

# Animal Cruelty Laws State By State

## Alabama:

<http://www.legislature.state.al.us/CodeofAlabama/1975/13A-11-14.htm>

ALA. CODE Section 13A-11-14 (1977)

The act of cruelty to animals, particularly domesticated dogs and cats, is defined as: “Overloads, overdrives, deprives of necessary sustenance or shelter, unnecessarily or cruelly beats, injures, mutilates or causes the same to be done; intentionally tortures any dog or cat or skins a domestic dog or cat or offers for sale or exchange or offers to buy to exchange the fur, hide, or pelt of a domestic dog or cat.” Cruelty to a dog or cat is a Class A Misdemeanor, punishable with a fine of up to \$1,000 and/or imprisonment up to 6 months. Intentionally torturing a dog or cat is a Class C Felony punishable with a fine of up to \$5,000 and/or imprisonment up to 10 years. Person convicted could also be made to pay for the cost of care of the animal. Exceptions are made for research, protection of life or property, training, or shooting a dog or cat for urinating or defecating on property. Animals can also be seized by animal control officers.

## Alaska:

[http://old-www.legis.state.ak.us/cgi-bin/folioisa.dll/stattx01/query=\\*/doc/{@3919](http://old-www.legis.state.ak.us/cgi-bin/folioisa.dll/stattx01/query=*/doc/{@3919)

Alaska Statute 11.61.140

Cruelty to animals is defined as “Knowingly inflict[ing] severe physical pain or suffering; or with criminal negligence fails to care for an animal and causes its death or severe pain or prolonged suffering”. It is a Class A Misdemeanor, with sentencing provisions including a fine of up to \$5,000, imprisonment up to 1 year, community service and restitution. Exceptions are made for farming, hunting, research, training and veterinary care.

## Arizona

<http://www.azleg.state.az.us/ars/13/02910.htm>

Arizona Statute 13-2910 et. seq.

Animal cruelty is defined as: “Intentionally, knowingly or recklessly subjects any animal to cruel neglect or abandonment, failing to provide necessary medical attention to prevent protracted suffering, causes unnecessary physical injury, kills any animal without the legal privilege or consent of the owner, leaves an animal unattended and confined in a motor vehicle and injury or death is a likely result.” There are also special provisions for harming service animals, including allowing or having another animal harm or interfere with a service animal. Intentional, knowingly or recklessly subjecting an animal to cruel treatment is a Class A Misdemeanor, punishable by a fine up to \$2,500 and/or imprisonment for 6 months. Intentionally subjecting an animal to cruel neglect, mistreatment, or killing or harming a service animal is a Class 6 Felony punishable by a fine of up to \$150,000 and/or imprisonment of up to 1.5 years. Sentences can also include community service, no animal ownership for 3 years, and restitution. Exceptions are made for hunting, poisoning rodents or dogs killing or wounding livestock.

## Arkansas

<http://www.arkleg.state.ar.us/NXT/gateway.dll?f=templates&fn=default.htm&vid=blr:code>

Arkansas Code 5-62-101 et seq.

The crime of cruelty to animals is defined as: “Knowingly abandons any animal, subjects it to cruel mistreatment or cruel neglect, or kills or injures an animal without the owner’s consent.” Cruelty to animals is a Class A Misdemeanor punishable with a fine up to \$1,000 and/or imprisonment up to 1 year, cost of care for the animal, and counseling. Exemptions are made for hunting and protection of livestock.

## California

<http://www.leginfo.ca.gov/cgi-bin/displaycode?section=pen&group=00001-01000&file=594-625c>

Cal Penal Code 596-597

Cruelty to animals is defined as “Maliciously and intentionally maims, mutilates, tortures, or wounds a living animal, or maliciously and intentionally kills an animal; or overdrives, overloads, drives when overloaded, overworks, tortures, torments, deprives of necessary sustenance, drink, or shelter, cruelly beats, mutilates, or cruelly kills any animal or causes or procures any animal to be so treated.” Animals shall be seized and impounded and ownership forfeited. These crimes may be charged as either a misdemeanor or felony, with punishment of a fine up to \$20,000 and/or imprisonment up to 1 year. If a defendant is granted probation for a conviction, the defendant must pay for and successfully complete counseling as determined by the court. It is also a misdemeanor to “Carry or causes to be carried in or upon any vehicle or otherwise any domestic animal in a cruel or inhumane manner.” Exemptions are made for farming, hunting and research.

## **Colorado**

<http://198.187.128.12/colorado/lpext.dll?f=templates&fn=fs-main.htm&2.0>

Colorado Revised Statute 18-9-202

Animal cruelty is defined as: “Knowingly, recklessly or with criminal negligence overdrives, overloads, overworks, torments, deprives of necessary sustenance, unnecessarily or cruelly beats, allows to be housed in a manner that results in chronic or repeated serious physical harm, carries or confines in or upon any vehicles in a cruel or reckless manner, or otherwise mistreats or neglects any animal, or causes or procures it to be done, or, having the charge or custody of any animal, fails to provide it with proper food, drink, or protection from the weather, consistent with the species, breed, and type of animal involved, or abandons an animal” or “recklessly or with criminal negligence tortures, needlessly mutilates, or needlessly kills an animal.” Conviction of Cruelty to Animals is a Class 1 Misdemeanor with a minimum fine of \$400, maximum fine of \$5000. In addition to any other fine, a surcharge of up to \$400 shall be paid to the county where the violation occurred to be put into the Animal Cruelty Prevention fund. A subsequent conviction of Cruelty to Animals carries a minimum fine of \$1000, maximum fine of \$5000 and a minimum of 90 days imprisonment or home detention, maximum imprisonment of 18 months. Anger Management or other psychological treatment as defined by the court is required, cost of care may also be assessed.

Aggravated Cruelty is: “knowingly tortures, needlessly mutilates, or needlessly kills an animal.” A conviction of Aggravated Animal Cruelty is a Class 6 Felony with a maximum fine of up to \$100,000 and imprisonment for up to 18 months, minimum of 90 days in prison or in-home detention. Subsequent conviction of Aggravated Animal Cruelty is a Class 5 Felony with a maximum fine of \$100,000 and imprisonment for up to 3 years. Exemptions are made for farming, draft or pack animals, rodeos, veterinary care, research, hunting and trapping.

## **Connecticut**

<http://www.cga.state.ct.us/2001/pub/Chap945.htm#sec53-247.htm>

Conn Statute Section 53-247

Animal Cruelty is defined as: “Overdrives, overworks, tortures, deprives of necessary sustenance, mutilates or cruelly beats or kills or unjustifiably injures any animal, or who, having impounded or confined any animal, fails to give such animal proper care or neglects to cage or restrain any such animal from doing injury to itself or to another animal or fails to supply any such animal with wholesome air, food and water, or unjustifiably administers any poisonous or noxious drug or substance to any domestic animal or, having charge or custody of any animal, inflicts cruelty upon it or fails to provide it with proper food, drink or protection from the weather or abandons it or carries it or causes it to be carried in a cruel manner, or fights with or baits, harasses or worries any animal for the purpose of making it perform for amusement, diversion or exhibition.” Cruelty to animals can be prosecuted as either a misdemeanor or felony with a fine up to \$1000 and/or imprisonment up to 1 year. Intentionally and maliciously torturing or injuring an animal can be prosecuted as either a misdemeanor or felony with a fine up to \$5000 and/or imprisonment up to 5 years. Additional sentencing provisions include counseling and participation in animal cruelty prevention and education programs as conditions of probation. Exemptions are made for farming, hunting, research and veterinary care.

## **Delaware**

<http://198.187.128.12/delaware/lpext.dll?f=templates&fn=fs-main.htm&2.0>

Delaware Code Ann. Title 11, Part 1, Chapter 5, Subchapter VII, 1325 et seq.

Cruelty to animals is defined as: “Intentionally or recklessly subjects an animal to cruel mistreatment, cruel neglect, kills or injures an animal without the owner’s consent, cruelly or unnecessarily kills or injures any animal.” Cruelty to animals is a Class A Misdemeanor with a \$1000 fine, possible imprisonment for up to 1 year, forfeiture of any and all animals (unless 25% or more income is provided from animals), and no animal ownership for 5 years. Intentional cruelty is a Class F Felony with a \$5000 fine, possibly imprisonment up to 3 years, forfeiture of any and all animals (unless 25% or more income is provided from animals), and no animal ownership for 15 years. Exemptions are made for farming, hunting, protection of life or property, research and veterinary care.

