nays** 19      **Excused** 1      **Absent** 0      **Conflicts** 0

2/27/2019      S Adopted HB0235JC002: 17-11-2-0-0

**HB0235JC002/HADOPTEDSADOPTED (TO ENGROSSED COPY)**

Delete the following Senate amendment:

HB0235SS001/AE

Further amend the ENGROSSED COPY as follows:

Page 1-line 2 After "penalties;" delete "modifying".

Page 1-line 3 Delete entirely.

Page 1-lines 10 through 14 Delete entirely.

Page 2-lines 1 and 2 Delete entirely and insert:

"Section 1. W.S. 6-3-203(a)(intro) and (ii), (m)(i) through (iv) and (n) and 35-21-105(a) by creating new paragraphs (ix) and (x) are amended to read:".

Page 2-line 7 After "knowingly" insert ":".
   
Page 2-line 8 Strike entirely.
   
Page 2-line 10 After "Unnecessarily" strike "beats".
   
Page 2-line 11 Delete entirely and insert "~~torments, injures, mutilates or attempts to kill~~ beats or injures an animal;".
   
Page 2-lines 14 through 23 Delete entirely.
   
Page 3-lines 1 through 23 Delete entirely.
   
Page 4-lines 1 through 15 Delete entirely.
   
Page 4-lines 17 and 18 Delete all new language.
   
Page 5-lines 13 through 23 Delete entirely and insert:
   
    "(n) A person commits a felony ~~if he commits aggravated cruelty to animals as defined in subsection (c) of this section or knowingly and with intent to cause death, injury or undue suffering, cruelly beats, tortures, torments, injures or mutilates an animal resulting in the death or required euthanasia of the animal. A felony under this subsection or subsection (c) of this section is punishable by not more than two (2) years imprisonment, a fine of not more than five thousand dollars (\$5,000.00), or both.~~ punishable by not more than two (2) years imprisonment, a fine of not more than five thousand dollars (\$5,000.00) or both, if the person:
  
        (i) Commits aggravated cruelty to animals as defined in subsection (c) of this section, resulting in the death or required euthanasia of the animal; or
  
        (ii) Knowingly, and with intent to cause death or undue suffering, cruelly beats, tortures, torments or mutilates an animal."
  
Page 6-lines 1 through 23 Delete entirely.
   
Page 7-lines 1 through 11 Delete entirely.
   
BARLOW, KIRKBRIDE, SOMMERS, ELLIS, BITEMAN, STEINMETZ

**ROLL CALL**

**Ayes:** Senator(s) Anderson, Anselmi-Dalton, Biteman, Boner, Case, Coe, Ellis, Gierau, Landen, Moniz, Nethercott, Pappas, Perkins, Rothfuss, Schuler, Scott, Von Flatern

**Nays:** Senator(s) Baldwin, Bebout, Bouchard, Dockstader, Driskill, Hicks, Hutchings, Kinskey, Kost, Steinmetz, Wasserburger

**Excused:** Senator(s) Agar, James

**Ayes** 17      **Nays** 11      **Excused** 2      **Absent** 0      **Conflicts** 0

2/28/2019 Assigned Number HEA No. 0126  
 2/28/2019 H Speaker Signed HEA No. 0126  
 2/28/2019 S President Signed HEA No. 0126  
 3/8/2019 Governor Signed HEA No. 0126  
 3/8/2019 Assigned Chapter Number 181