

REVENUE: No revenue impact

FISCAL: Fiscal statement issued

Action: Do Pass as Amended and Be Printed Engrossed

Vote: 3 - 2 - 0

Yeas: Dingfelder, Roblan, Prozanski

Nays: Close, Kruse

Exc.: 0

Prepared By: Anna Braun, Counsel

Meeting Dates: 3/25, 4/15

WHAT THE MEASURE DOES: Increases penalty for animal abuse in the first degree upon a previous conviction of domestic violence, child abuse or if abuse committed in presence of minor to Class C felony and categorizes offense as category six on the sentencing guidelines grid. Elevates aggravated animal abuse in the first degree to a category seven on the sentencing guidelines grid. Increases penalty for animal neglect in the second degree to a class A misdemeanor and increases to a Class C felony if prior conviction of animal neglect or episode of ten or more animals or committed in presence of a minor child. Increases severity of sentencing based on number of animals neglected. Increases penalty for animal neglect in the first degree to a Class C felony and increases to a Class B felony if prior conviction of animal neglect or episode of ten or more animals or committed in presence of a minor child. Increases severity of sentencing based on number of animals neglected. Adds equines and other animals of same genus against which crime was committed to prohibition on possessing a domestic animal after conviction. Provides alternative service for notice of forfeiture. Provides defendant opportunity for hearing on forfeiture within 14 days or as soon as practicable. Establishes process for hearing on impoundment and lien. Provides definitions. Establishes standards and license program for animal rescue entities. Authorizes inspections upon complaint about violations of licensing and recordkeeping requirements and seizure upon evidence of cruelty.

ISSUES DISCUSSED:

- Legislative Counsel letter
- Farm animals
- Resources for increase in sentence
- Not retroactive
- Hoarding and mental health

EFFECT OF COMMITTEE AMENDMENT: Adds language regarding unlicensed animal rescue organizations to the findings and declaration section. Prohibits possessing animal from the same genus the underlying violation occurred. Adds “or as soon as practicable” to the 14 day hearing time. Clarifies that the inspections authorized are for violations of the licensing and recordkeeping requirements in Section 9.

BACKGROUND: Senate Bill 6 significantly strengthens penalties for animal abuse and neglect. Animal abuse occurs when a person intentionally, knowingly or recklessly causes death or serious physical injury to an animal. Aggravated animal abuse occurs when some maliciously kills or tortures an animal. Animal neglect occurs when a person intentionally, knowingly, recklessly or with criminal negligence fails to provide minimum care for an animal in their care. Currently sentencing classifications for animal abuse and neglect are at the category three level of the sentencing grid with penalties ranging from probation to 30 days jail time. Senate Bill 6 raises the penalties to a six, seven or eight on the sentencing grid which will result in jail time and could result in several months in prison. In addition, Senate Bill 6 provides for licensing and oversight for animal care entities in response to a recent Marion County case of animal neglect which resulted in the seizure of 149 neglected dogs from an animal rescue facility.

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This summary has not been adopted or officially endorsed by action of the committee.