## **District of Columbia**

<http://198.187.128.12/dc/lpext.dll?f=templates&fn=fs-main.htm&2.0>

D.C. Code Ann. 22-1001 et seq. (Div. IV, Title 22, Subtitle I, Chapter 10)

Cruelty to animals is defined as: “Knowingly overdrives, overloads, drives when overloaded, overworks, tortures, torments, deprives of necessary sustenance, cruelly chains, cruelly beats or mutilates, any animal, or knowingly causes or procures any animal to be so treated, and whoever, having the charge or custody of any animal, either as owner or otherwise, knowingly inflicts unnecessary cruelty upon the same, or unnecessarily fails to provide the same with proper food, drink, air, light, space, veterinary care, shelter, or protection from the weather.” Serious bodily injury is defined as: “bodily injury that involves a substantial risk of death, unconsciousness,

extreme physical pain, protracted and obvious disfigurement, mutilation, or protracted loss or impairment of the function of a bodily member or organ.” Cruelty to animals is not classified in the statute, but carries a fine up to \$250 and/or imprisonment up to 180 days. Cruelty to animals resulting in serious bodily injury or death is a Felony with a fine of up to \$25,000 and/or imprisonment up to 5 years. Exemptions are made for research.

## **Florida**

[http://www.flsenate.gov/Statutes/index.cfm?App\\_mode=Display\\_Statute&Search\\_String=&URL=Ch0828/SEC12.HTM&Title=->2001->Ch0828->Section%2012](http://www.flsenate.gov/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=Ch0828/SEC12.HTM&Title=->2001->Ch0828->Section%2012)

Florida Statute 828.12 et seq.

Cruelty to animals is defined as: “Overloads, overdrives, torments, deprives of necessary sustenance or shelter, or unnecessarily mutilates, or kills any animal, or causes the same to be done, or carries in or upon any vehicle, or otherwise, any animal in a cruel or inhumane manner”. This is a 1<sup>st</sup> Degree Misdemeanor with a fine up to \$5000 and/or imprisonment up to 1 year.

Intentional Animal Cruelty is defined as: “commits an act to any animal which results in the cruel death, or excessive or repeated infliction of unnecessary pain or suffering.” This is a 3<sup>rd</sup> Degree Felony with a fine up to \$10,000 and/or imprisonment up to 5 years. Intentional Cruelty with “knowing and intentional torture or torment of an animal that injures, mutilates, or kills the animal” carries a minimum fine of \$2500 and completion of a psychological or anger management treatment program. A second conviction of the same carries a minimum fine of \$5,000 and minimum 6 months incarceration, with no parole or early release available. Exemptions are made for veterinary care.

## **Georgia**

<http://www.ganet.state.ga.us/cgi-bin/pub/ocode/ocgsearch?number=16-12-4>

Georgia Code Ann. 16-12-4 et seq.

Animal Cruelty is defined as: “causes death or unjustifiable physical pain or suffering to any animal by an act, an omission, or willful neglect. Willful neglect means the intentional withholding of food and water required by an animal to prevent starvation or dehydration.” This is a misdemeanor with a fine up to \$1000 and/or imprisonment for up to 1 year. A second or subsequent conviction carries a fine up to \$5000 and imprisonment for up to 1 year. A second or subsequent conviction which resulted in the death of an animal will be a misdemeanor of “a high and aggravated nature” with imprisonment for a minimum 3 months, maximum 12 months and/or a fine up to \$10,000.

Aggravated Cruelty is defined as: “knowingly and maliciously causes death or physical harm to an animal by rendering a part of such animal’s body useless or by seriously disfiguring such animal.” This carries imprisonment of minimum 1 year, maximum 5 years, and/or a fine up to \$15,000. Exemptions are made for agricultural, animal husbandry, butchering, food processing, marketing, scientific, research, medical, zoological, exhibition, competitive, hunting, trapping, fishing, wildlife management, or pest control practices or the authorized practice of veterinary medicine.

## **Hawaii**

[http://www.capitol.hawaii.gov/hrscurrent/vol14\\_ch0701-0853/hrs0711/hrs\\_0711-1109.htm](http://www.capitol.hawaii.gov/hrscurrent/vol14_ch0701-0853/hrs0711/hrs_0711-1109.htm)

Hawaii Rev. Stat. 711-1109 et seq.

Animal Cruelty is defined as: “intentionally, knowingly, or recklessly: Overdrives, overloads, tortures, torments, cruelly beats or starves any animal, deprives a pet animal of necessary sustenance, mutilates, poisons, or kills without need any animal other than insects, vermin, or other pests, keeps, uses, or in any way is connected with fighting or baiting any bull, bear, dog, cock, or other animal, carries or causes to be carried, in or upon any vehicle or other conveyance, any animal in a cruel or inhumane manner; or assists another in the commission of any act of cruelty to any animal.” This is a Misdemeanor punishable with a fine up to \$2000 and/or imprisonment up to 1 year. Exemptions are made for scientific research and veterinary practices.

## **Idaho**

<http://www3.state.id.us/idstat/TOC/25035KTOC.html>

Idaho Title 25, Chapter 35, 25-3501 et seq

Animal Cruelty is defined as: “The intentional and malicious infliction of pain, physical suffering, injury or death upon an animal; To maliciously kill, maim, wound, overdrive, overload, drive when overloaded, overwork, torture, torment, deprive of necessary

sustenance, drink or shelter, cruelly beat, mutilate or cruelly kill an animal; To subject an animal to needless suffering, inflict unnecessary cruelty, drive, ride or otherwise use an animal when same is unfit; To abandon an animal; To negligently confine an animal in unsanitary conditions or to negligently house an animal in inadequate facilities; to negligently fail to provide sustenance, water or shelter to an animal” This is a Misdemeanor. The first conviction of Animal Cruelty is punishable by a fine of \$100 to \$5000 and/or imprisonment up to 6 months. The second conviction within 10 years of the first is punishable by a fine of \$200 to \$7000 and/or imprisonment up to 9 months. The third conviction within 15 years of the first is punishable by a fine of \$500 to \$9000 and/or imprisonment up to 12 months. Exemptions are made for normal veterinary practices, humane slaughter, professionally recognized research facilities, humane destruction of an injured or diseased animal beyond recovery, accepted practices of animal identification and husbandry, killing an animal posing a threat to any person or property, killing a vicious animal by animal control officers, veterinarians or law enforcement officers, predatory animals and vermin, exhibitions, competitions, activities, practices or procedures normally or commonly considered acceptable.

#### **Illinois \*\*Model Law\*\***

<http://www.legis.state.il.us/legislation/ilcs/ch510/ch510act70.htm>

Humane Treatment of Animals Act: 510 ILCS 70/3

Illinois has their law broken into 5 sub-sections.

510 ILCS 70/3: Owner’s Duties are defined as: “provide for each of his animals: sufficient quantity of good quality, wholesome food and water; adequate shelter and protection from the weather; veterinary care when needed to prevent suffering; and humane care and treatment.” Conviction is a Class B Misdemeanor, with a second conviction a Class 4 Felony with each day that the violation continues being a separate offense. In addition to other penalties provided by law, the person may be required to undergo psychological evaluation and treatment.

510 ILCS 70/3.01: Cruel Treatment is defined as: “No person or owner may beat, cruelly treat, torment, starve, overwork or otherwise abuse any animal. No owner may abandon any animal where it may become a public charge or may suffer injury, hunger or exposure.” Conviction is a Class A Misdemeanor, a subsequent conviction is a Class 4 felony. In addition to other penalties provided by law, the person may be required to undergo psychological evaluation and treatment.

510 ILCS 70/3.02: Aggravated Cruelty is defined as: “intentionally commit an act that causes a companion animal to suffer serious injury or death.” Euthanasia by a method recognized by the Department of Agriculture is exempted. Conviction is a Class 4 Felony, a subsequent conviction is a Class 3 felony. In addition to other penalties provided by law, the person may be required to undergo psychological evaluation and treatment.

510 ILCS 70/3.03: Animal Torture is defined as: “infliction of or subjection to extreme physical pain, motivated by an intent to increase or prolong the pain, suffering, or agony of the animal.” Exemptions are made for hunting, fishing, trapping, any alteration or destruction of any animal done by any person or unit of government pursuant to statute, ordinance, court order, or the direction of a licensed veterinarian, alteration for a legitimate purpose, including but not limited to: castration, culling, declawing, defanging, ear cropping, euthanasia, gelding, grooming, neutering, polling, shearing, shoeing, slaughtering, spaying, tail docking, and vivisection. Conviction is a Class 3 Felony. In addition to other penalties provided by law, the person will be required to undergo psychological evaluation and treatment.

510 ILCS 70/3.03-1: Depiction of Animal Cruelty is defined as: “any visual or auditory depiction, including any photograph, motion-picture film, video recording, electronic image, or sound recording” of Animal Cruelty as defined in these statutes. No person may knowingly create, sell, market, offer to market or sell, or possess a depiction of animal cruelty. Exceptions are made when the depiction has religious, political, scientific, educational, law enforcement or humane investigator training, journalistic, artistic, or historical value; or involves rodeos, sanctioned livestock events, or normal husbandry practices. Conviction is a Class A Misdemeanor, a subsequent conviction is a Class 4 Felony. In addition to other penalties provided by law, the person may be required to undergo psychological evaluation and treatment.

In all of the above (except Animal Torture where it is automatically required), if the offender is a juvenile or “animal hoarder” they court must order psychological or psychiatric evaluation and treatment.

