

**REVENUE:** No revenue impact

**FISCAL:** Fiscal statement issued

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**Action:** Do Pass with Amendments to the B-Engrossed Measure. (Printed C-Engrossed)

**Vote:** 4 - 1 - 0

**Yeas:** Beyer, Burdick, Starr, Rosenbaum

**Nays:** Ferrioli

**Exc.:** 0

**Prepared By:** Lori Brocker, Administrator

**Meeting Dates:** 6/25

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**WHAT THE MEASURE DOES:** Elevates animal abuse in first degree upon a previous conviction of domestic violence, child abuse or if abuse committed in presence of minor to category 6 on sentencing guidelines grid. Elevates aggravated animal abuse in first degree to category 6 on sentencing guidelines grid. Increases penalty for animal neglect in second degree to class C felony in cases of prior conviction of animal neglect, if offense involved 11 or more animals or offense was committed in presence of minor child; increases severity of sentencing based on number of animals neglected. Increases penalty for animal neglect in first degree to class C felony if there is prior conviction of animal neglect, if episode involved 11 or more animals, or if committed in presence of 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 domestic animal after conviction and specifies that prohibition does not apply to first conviction if person owns commercial livestock operation and violation was committed against livestock. Provides alternative service for notice of forfeiture. Provides defendant opportunity for hearing on forfeiture. Establishes process for hearing on impoundment and lien. Provides definitions. Establishes standards and license program for animal rescue entities. Authorizes inspections upon complaint and seizure upon evidence of cruelty. Declares an emergency, effective on passage.

**ISSUES DISCUSSED:**

- Reasons for measure
- Explanation of measure
- Meaning of “directly perceived”

**EFFECT OF COMMITTEE AMENDMENT:** Revises provisions pertaining to classification of offenses of aggravated animal abuse in first degree, animal neglect in second degree and animal neglect in first degree. Specifies that prohibition on possessing domestic animal after conviction does not apply to first conviction if person owns commercial livestock operation and violation was against livestock. Deletes \$100 license application fee for animal rescue entities and replaces with reasonable fee to provide for cost of enforcing measure to be determined by enforcing agency. Adds emergency clause.

**BACKGROUND:** Senate Bill 6C strengthens penalties against 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 someone 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 6C raises the penalties on the sentencing grid. In addition, Senate Bill 6C 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.

6/28/2013 10:36:00 AM

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