

**DRAFT ONLY  
NOT APPROVED FOR  
INTRODUCTION**

HOUSE BILL NO. \_\_\_\_\_

Protection of livestock animals.

Sponsored by: Joint Agriculture, State and Public Lands  
and Water Resources Interim Committee

A BILL

for

1 AN ACT relating to animals; providing for the protection of  
2 livestock animals; adding definitions; providing  
3 exceptions; providing an increased penalty for repeat  
4 offenses; repealing the authority of any person to furnish  
5 food and water to impounded animals deprived of the same;  
6 and providing for an effective date.

7

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

9

10 **Section 1.** W.S. 11-29-115 is created to read:

11

12 **11-29-115. Use of agricultural and livestock**  
13 **management practices.**

1

2 (a) Nothing in this chapter prohibits:

3

4 (i) The use of industry accepted agricultural or  
5 livestock management practices or any other commonly  
6 practiced animal husbandry procedure used on livestock  
7 animals, as defined by W.S. 11-29-101 (a)(viii);

8

9 (ii) The dehorning of cattle;

10

11 (iii) A Wyoming licensed veterinarian from  
12 treating a livestock animal as authorized by the Wyoming  
13 Veterinary Medical Practice Act;

14

15 (iv) Any rodeo event, whether the event is  
16 performed in a rodeo, jackpot or similar arena;

17

18 (v) A person from humanely destroying a  
19 livestock animal.

20

21 **Section 2.** W.S. 11-29-101(a) by creating new  
22 paragraphs (vi) through (viii) and by renumbering (vi) as  
23 (ix), 11-29-103(a) and by creating a new subsection (b) and

1 by renumbering subsection (b) as (c), 11-29-106, 11-29-108  
2 through 11-29-111 and 11-29-114 are amended to read:

3

4

CHAPTER 29

5

6

PROTECTION OF LIVESTOCK ANIMALS

7

8

**11-29-101. Definitions.**

9

10 (a) As used in this act:

11

12 (vi) "Cruelly mistreat" means to knowingly,  
13 intentionally and inhumanely kill, maim, disfigure,  
14 torture, beat, mutilate, burn, scald or otherwise inflict  
15 harm upon any livestock animal;

16

17 (vii) "Cruelly neglect" means to fail to provide  
18 any livestock animal in care of the owner or custodian of  
19 the livestock animal, with food, water or other care as is  
20 reasonably necessary for the livestock animal's health;

21

22 (viii) "Livestock animal" means:

23

1                    (A) Any bovine, equine, swine, sheep, goat,  
2 domesticated camelid animal, ratite bird, rabbit or poultry  
3 used for food or fiber; or  
4

5                    (B) Any livestock protection animal used in  
6 the protection of food and fiber.  
7

8                    ~~(vi)~~(ix) "This act" means W.S. 11-29-101 through  
9 ~~11-29-113~~11-29-115.

10  
11                    **11-29-103. Livestock animals to be fed while**  
12 **confined; ownership; penalties.**  
13

14                    (a) Every person who ~~impounds~~confines or causes to  
15 be ~~impounded~~confined any livestock animal ~~in any pound or~~  
16 ~~corral,~~ under the laws of this state, shall supply to the  
17 livestock animal during confinement a sufficient quantity  
18 of wholesome food and water.  
19

20                    (b) A livestock animal is the private property of its  
21 owner.  
22

1       ~~(b)(c) Any person convicted of violating~~ A violation  
2 of this section ~~shall be imprisoned not exceeding~~ is a  
3 misdemeanor punishable by imprisonment for not more than  
4 six (6) months, ~~or fined~~ a fine of not less than one  
5 hundred dollars (\$100.00) nor more than ~~five hundred~~  
6 ~~dollars (\$500.00)~~ seven hundred fifty dollars (\$750.00), or  
7 both except that a subsequent offense is a high misdemeanor  
8 punishable by not more than one (1) year imprisonment, a  
9 fine of not more than five thousand dollars (\$5,000.00), or  
10 both.

11

12           **11-29-106. Livestock board; authority to prevent**  
13 **cruelty; penalty for interference with officer.**

14

15 Any peace officer, agent or officer of the board may  
16 lawfully interfere to prevent the perpetration of any act  
17 of cruelty upon any livestock animal in his presence. Any  
18 person who interferes with, obstructs or resists any peace  
19 officer or officer or agent of the board in the discharge  
20 of his duty shall be fined not less than two hundred  
21 dollars (\$200.00) nor more than one thousand five hundred  
22 dollars (\$1,500.00), or imprisoned not more than one (1)  
23 year, or both.