The possible penalties are as follows:

Classification of Crime	Usual Prison or Jail Time	Mandatory Probation Period	Maximum Fine
Class A Misdemeanor	Under 1 year	--	Up to \$2500
Class B Misdemeanor	Up to 6 months	--	Up to \$1500
Class C Misdemeanor	Up to 30 days	--	Up to \$1500
Class 3 Felony	2-5 years	1 year	Up to \$25,000
Class 4 Felony	1-3 years	1 year	Up to \$25,000

**Indiana**

<http://www.ia.gov/legislative/ic/code/title35/ar46/ch3.html#IC35-46-3-3>

Ind. Code 35-46-3-13

Animal Cruelty is defined as: “Intentionally beating a vertebrate animal.” This, along with removal of a dog’s vocal cords, are considered Animal Cruelty and are Class A Misdemeanors with a fine up to \$5000 and/or imprisonment up to 1 year. A second conviction of Animal Cruelty or intentional torture and mutilation of a vertebrate animal is a Class C Felony with a fine up to \$10,000 and/or an addition 1 1/2 years imprisonment. Exemptions are made for fishing, hunting, trapping, veterinary practice, farm management, humane slaughter, research, training or discipline of a vertebrate animal, protection of person or property, and prolonged suffering of the animal.

**Iowa**

<http://www.legis.state.ia.us/IACODE/2003/717B>

Iowa Code 717B.1 et seq.

Animal abuse is defined as: “intentionally injures, maims, disfigures, or destroys an animal owned by another person, in any manner, including intentionally poisoning the animal” This is an Aggravated Misdemeanor with a fine of \$500 to \$5000 and/or imprisonment up to 2 years.

Animal Neglect is defined as: “fails to supply the animal during confinement with a sufficient quantity of food or water; fails to provide a confined dog or cat with adequate shelter; or tortures, deprives of necessary sustenance, mutilates, beats, or kills an animal by any means which causes unjustified pain, distress, or suffering.” Negligent animal neglect is a Simple Misdemeanor which carries a fine of \$50 to \$500 and/or imprisonment up to 30 days. Intentional Neglect is a Serious Misdemeanor with a fine of \$250 to \$1500 and/or imprisonment up to 1 year.

Animal Torture is defined as: “regardless of whether the person is the owner of the animal, if the person inflicts upon the animal severe physical pain with a depraved or sadistic intent to cause prolonged suffering or death.” This is an Aggravated Misdemeanor with a fine of \$500 to \$5000 and/or imprisonment up to 2 years and psychological treatment. A second conviction of Animal Torture is a Class D Felony with a fine of \$500 to \$7500 and/or imprisonment up to 5 years and psychological treatment. Exemptions are made for owner’s consent (except torture), carrying out an order of the court, veterinary practice, hunting, trapping, fishing, protecting person or property, destroying a diseased or injured animal to a degree that would cause severe or prolonged suffering.

**Kansas**

<http://www.kslegislature.org/cgi-bin/statutes/index.cgi>

Kan Stat. Ann. 21-4310 et seq.

Animal Cruelty is defined as: “Intentionally killing, injuring, maiming, torturing or mutilating any animal; abandoning or leaving any animal in any place without making provisions for its proper care; having physical custody of any animal and failing to provide such food, potable water, protection from the elements, opportunity for exercise and other care as is needed for the health or well-being of such kind of animal; or intentionally using a wire, pole, stick, rope or any other object to cause an equine to lose its balance or fall, for the purpose of sport or entertainment.” This is a Class A Nonperson Misdemeanor with a fine up to \$2500 and/or imprisonment up to 1 year. Exemptions are made for veterinary practice, bona fide research, hunting, fishing, trapping, rodeo, diseased or disabled animal beyond recovery by proper authority or vet, protection of person or property, use of a tranquilizer gun on a vicious animal, laying an equine down for medical or ID purposes.

## **Kentucky**

<http://www.lrc.state.ky.us/KRS/525-00/130.PDF>

KY REV. Stat. Ann 525.130

<http://www.lrc.state.ky.us/KRS/525-00/135.PDF>

KY REV. Stat. Ann 525.135

Cruelty to animals (in the Second Degree) is defined as: “intentionally or wantonly subjects any animal to or causes cruel or injurious mistreatment through abandonment, participates other than as provided in KRS 525.125 in causing it to fight for pleasure or profit, (including, but not limited to being a spectator or vendor at such an event) mutilation, beating, torturing, tormenting, failing to provide adequate food, drink, space, or health care, or by any other means; or subjects any animal in his custody to cruel neglect; or kills any animal.” (Note: KRS 525.125 specifies anyone owning the animal or organizing an animal fight is guilty of a Class D Felony and is called Cruelty to Animals in the First Degree.) This is a Class A Misdemeanor with a fine up to \$500 and/or imprisonment up to 1 year.

Torture of a Dog or Cat is defined as: “intentional infliction of or subjection to extreme physical pain or injury, motivated by an intent to increase or prolong the pain of the animal.” The first offense is a Class A Misdemeanor with a fine up to \$500 and/or imprisonment up to 1 year. The second or subsequent offense is a Class D Felony with a fine of \$1000 to \$10,000 and/or imprisonment from 1 to 5 years. When convicted of a felony, at least 1 year imprisonment is mandatory.

Exemptions are made for hunting, fishing, trapping, processing for food or other commercial product, humane purposes.

## **Louisiana**

<http://www.legis.state.la.us/tsrs/tsrs.asp?lawbody=RS&title=14&section=102>

LA Rev. Stat. Ann. 14.102

Cruelty to animals is defined as: “intentionally or with criminal negligence Overdrives, overloads, drives when overloaded, or overworks a living animal; torments, cruelly beats, or unjustifiably injures any living animal; unjustifiably fails to provide it with proper food, proper drink, proper shelter; abandons any animal; Carries, or causes to be carried, a living animal in or upon a vehicle or otherwise, in a cruel or inhumane manner; unjustifiably administers any poisonous or noxious drug or substance to any domestic animal; injures any animal belonging to another person without legal privilege or consent of the owner; mistreats any living animal ; causes or procures to be done by any person any act enumerated.” This is Simple Animal Cruelty with a fine up to \$1000 and/or imprisonment up to 6 months. In addition, 5 8-hour days of court approved community service is required. Aggravated Animal Cruelty is when one tortures, maims, or mutilates, tampers with livestock, or causes or procures another to do such. This carries a fine of \$5000 to \$25,000 and/or imprisoned for 1 to 10 years. Exemptions are made for lawful hunting and trapping, herding of domestic animals, veterinary practice, scientific and medical research.

## **Maine**

<http://janus.state.me.us/legis/statutes/17/title17sec1031.html>

ME Code Ann. Title 17 –1031

Animal Cruelty is defined as: “Kills or attempts to kill any animal without the consent of the owner, or in a manner which does not produce instantaneous death, injures, overworks, tortures, torments, abandons or cruelly beats or intentionally mutilates an animal; gives drugs to an animal with an intent to harm the animal; gives poison or alcohol to an animal; or exposes a poison with intent that it be taken by an animal, deprives an animal that the person owns or possesses of necessary sustenance, necessary medical attention, proper shelter, protection from the weather or humanely clean conditions, commits bestiality.” Cruelty to Animals is a Class D crime, carrying a fine of \$500 to \$2500 and/or imprisonment up to 1 year. In addition, the court may prohibit the person from owning or possessing animals and to pay for the care, housing and veterinary care of the animal.

Aggravated Animal Cruelty is defined as: “in a manner manifesting a depraved indifference to animal life or suffering, intentionally, knowingly or recklessly causes extreme physical pain, kills or physically tortures an animal.” A second or similar conviction of Cruelty to Animals, or Aggravated Animal Cruelty is a Class C crime, carrying a fine of \$1000 to \$10,000 and/or imprisonment up to 5 years. In addition, the court will prohibit the person from owning or possessing animals and may order to pay for the care, housing and veterinary care of the animal. Psychological or other treatment or counseling may also be required. Exemptions are made for pest control, research, veterinary care, hunting and animal husbandry.

## **Maryland**

<http://198.187.128.12/maryland/lpext.dll?f=templates&fn=fs-main.htm&2.0>

MD Code Ann. – Criminal Code, Title 10, Subtitle 6, 10-601 et seq.

Cruelty or Neglect of an Animal is defined as: “overdrive or overload an animal; deprive an animal of necessary sustenance; cause or procure such actions; if an animal is in a person’s charge or custody they may not inflict unnecessary suffering or pain on the animal or unnecessarily fail to provide the animal with nutritious food in sufficient quantity, necessary veterinary care, proper drink, air, space, shelter, or protection from the weather.” This is a Misdemeanor with a fine up to \$1000 and/or imprisonment for up to 90 days.

Aggravated Cruelty to Animals is defined as: “intentionally mutilate, torture, cruelly beat, or cruelly kill an animal; cause, procure, or authorize such action; or except in the case of self-defense, intentionally inflict bodily harm, permanent disability, or death on an animal owned or used by a law enforcement unit.” This is a Felony which carries a fine of up to \$5000 and/or imprisonment up to 3 years. Exemptions are made for veterinary and husbandry practices, research; food processing, pest elimination, training, and hunting as long as the person uses the most humane method reasonably available; normal human activities in which pain to animals is incidental and unavoidable.

## **Massachusetts**

<http://www.state.ma.us/legis/laws/mgl/272-77.htm>

Mass. Gen Laws Ch. 272-77 – Cruelty to Animals

<http://www.state.ma.us/legis/laws/mgl/266%2D112.htm>

Mass. Gen Laws Ch. 266-112 – Malicious Killing of an Animal

Cruelty to animals is defined as: “overdrives, overloads, drives when overloaded, overworks, tortures, torments, deprives of necessary sustenance, cruelly beats, mutilates or kills an animal, or causes or procures such; and whoever uses in a cruel or inhuman manner in a race, game, or contest, or in training therefor, as lure or bait a live animal; inflicts unnecessary cruelty upon it, or unnecessarily fails to provide it with proper food, drink, shelter, sanitary environment, or protection from the weather, or cruelly drives or works it when unfit for labor, or willfully abandons it, or carries it or causes it to be carried in or upon a vehicle, or otherwise, in an unnecessarily cruel or inhuman; or knowingly and willfully authorizes or permits it to be subjected to unnecessary torture, suffering or cruelty of any kind.” This is a Misdemeanor with a fine up to \$1000 and/or imprisonment up to 90 days.

Malicious Killing is defined as: “willfully and maliciously kills, maims or disfigures any horse, cattle or other animal of another person, or willfully and maliciously administers or exposes poison with intent that it shall be taken or swallowed by any such animal,” which is punishable by either imprisonment up to 5 years or a fine of not more than \$1000 and imprisonment up to 1 year. Exemptions are made for Cruelty to Animals for use of live bait in fishing.

## **Michigan**

<http://michiganlegislature.org/mileg.asp?page=getObject&objName=mcl-750-50&highlight=>

Michigan Penal Code 750.50 – Animal Abuse

<http://michiganlegislature.org/mileg.asp?page=getObject&objName=mcl-750-50b&highlight=>

Michigan Penal Code 750.50b – Maliciously killing or injuring

Animal Cruelty is defined as: “Fail to provide an animal with adequate care; Cruelly drive, work, or beat an animal. Carry or cause to be carried in or upon a vehicle or otherwise any live animal having the feet or legs tied together. Carry or cause to be carried a live animal in or upon a vehicle or otherwise without providing a secure space, rack, car, crate, or cage in which all animals may stand, turn around, and lie down during transportation, or while awaiting slaughter. Abandon an animal or cause an animal to be abandoned, in any place, without making provisions for the animal’s adequate care, unless premises are temporarily vacated for the protection of human life during a disaster. Willfully or negligently allow any animal, including one who is aged, diseased, maimed, hopelessly sick, disabled, or nonambulatory to suffer unnecessary neglect, torture, or pain. Tether a dog unless the tether is at least 3 times the length of the dog as measured from the tip of its nose to the base of its tail and is attached to a harness or nonchoke collar designed for tethering.” The first offense of such is a Misdemeanor with a fine up to \$1000 and/or imprisonment up to 93 days and/or community service for not more than 200 hours. The second offense of such is a Felony with a fine up to \$2000 and/or imprisonment up to 2 years and/or community service for not more than 300 hours. The third or subsequent offence of such is a Felony with a fine up to \$5000 and/or imprisonment up to 4 years and/or community service for not more than 500 hours. In all of the above, the convicted shall pay for the prosecution of his case and may be required to forfeit the animal(s) in his charge and may prohibit the ownership of animals for a period of time or permanently for a second conviction. Exemptions are made for fishing, hunting, trapping, wildlife control, horse racing, operation of a zoological park or aquarium, pest or rodent control, farming, husbandry, and research.

Malicious Animal Cruelty is defined as: “willfully, maliciously and without just cause or excuse kills, tortures, mutilates, maims, or disfigures an animal or who willfully and maliciously and without just cause or excuse administers poison to an animal, or exposes an animal to any poisonous substance.” This is a Felony with a fine up to \$5000 and/or imprisonment up to 4 years and/or community service for not more than 500 hours. In addition, the convicted may be required to pay for his prosecution, the cost of care of the animal victim, psychological evaluation and treatment, and may be prohibited from owning domestic animals. Exemptions are made for fishing, hunting, trapping, wildlife control, pest or rodent control, and research.

### **Minnesota**

<http://www.revisor.leg.state.mn.us/stats/343/21.html>

Minn Stat. 343.20 et seq

Animal Cruelty is defined as: “No person shall overdrive, overload, torture, cruelly beat, neglect, or unjustifiably injure, maim, mutilate, or kill any animal, or cruelly work any animal when it is unfit for labor, or instigate or in any way further any act of cruelty to any animal or animals, or any act tending to produce cruelty to animals.” Cruelty to animals is a Misdemeanor with a fine up to \$700 and/or imprisonment up to 90 days. A second or subsequent conviction of cruelty to animals in a Gross Misdemeanor with a fine up to \$3000 and/or imprisonment up to 1 year. Intentional cruelty to a companion or pet animal resulting in substantial bodily harm is punishable by a fine up to \$3000 and/or imprisonment up to 1 year; a second or subsequent conviction of such is punishable by fine up to \$5000 and/or imprisonment up to 2 years. Intentional cruelty to a companion or pet animal resulting in death or great bodily harm is punishable with a fine up to \$5000 and/or imprisonment up to 2 years; a conviction of such that was done to threaten, intimidate or terrorize another person is punishable with a fine up to \$10,000 and/or imprisonment up to 4 years. In addition, the convicted may have a probation period where they may not own, have custody or control of any companion or pet animal, if they maintain custody of companion animals they may have periodic visits from an animal control officer, may be required to perform community service, or complete psychological, behavioral or other treatment. There are no named exemptions.

### **Mississippi**

<http://www.mscode.com/free/statutes/97/041/0001.htm>

Miss Code Ann 97-41-1 et seq.

Animal cruelty is defined as: “override, overdrive, overload, torture, torment, unjustifiably injure, deprive of necessary sustenance, food, or drink; or cruelly beat or needlessly mutilate.” Cruelty to animals is a Misdemeanor with a fine up to \$1000 or imprisonment up to 6 months. Malicious injury to dogs is defined as: “maliciously, either out of a spirit of revenge or wanton cruelty, or who shall mischievously kill, maim or wound, or injure any dog.” This is a Misdemeanor with a fine up to \$1000 or imprisonment up to 6 months, and restitution to the owner of the dog to include replacement, veterinary fees, special supplies and loss of income. There are no exemptions listed.

### **Missouri**

<http://www.moga.state.mo.us/statutes/C500-599/5780012.HTM>

MO Rev. Stat. 578.005 et seq

Cruelty to animals is defined as: “Intentionally or purposely kills an animal; purposely or intentionally causes injury or suffering to an animal; or having ownership or custody of an animal knowingly fails to provide adequate care or adequate control.” “Willfully” is the key which distinguishes animal abuse from animal neglect. Animal neglect and abandonment is a Class C Misdemeanor with a fine up to \$500 and/or imprisonment up to 15 days. Animal abuse is a Class A Misdemeanor with a fine up to \$1000 and/or imprisonment up to 1 year. A second or subsequent conviction, or if the abuse includes “torture or mutilation, or both, consciously inflicted while the animal was alive” is a Class D Felony with a fine up to \$500 and/or imprisonment up to 5 years. Exemptions are made for care or treatment by a licensed veterinarian, bona fide scientific experiments, hunting, fishing, trapping, zoological parks, rodeo practices, humane killing, animal husbandry, killing an animal that is attacking or injuring another person while outside the owner’s property, pests, and field trials, training and hunting practices for hunting dogs.

### **Montana**

<http://data.opi.state.mt.us/bills/mca/45/8/45-8-211.htm>

Montana Code Annotated 45-8-211

Cruelty to animals is defined as: “overworking, beating, tormenting, injuring, or killing any animal; carrying or confining any animal in a cruel manner; failing to provide an animal in the person’s custody with: food and water of sufficient quantity and quality to sustain the animal’s normal health; minimum protection for the animal from adverse weather conditions, with consideration given to the



species; or in cases of immediate, obvious, serious illness or injury, licensed veterinary or other appropriate medical care; abandoning any helpless animal or abandoning any animal on any highway, railroad, or in any other place where it may suffer injury, hunger, or exposure or become a public charge; or promoting, sponsoring, conducting, or participating in an animal race of more than 2 miles, except a sanctioned endurance race.” Cruelty to animals is punishable with a fine up to \$1000 and/or imprisonment up to 1 year. In the instance where more than one animals is involved, but less than 10, each animal affected can result in an addition charge of cruelty to animals.