1

2           **11-29-108. Livestock board; seized livestock animals**  
3 **and vehicles; lien on seized chattels; civil action for**  
4 **unpaid expenses.**

5

6 When any person arrested under this act is in charge of any  
7 vehicle drawn by or containing any livestock animal cruelly  
8 ~~treated~~ mistreated or cruelly neglected at the time of  
9 arrest, any peace officer, agent or officer of the board  
10 may take charge of the livestock animal and vehicle and its  
11 contents, and give notice thereof to the owner, if known,  
12 and shall provide for them until their owner takes  
13 possession of them. The board or local government shall  
14 have a lien on the livestock animals, the vehicle and its  
15 contents for the expense of the care and provision. The  
16 expense or any part remaining unpaid may be recovered by  
17 the board or local government in a civil action.

18

19           **11-29-109. Livestock board; care of abandoned**  
20 **livestock animals; civil action for expenses; lien.**

21

22 Any peace officer, agent or officer of the board may take  
23 charge of any livestock animal found abandoned, cruelly

1 neglected or cruelly ~~treated~~ mistreated. He shall give  
2 notice to the owner, if known, and may care and provide for  
3 the livestock animal until the ~~owner takes charge of the~~  
4 livestock animal is released or destroyed. The expenses of  
5 care and provision is a charge against the owner of the  
6 livestock animal and collectible from the owner by the  
7 board or by the local government employing the peace  
8 officer taking charge of the livestock animal in a civil  
9 action. The board or local government may detain the  
10 livestock animals until the expense for food, shelter and  
11 care is paid and shall have a lien upon the livestock  
12 animals therefor. This lien shall be filed as provided  
13 pursuant to W.S. 29-7-101 through 29-7-106.

14

15 **11-29-110. Livestock board; enforcement of liens;**  
16 **notice to owner.**

17

18 Any person entitled to a lien under this act may enforce  
19 the lien by disposing of the livestock animals and other  
20 personal property upon which the lien is given, at public  
21 auction, upon giving written notice to the owner, if he is  
22 known, of the time and place of the disposal, at least five  
23 (5) days previous thereto, and by posting three (3) notices

1 of the time and place of the disposal in three (3) public  
2 places within the county at least five (5) days previous  
3 thereto. If the owner is not known, the notice shall be  
4 posted at least ten (10) days previous to the disposal.

5  
6 **11-29-111. Livestock board; destruction of diseased**  
7 **or injured livestock animals.**

8  
9 Any peace officer, agent or officer of the board may  
10 destroy or cause to be destroyed any livestock animal in  
11 his charge when in his judgment and ~~by the written~~  
12 ~~certificate of two (2) reputable citizens called to view~~  
13 ~~the animal in his presence, one (1) of whom may be selected~~  
14 ~~by the owner of the animal if he so requests,~~ the judgment  
15 of a Wyoming licensed veterinarian or the judgment of the  
16 livestock animal owner, the livestock animal appears to be  
17 severely injured, severely disabled, diseased past recovery  
18 or unfit for any useful purpose. There shall be no right  
19 for any future indemnity or payment to the owner for the  
20 destruction of any livestock animal destroyed and the peace  
21 officer, agent or officer of the board shall be held  
22 harmless while acting in accordance with this section.

23



1           **11-29-114. Impoundment of livestock animals; cost of**  
2 **care for livestock animals; providing for bond.**

3  
4           (a) Any peace officer, agent or officer of the board  
5 may take possession of any livestock animal ~~treated~~ cruelly  
6 mistreated or cruelly neglected as determined by a Wyoming  
7 licensed veterinarian or veterinarian employed by the  
8 board.

9  
10          (b) The owner of the animal impounded under  
11 subsection (a) of this section, and who has been cited  
12 under W.S. 6-3-203, shall be required to post a bond with  
13 the circuit court in the county where the animal was  
14 impounded. The bond shall be:

15  
16           (i) In an amount the circuit court determines is  
17 sufficient to provide for the livestock animal's board,  
18 nutritional care, veterinary care and diagnostic testing  
19 for at least ninety (90) days including the day on which  
20 the animal was impounded; and

21  
22           (ii) Filed with the circuit court within ten  
23 (10) days after the livestock animal is impounded.

1

2 (c) When the bond expires, if the owner of the  
3 livestock animal desires to prevent disposition of the  
4 animal by the board, the owner shall post a new bond with  
5 the court as described in subsection (b) of this section.

6

7 (d) If a bond is not posted under subsection (b) or  
8 (c) of this section, the board shall determine final  
9 disposition of the livestock animal in accordance with  
10 reasonable practices for the humane treatment of livestock  
11 animals. The owner of the livestock animal shall be liable  
12 for all costs associated with the final disposition of the  
13 livestock animal under this subsection.

14

15 (e) If a bond has been posted in accordance with  
16 subsection (b) or (c) of this section, the agency employing  
17 the officer, or the board, may draw from the bond the  
18 actual costs as described in subsection (b) of this  
19 section, from the date of initial impoundment to the date  
20 of final disposition of the livestock animal.

21

22 **Section 3.** W.S. 11-29-104 and 11-29-113 are repealed.

23

1       **Section 4.** This act is effective July 1, 2011.

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3

(END)