Aggravated cruelty to animals is defined as: “purposely or knowingly: kills or inflicts cruelty to an animal with the purpose of terrifying, torturing, or mutilating the animal; or inflicts cruelty to animals on a collection, kennel, or herd of 10 or more animals.” Aggravated animal cruelty or a second or subsequent conviction of animal cruelty is punishable with a fine up to \$2,500 and/or imprisonment up to 2 years. Additional sentencing provisions include cost of care including those costs incurred by animal control or humane society, forfeiture of animals, and prohibited ownership, possession or custody of animals for a term determined by the court. Exemptions are made for humane destruction for a just cause, accepted agriculture and husbandry practices, rodeo, lawful fishing, hunting and trapping, wildlife management, lawful scientific research, veterinary services, control of rodents, predators and other animal damage control activities, and acceptable training and discipline methods.

### **Nebraska**

<http://statutes.unicam.state.ne.us/corpus/chapall/chap28.html>

Neb. Rev Stat. 28-1008 et seq.

Cruelty to animals (Cruelly Mistreat) is defined as: “knowingly and intentionally kill, maim, disfigure, torture, beat, mutilate, burn, scald, or otherwise inflict harm upon any animal.” Cruelly neglect is defined as: “fail to provide any animal in one’s care, whether as owner or custodian, with food, water, or other care as is reasonably necessary for the animal’s health.” Abandonment or cruel neglect is a Class I Misdemeanor with a fine up to \$1000 and/or imprisonment up to 1 year. Cruelty to animals is a Class I Misdemeanor with a fine up to \$1000 and/or imprisonment up to 1 year. A second or subsequent offense is a Class IV Felony with a fine up to \$10,000 and/or imprisonment up to 5 years.

If the cruel mistreatment involves “the knowing and intentional torture, repeated beating, or mutilation of the animal” it is a Class IV Felony. Engagement in any capacity that supports or promotes animal fighting is a Class IV Felony. In addition, any employee of a governmental adult or child protective services, animal control or abuse agency is required to report any instance where they observe or reasonably suspect animal neglect, abandonment or abuse is required to report it, and will not be held liable if the report is made in good faith. Exemptions are made for care or treatment by a licensed veterinarian, research, reasonable force against a working animal, killing an animal that is injuring or posing an immediate threat to another person or animal as long as said animal is outside it’s owner’s property, humane killing of an animal by the owner or at the owner’s request, commonly accepted practices of: care or treatment of a police animal, hunting, fishing or trapping, rodeos, animal racing or pulling contests, animal husbandry for farm animals, practices occurring in conjunction with slaughter for food or byproducts, and training purposes.

### **Nevada**

<http://www.leg.state.nv.us/NRS/NRS-574.html#NRS574Sec050>

Nev. Rev. Stat. 574.050 et seq.

Cruelty to animals is defined as: “Overdrive, overload, torture, cruelly beat or unjustifiably injure, maim, mutilate or kill an animal, whether belonging to himself or to another; deprive an animal of necessary sustenance, food or drink, or neglect or refuse to furnish it such sustenance or drink; or abandon an animal” or cause, instigate or encourage such acts. The first offense is a Misdemeanor with a \$200 to \$1000 fine, imprisonment from 2 days to 6 months, and community service of 48 to 120 hours. The second offense within 7 years is a Misdemeanor with a fine of \$500 to \$1000, imprisonment of 10 days to 6 months, and community service for 100 to 200 hours. A third or subsequent offense within 7 years is a Class C Felony with a fine up to \$10,000 and/or imprisonment for 1 to 5 years. Exemptions are made for rodeos, livestock show, normal practices of ranching, hunting, dangerous animals, research, and veterinary care.

### **New Hampshire**

<http://gencourt.state.nh.us/rsa/html/lxii/644/644-8.htm>

NH Rev. Stat. Ann. 644:8 (Criminal Code)

Cruelty to animals is defined as: “deprived any animal in his possession or custody necessary care, sustenance or shelter; Negligently beats, cruelly whips, tortures, mutilates or in any other manner mistreats or causes to be mistreated any animal; overdrives, overworks, drives when overloaded, or otherwise abuses or misuses any animal intended for or used for labor; transports any animal in his possession or custody in a manner injurious to the health, safety or physical well-being of such animal; abandons any animal previously

in his possession or custody by causing such animal to be left without supervision or adequate provision for its care, sustenance or shelter; or otherwise negligently permits or causes any animal in his possession or custody to be subjected to cruelty, inhumane treatment or unnecessary suffering of any kind.” Cruelty to animals is a Misdemeanor with a fine up to \$2000 and/or imprisonment up to 1 year. A second or subsequent offense, or “purposely beats, cruelly whips, tortures, or mutilates” or causes the same is a Class B Felony, with a fine up to \$4000 and/or imprisonment up to 7 years. In addition, an animal may be confiscated, and decided whether or not the person should be allowed to maintain custody of the animal. The court may decide to bar them from owning animals for a period of time. Exemptions are made for licensed veterinarians.

### **New Jersey**

[http://lis.njleg.state.nj.us/cgi-bin/om\\_isapi.dll?clientID=83852&Depth=2&depth=2&expandheadings=on&headingswithhits=on&hitsperheading=on&infobase=statutes.nfo&record={2733}&softpage=Doc\\_Frame\\_PG42](http://lis.njleg.state.nj.us/cgi-bin/om_isapi.dll?clientID=83852&Depth=2&depth=2&expandheadings=on&headingswithhits=on&hitsperheading=on&infobase=statutes.nfo&record={2733}&softpage=Doc_Frame_PG42) (You will need to click forward a few pages to get to the proper statutes)

NJ Rev. Stat. Ann. 4:22-17 & 4:22-26

Cruelty to animals is defined as: “Overdrive, overload, drive when overloaded, overwork, deprive of necessary sustenance, abuse, or needlessly kill a living animal or creature; or inflict unnecessary cruelty upon a living animal or creature, or unnecessarily fail to provide a living animal or creature of which the person has charge either as an owner or otherwise with proper food, drink, shelter or protection from the weather, or leave it unattended in a vehicle under inhumane conditions adverse to the health or welfare of the living animal or creature.” Cruelty to animals is a Disorderly Persons Offense with a fine from \$250 to \$1000 and/or imprisonment up to 6 months.

Aggravated Cruelty is defined as: “Torment, torture, maim, hang, unnecessarily or cruelly beat, needlessly mutilate, or cruelly kill a living animal or creature; or cause or procure any such acts to be done.” Aggravated cruelty is a Felony Crime of the Fourth Degree with a fine up to \$1000 and/or up to 18 months imprisonment. For both offenses, 30 days of community service is an option of the court, who may order such community service be served to the benefit of the New Jersey Society for the Prevention of Animal Cruelty (SPCA), the offender must pay for the cost of care for the animal, and juveniles guilty of Aggravated Cruelty must receive psychological counseling. In addition, Statute 4:22-26 mandates a fine of \$500 for abandonment of a domestic animal, or \$1000 if abandonment occurs by a roadway. Exemptions are made for farming, exhibitions, equestrian teams and pet shops.

### **New Mexico**

<http://www.amlegal.com/nxt/gateway.dll?f=templates&fn=default.htm&vid=newmexico:statutes>

NM Stat. Ann. 30-18-1 (Statutes, Statutory Chapters, Chapter 30, Article 18)

Cruelty to animals is defined as: “negligently mistreating, injuring, killing without lawful justification or tormenting an animal; or abandoning or failing to provide necessary sustenance to an animal under that person’s custody or control.” Extreme cruelty to animals is defined as: “intentionally or maliciously torturing, mutilating, injuring or poisoning an animal; or maliciously killing an animal. maliciously killing an animal.” Cruelty to animals is a Misdemeanor with a fine up to \$1000 and/or imprisonment up to 1 year. On a fourth or subsequent conviction of cruelty to animals, or extreme cruelty to animals, it is a 4<sup>th</sup> Degree Felony with a fine up to \$5000 and/or imprisonment up to 18 months. The court may also order participation, at the convicted’s expense, in an animal cruelty prevention program or an animal cruelty education program, and/or undergo psychological treatment. Children must be assessed and treated psychologically. Exemptions are made for humanely destroying a sick or injured animal, protecting a person or animal from injury or death, fishing, hunting, falconry, taking and trapping, the practice of veterinary medicine, rodent or pest control, accepted agricultural animal husbandry practices, rodeo practices and research facilities.

### **New York**

<http://assembly.state.ny.us/leg/?cl=4&a=58>

New York State Consolidated Laws Article 26, Chapter 353 & 353-a

Cruelty to animals is defined as: “overdrives, overloads, tortures or cruelly beats or unjustifiably injures, maims, mutilates or kills any animal, whether wild or tame, and whether belonging to himself or to another, or deprives any animal of necessary sustenance, food or drink, or neglects or refuses to furnish it such sustenance or drink, or causes, procures or permits” such acts. This is a Misdemeanor, punishable with a fine of up to \$1000 and/or imprisonment up to 1 year.

Aggravated cruelty to animals is defined as: “with no justifiable purpose, he or she intentionally kills or intentionally causes serious physical injury to a companion animal with aggravated cruelty. For purposes of this section, “aggravated cruelty” shall mean conduct which: is intended to cause extreme physical pain; or is done or carried out in an especially depraved or sadistic manner.” This is a Felony punishable with a fine up to \$5000 and/or imprisonment up to 5 years. Exemptions are made for research, hunting, trapping, or fishing, the dispatch of rabid or diseased animals, veterinary care, or the dispatch of animals posing a threat to human safety or other

animals.

### **North Carolina**

[http://www.ncga.state.nc.us/Statutes/GeneralStatutes/HTML/BySection/Chapter\\_14/GS\\_14-360.html](http://www.ncga.state.nc.us/Statutes/GeneralStatutes/HTML/BySection/Chapter_14/GS_14-360.html)

NC Gen Stat 14-360 et seq.

Cruelty to animals is defined as: “intentionally overdrive, overload, wound, injure, torment, kill, or deprive of necessary sustenance, or cause or procure to be overdriven, overloaded, wounded, injured, tormented, killed, or deprived of necessary sustenance,” which is a Class 1 Misdemeanor with fines and imprisonment at the discretion of the court.

Additionally, “maliciously torture, mutilate, maim, cruelly beat, disfigure, poison, or kill, or cause or procure to be tortured, mutilated, maimed, cruelly beaten, disfigured, poisoned, or killed,” is a Class 1 Felony with fines and imprisonment at the discretion of the court. Exemptions are made for hunting, fishing and trapping, biomedical research, training, production of livestock, poultry and aquatic species, food production, veterinary purposes.

### **North Dakota**

<http://www.state.nd.us/lr/cencode/T36C211.pdf>

ND Century Code 36-21-1-01 et seq

Cruelty to animals is defined as: “overdrive, overload, torture, cruelly beat, neglect, or unjustifiably; injure, maim, mutilate, or kill any animal, or cruelly work any animal when unfit for labor; deprive any animal over which the person has charge or control of necessary food, water, or shelter; keep any animal in any enclosure without exercise and wholesome change of air; abandon any animal; allow any maimed, sick, infirm, or disabled animal of which the person is the owner, or of which the person has custody, to lie in any street, road, or other public place for more than three hours after notice.” Also included are statutes for Cruelty in Transportation, Unattended Dog or Cat in a Motor Vehicle, Poisoning Animals, Exposure of Animals (neglect), Cockfights, Dogfights, Artificially Colored Animals, Use Of Certain Birds As Advertising Devices - Use Of Live Beef Or Dairy Cattle As Raffle Prizes - Gifts Of Animals. Cruelty to animals is a Class A Misdemeanor with up to \$2000 in fines and up to 1 year imprisonment.

### **Ohio**

<http://onlinedocs.andersonpublishing.com/oh/lpExt.dll?f=templates&fn=main-h.htm&cp=PORC>

Ohio Rev. Code Ann 959.01

Cruelty to animals is defined as: “Torture an animal, deprive one of necessary sustenance, unnecessarily or cruelly beat, needlessly mutilate or kill, or impound or confine an animal without supplying it during such confinement with a sufficient quantity of good wholesome food and water; affording it access to shelter; carry or convey an animal in a cruel or inhuman[e] manner.” (Note, there are other provisions which govern the conditions in which production animals are cared for and transported.) Cruelty to animals is a 2<sup>nd</sup> degree Misdemeanor with a fine up to \$750 and/or imprisonment up to 90 days.

Cruelty to companion animals is defined as: “knowingly torture, torment, needlessly mutilate or maim, cruelly beat, poison, needlessly kill, or commit an act of cruelty against a companion animal.” The first offense is a 1<sup>st</sup> degree Misdemeanor with a fine up to \$1000 and/or imprisonment up to 90 days. A second or subsequent offense is a 5<sup>th</sup> degree Felony with a fine up to \$2500 and/or imprisonment up to 12 months. Any fines collected from this offense shall be paid to the society or association for the prevention of cruelty to animals, if there be such in the county, township, or municipal corporation where such violation occurred. Exemptions are made for scientific research, veterinary care, dogs used for hunting or field trials, farming and veterinary care. Abandoning an animal is a minor Misdemeanor with a fine up to \$100.

### **Oklahoma**

<http://www.oscn.net/applications/oscn/deliverdocument.asp?citeID=70042>

OK State Title 21: 1685 et seq.

Cruelty to animals is defined as: “overdrive, overload, torture, destroy or kill, or cruelly beat or injure, maim or mutilate, any animal in subjugation or captivity, whether wild or tame, and whether belonging to himself or to another, or deprive any such animal of necessary food, drink or shelter, or who shall cause, procure or permit, or who shall willfully set on foot, instigate, engage in, or in any way further any act of cruelty to any animal.” This is a Felony with a fine up to \$5,000, or imprisonment in a county jail for up to one year, or imprisonment in a state penitentiary for up to 5 years. Abandoning an animal or cruelty in transit is a Misdemeanor with a fine of \$100 to \$500, and/or imprisonment up to 1 year. In addition, the person may be required to pay for cost of care and boarding of the victimized animal, There are no exemptions.

## **Oregon \*\*Model Law\*\***

<http://landru.leg.state.or.us/ors/167.html>

OR Rev. Stat. 167.310 et seq (scroll down quite a ways to find the correct statute).

Oregon has quite comprehensive and specific laws regarding animal abuse.

Animal abuse in the second degree is defined as: “intentionally, knowingly or recklessly causes physical injury to an animal.” This is a Class B Misdemeanor with a fine up to \$2000 and/or imprisonment up to 6 months. Exemptions are made for good animal husbandry.

Animal abuse in the first degree is defined as: “intentionally, knowingly or recklessly: causes serious physical injury to an animal; or cruelly causes the death of an animal.” This is a Class A Misdemeanor with a fine up to \$5000 and/or imprisonment up to 1 year. However, animal abuse in the first degree is a Class C Felony with a fine up to \$100,000 and/or imprisonment up to 5 years IF the person has been convicted of two or more of the following: Assault in the first, second, third or fourth degree if the case involved domestic violence or was committed against a minor child; if the animal abuse was knowingly committed in the presence (was seen or directly perceived) of a minor child or has previous convictions of animal abuse in the first degree or aggravated animal abuse in the first degree.

Aggravated animal abuse in the first degree is defined as: “Maliciously kills an animal; or intentionally or knowingly tortures an animal.” This is a Class C Felony, with a fine up to \$100,000 and/or imprisonment up to 5 years.

Animal neglect in the second degree is defined as: “intentionally, knowingly, recklessly or with criminal negligence fails to provide minimum care for an animal in such person’s custody or control.” This is a Class B Misdemeanor with a fine up to \$2000 and/or imprisonment up to 6 months.

Animal neglect in the first degree is defined as: “intentionally, knowingly, recklessly or with criminal negligence fails to provide minimum care for an animal in the person’s custody or control and the failure to provide care results in serious physical injury or death to the animal.” This is a Class A Misdemeanor with a fine up to \$5000 and/or imprisonment up to 1 year.

In addition to the above penalties, any person convicted of a misdemeanor in animal cruelty or neglect is prohibited from possessing a domestic animal for a period of 5 years following the conviction. Any person convicted of a felony in animal abuse may not possess a domestic animal for a period of 15 years following the conviction. Other sentencing provisions include animal cruelty prevention programs, cost of care to the animal and psychological counseling.

Exemptions are made for any practice of good animal husbandry, scientific research, veterinary medicine, commercially grown poultry, hunting and fishing.

## **Pennsylvania**

<http://members.aol.com/StatutesP7/18PA5511.html>

18 PA Cons. Stat. 5511

Cruelty to animals is defined as: “wantonly or cruelly illtreats, overloads, beats, otherwise abuses any animal, or neglects any animal as to which he has a duty of care, whether belonging to himself or otherwise, or abandons any animal, or deprives any animal of necessary sustenance, drink, shelter or veterinary care, or access to clean and sanitary shelter which will protect the animal against inclement weather and preserve the animal’s body heat and keep it dry.” This is a summary offense with a fine of \$50-750 and/or imprisonment up to 90 days.

It is a Misdemeanor in the second degree if a person: “Kills, maims or disfigures any domestic animal of another person or any domestic fowl of another person; administers poison to or exposes any poisonous substance with the intent to administer such poison to any domestic animal of another person or domestic fowl of another person; harasses, annoys, injures, attempts to injure, molests or interferes with a dog guide, hearing dog or service dog.” This is punishable with a fine of not less than \$500.

It is a Felony in the third degree if a person: “Kills, maims or disfigures any zoo animal in captivity; or administers poison to or exposes any poisonous substance with the intent to administer such poison to any zoo animal in captivity.” This is punishable by a fine up to \$15,000 and/or up to 7 years in prison.

It is a Misdemeanor in the first degree if a person: “Kills, maims, mutilates, tortures or disfigures any dog or cat, whether belonging to himself or otherwise; or administers poison to or exposes any poisonous substance with the intent to administer such poison to any dog

or cat, whether belonging to himself or otherwise” This is punishable by a fine of not less than \$1,000 and/or imprisonment for up to 2 years. A subsequent conviction is a Felony in the 3<sup>rd</sup> Degree, punishable by a fine up to \$15,000 and/or imprisonment up to 7 years.

Exemptions to these clauses are veterinary care, protecting other domestic animals or fowl, game laws, pest control, and farming.

### **Rhode Island**

<http://www.rilin.state.ri.us/Statutes/TITLE4/4-1/>

Rhode Island Gen Stat. 4-1-1 et. Seq.

Unnecessary Cruelty is defined as: “Overdrives, overloads, drives when overloaded, overworks, tortures, torments, deprives of necessary sustenance, cruelly beats, mutilates or cruelly kills, or causes or procures to be so overdriven, overloaded, driven when overloaded, overworked, tortured, tormented, deprived of necessary sustenance, cruelly beaten, mutilated or cruelly killed, any animal, and whoever, having the charge or custody of any animal, either as owner or otherwise, inflicts cruelty upon that animal, or willfully fails to provide that animal with proper food, drink, shelter or protection from the weather.” This is punishable with a fine from \$50 to \$500 and/or imprisonment up to 11 months for each offense.

Malicious Injury To Or Killing Of Animals is defined as: “cuts out the tongue or otherwise dismembers any animal, maliciously, or maliciously kills or wounds any animal, or maliciously administers poison to or exposes any poisonous substance with intent that the poison shall be taken or swallowed by any animal, or who maliciously exposes poisoned meat with intent that the poison meat is taken or swallowed by any wild animal.” This is punishable with a fine up to \$1,000 and/or imprisonment up to 2 years, shall be liable to the owner of the animal for triple damages in civil court, and serve 10 hours of community service which is not deferrable. Exemptions are made for licensed hunters during hunting season and businesses licensed to kill animals for human consumption.

### **South Carolina**

<http://www.lpittr.state.sc.us/code/t47c001.htm>

S.C. Code Ann. 47-1-10 et seq.

Ill treatment of animals, generally, is defined as: “knowingly or intentionally overloads, overdrives, overworks, ill-treats any animal, deprives any animal of necessary sustenance or shelter, inflicts unnecessary pain or suffering upon any animal, or by omission or commission knowingly or intentionally causes these things to be done.” Each offense is a misdemeanor and is punishable by imprisonment for up to 60 days and/or a fine of \$100 to \$500 for the first offense; imprisonment not exceeding 90 days and/or a fine up to \$800 for a second offense; and imprisonment up to 2 years and/or a fine up to \$2000 for a third or subsequent offense.

A second provision to Ill Treatment of Animals is: “Whoever tortures, torments, needlessly mutilates, cruelly kills, or inflicts excessive or repeated unnecessary pain or suffering upon any animal or by omission or commission causes the acts to be done.” This is a felony punishable by imprisonment of not less than 180 days and not to exceed 5 years AND a fine of \$5000. Exemptions are made for fowl, accepted animal husbandry practices of farm operations and the training of animals, the practice of veterinary medicine, agricultural practices, forestry and silvacultural practices, wildlife management practices.

Abandonment or neglect of providing “the necessities of life”, defined as adequate water, food and shelter is a misdemeanor and is punishable by a fine of \$200 to \$500 OR imprisonment up to 30 days.

If a non-profit animal humane organization is involved in prosecuting the individual, 1/2 of the fine imposed shall be given to that organization.

### **South Dakota**

<http://legis.state.sd.us/statutes/Index.cfm?FuseAction=DisplayStatute&FindType=Statute&txtStatute=40-1>

SD Codified Laws 40-1-1 et seq.

Cruelty to animals is defined as: “mistreatment, torture, or cruelty of an animal is any act or omission whereby unnecessary, unjustifiable, or unreasonable physical pain or suffering is caused, permitted, or allowed to continue including acts of mutilation.” Inhumane treatment is defined as: “any act of mistreatment, torture, cruelty, neglect, abandonment, mutilation, or inhumane slaughter.” Poisoning, intentionally killing and inhumane treatment of an animal are all Class 1 Misdemeanors, with a fine up to \$1000 and/or imprisonment up to 1 year. Exceptions are made for generally accepted practices of training, use of animal, animal husbandry, farming, hunting, protection of life, limb or property, research and veterinary care.

## Tennessee

<http://198.187.128.12/tennessee/lpext.dll?f=templates&fn=fs-main.htm&2.0>

Tenn Code Ann 39-14-202; 39-14-212

Cruelty to animals is defined as: “Tortures, maims or grossly overworks an animal; Fails unreasonably to provide necessary food, water, care or shelter for an animal in the person’s custody; Abandons unreasonably an animal in the person’s custody; Transports or confines an animal in a cruel manner; or inflicts burns, cuts, lacerations, or other injuries or pain, by any method, including blistering compounds, to the legs or hooves of horses in order to make them sore.” This is a Class A Misdemeanor punishable with a fine up to \$2500 and/or 11 months, 29 days to 30 years imprisonment.

Aggravated cruelty to animals is defined as “with aggravated cruelty and with no justifiable purpose, such person intentionally kills or intentionally causes serious physical injury to a companion animal.” The first conviction is a Class A Misdemeanor with penalties as described above. Subsequent conviction is a Class E Felony punishable with a fine up to \$3000 and/or imprisonment up to 6 years. Additional sentencing provisions for both include psychological counseling, cost of care, forfeiture of animal, limited future animal ownership, and an award of up to \$4000 in non-economic damages to a person whose companion animal is killed or sustained injury. Exemptions are made for veterinary practices, medical treatment, bona fide scientific research, usual and customary practices of agriculture or veterinary medicine, lawful fishing, hunting and trapping, dispatching of rabid or diseased animals, disposing of animals posing and clear and immediate threat to humans, dispatching wild or abandoned animals on a farm or residential property.

## Texas

<http://www.capitol.state.tx.us/statutes/pe/pe0004200.html#pe012.42.09>

Tex. Penal Code, Title 9, Chapter 42, 42.09

Cruelty to animals is defined as: “ (1) tortures an animal; (2) fails unreasonably to provide necessary food, care, or shelter for an animal in the person’s custody; (3) abandons unreasonably an animal in the person’s custody; (4) transports or confines an animal in a cruel manner; (5) kills, seriously injures, or administers poison to an animal, other than cattle, horses, sheep, swine, or goats, belonging to another without legal authority or the owner’s effective consent; (6) causes one animal to fight with another; (7) uses a live animal as a lure in dog race training or in dog coursing on a racetrack; (8) trips a horse; (9) injures an animal, other than cattle, horses, sheep, swine, or goats, belonging to another without legal authority or the owner’s effective consent; or (10) seriously overworks an animal.” Sections (2), (3), (4), (9), or (10) (provide necessary food, care, shelter; abandons; transports in a cruel manner; injures, or seriously overworks) are a Class A Misdemeanor with a fine up to \$4000 and/or imprisonment up to 1 year. The third conviction of the above is a State Jail Felony, with a fine up to \$10,000 and/or imprisonment from 180 days to 2 years. Sections (1), (5), (6), (7), or (8) (tortures; kills, seriously injures or poisons; animal fighting; uses as a lure; trips a horse) is a State Jail Felony with a fine up to \$10,000 and/or imprisonment from 180 days to 2 years. A third conviction of the above is a Felony of the Third Degree with a fine up to \$10,000 and/or imprisonment from 2 to 10 years. Exemptions are made for bona fide scientific research, protection of property or persons, fishing, hunting or trapping, wildlife control, and animal husbandry.

## Utah

[http://www.le.state.ut.us/~code/TITLE76/hm/76\\_0B011.htm](http://www.le.state.ut.us/~code/TITLE76/hm/76_0B011.htm)

Utah Code Ann. 76-9-301

Cruelty to animals is defined as: “intentionally, knowingly, recklessly, or with criminal negligence: fails to provide necessary food, care, or shelter for an animal in his custody; abandons an animal in the person’s custody; transports or confines an animal in a cruel manner; injures an animal; causes any animal, not including a dog, to fight with another animal of like kind for amusement or gain; or causes any animal, including a dog, to fight with a different kind of animal or creature for amusement or gain.” If these acts are committed “intentionally or knowingly”, it is a Class B Misdemeanor with a fine up to \$1000 and/or imprisonment up to 6 months. If these acts are committed “recklessly or with criminal negligence” it is a Class C Misdemeanor with a fine up to \$750 and/or imprisonment up to 90 days.

Aggravated Cruelty is defined as: “tortures an animal; administers poison or poisonous substances to an animal without having a legal privilege to do so; kills or causes to be killed an animal without having a legal privilege to do so.” If these acts are committed “intentionally or knowingly” it is a Class A Misdemeanor with a fine up to \$2500 and/or imprisonment up to 1 year. If these acts are committed “recklessly” it is a Class B Misdemeanor with a fine up to \$1000 and/or imprisonment up to 6 months. If these acts are committed “with criminal negligence” it is a Class C Misdemeanor with a fine up to \$750 and/or imprisonment up to 90 days.

Other penalties that may be used at the court’s discretion: psychiatric or psychological counseling; forfeit any rights to the animal; repay the reasonable costs incurred in caring for each animal; no longer possess or retain custody of any animal during the period of probation or parole or other period.

Exemptions are made for veterinary practice, bona fide scientific research, protection of livestock, fowl or domestic animals, humanely destroying a suffering animal which is beyond recovery, and animal training.

## **Vermont**

<http://www.leg.state.vt.us/statutes/sections.cfm?Title=13&Chapter=008>

Vt. St. Ann. Title 13, Chapter 8, 351 et seq.

Cruelty to animals is defined as: “intentionally kills or attempts to kill any animal belonging to another person without first obtaining legal authority or consent of the owner; overworks, overloads, tortures, torments, abandons, administers poison to, cruelly beats or mutilates an animal, exposes a poison with intent that it be taken by an animal; ties, tethers, or restrains an animal, either a pet or livestock, in a manner that is inhumane or is detrimental to its welfare; deprives an animal of adequate food, water, shelter, rest or sanitation, or necessary medical attention, or transports an animal in overcrowded vehicles; owns, possesses, keeps or trains an animal engaged in an exhibition of fighting; acts as judge or spectator at events of animal fighting or bets or wagers on the outcome of such fight; as poundkeeper, officer, agent of a humane society or as an owner or employee of an establishment for treatment, board or care of an animal, knowingly receives, sells, transfers or otherwise conveys an animal in his or her care for the purpose of research or vivisection; intentionally torments or harasses an animal owned or engaged by a police department or public agency of the state or its political subdivisions, or interferes with the lawful performance of a police animal; knowingly sells, offers for sale, barter or displays living baby chicks, ducklings or other fowl which have been dyed, colored or otherwise treated so as to impart to them an artificial color, or fails to provide poultry with proper brooder facilities; uses a live animal as bait or lure in a race, game or contest.” The classification of the crimes are not defined in the statutes. Cruelty to animals is punishable with a fine up to \$2000 and/or imprisonment for up to 1 year. A second or subsequent is punishable with a fine up to \$5000 and/or imprisonment up to 2 years. Animal fighting (either statute) is punishable with a fine of up to \$5000 and/or imprisonment up to 5 years.

Aggravated cruelty to animals is defined as: “intentionally kills an animal by means causing the animal undue pain or suffering.” Aggravated cruelty to animals is punishable with a fine up to \$5000 and/or imprisonment up to 3 years. A second or subsequent conviction is punishable with a fine up to \$7500 and/or imprisonment up to 5 years. Other sentencing provisions include: forfeiture of animal possessed or owned, cost of care, forfeiture of future rights to own or possess animals for a period determined by the court, animal cruelty prevention or educational program, psychological counseling, periodic and unannounced inspections by a humane officer. Exemptions are made for activities regulated by Fish & Wildlife, scientific research, animal husbandry, veterinary medicine or surgical procedures, protection of person or other domestic animals, rabid animals, pest control, euthanasia by organized humane society, pound or shelter.

## **Virginia**

<http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+3.1-796.122>

VA. Code Ann. 3.1-796.122

Cruelty to animals is defined as: “overrides, overdrives, overloads, tortures, ill-treats, abandons, willfully inflicts inhumane injury or pain, or cruelly or unnecessarily beats, maims, mutilates, or kills any animal, whether belonging to himself or another; deprives any animal of necessary food, drink, shelter or emergency veterinary treatment; sores any equine for any purpose or administers drugs or medications to alter or mask such sores for the purpose of sale, show, or exhibition of any kind, unless such administration of drugs or medications is within the context of a veterinary client-patient relationship and solely for therapeutic purposes; willfully sets on foot, instigates, engages in, or in any way furthers any act of cruelty to any animal; carries or causes to be carried in or upon any vehicle, vessel or otherwise any animal in a cruel, brutal, or inhumane manner; or causes or permits any of the above things,” or killing a dog or cat for its hide, fur or pelt. This is a Class 1 Misdemeanor with a fine up to \$2500 and/or imprisonment up to 1 year.

A second or subsequent conviction of the above, or who “tortures, willfully inflicts inhumane injury or pain not connected with bona fide scientific or medical experimentation, or cruelly and unnecessarily beats, maims, mutilates or kills any animal whether belonging to himself or another;” or does the same to a dog or cat “that is a companion animal and as a direct result causes the death” or euthanasia of that animal is a Class 6 Felony with a fine up to \$2500. Other sentencing provisions include anger management or psychological counseling, and being prohibited from possessing or owning companion animals. Exemptions are made for veterinary practice, dehorning of cattle, wildlife management, hunting, fishing and trapping, farming activities, and protection of life or property.

Abandonment of an animal was removed from cruelty to animals and it is now classified as highway littering, with a fine from \$250 to \$2500 and/or imprisonment for up to 12 months, however the court may suspend any sentence on the condition that the defendant volunteer to remove litter from the highway.

## **Washington**

<http://www.leg.wa.gov/RCW/index.cfm?fuseaction=chapterdigest&chapter=16.52>

Wash. Rev. Code 16.52.011 et. seq.

Sentencing Provisions: 16.52.200

Animal Cruelty in the First Degree: 16.52.205

Animal Cruelty in the Second Degree: 16.52.207

Animal Cruelty in the First Degree is defined as: “intentionally inflicts substantial pain on, causes physical injury to, or kills an animal by a means causing undue suffering, or forces a minor to inflict unnecessary pain, injury, or death on an animal.” This is a Class C Felony, with a fine up to \$10,000 and/or imprisonment up to 5 years.

Animal Cruelty in the Second Degree is defined as: “under circumstances not amounting to first degree animal cruelty, the person knowingly, recklessly, or with criminal negligence inflicts unnecessary suffering or pain upon an animal, fails to provide the animal with necessary food, water, shelter, rest, sanitation, ventilation, space, or medical attention and the animal suffers unnecessary or unjustifiable physical pain as a result of the failure; or abandons the animal.” This is a Misdemeanor with a fine up to \$1000 and/or imprisonment up to 90 days. However, “In any prosecution of animal cruelty in the second degree, it shall be an affirmative defense, if established by the defendant by a preponderance of the evidence, that the defendant’s failure was due to economic distress beyond the defendant’s control.”

In addition to the above sentencing provisions, the following are also included: If convicted of a misdemeanor or gross misdemeanor, the court may decide to defer the above sentencing provisions in lieu of 2 years’ probation; in cases of multiple misdemeanor convictions, the sentences shall be consecutive, but the probation period shall remain 2 years; forfeiture of all animals held if any one of the animals dies as a result of the actions by the convicted or if there is a prior conviction under these provisions, if animals are forfeited the convicted shall not be permitted to own or care for similar animals for 2 years; cost of care, euthanasia or adoption; civil penalty of \$1000 that will go to the SPCA; animal cruelty or prevention educational program.

Exceptions are made for “game laws”, killing of venomous reptiles, protection of life, limb or property, killing animals for food, scientific research, animal husbandry, and rodeo.

## **West Virginia**

[http://129.71.164.29/wvcode\\_chap/wvcode\\_chapfrm.htm](http://129.71.164.29/wvcode_chap/wvcode_chapfrm.htm)

W. VA Code 61-8-19

Cruelty to animals is defined as: “cruelly mistreats, abandons or withholds proper sustenance, including food, water, shelter or medical treatment necessary to sustain normal health and fitness or to end suffering or abandons any animal to die, or uses, trains or possesses any domesticated animal for the purpose of seizing, detaining or mistreating any other domesticated animal.” This is a Misdemeanor with a fine of \$300 to \$1000 and/or imprisonment up to 6 months. A second conviction is a Misdemeanor with a fine of \$500 to \$1000 and/or imprisonment of 90 days to 1 year. Imprisonment is mandatory. With a second or subsequent conviction, the convicted cannot be granted probation until they have undergone a complete psychiatric or psychological evaluation that is reviewed by the court.

There is a Felony provision for “intentionally tortures or maliciously kills an animal, or causes, procures or authorizes any other person to torture or maliciously kill an animal...For the purposes of this subsection, “torture” means an action taken for the primary purpose of inflicting pain.” This Felony conviction carries a fine of \$1000 to \$5000 and imprisonment of 1 to 3 years. Additional sentencing provisions include forfeiture of the animals, cost of care, prohibition of possession or ownership of animals for 5 years if convicted of a Misdemeanor, 15 years if convicted of a Felony. Exemptions are made for veterinary care, hunting, fishing, trapping, animal training, farming, game farms, and scientific research.

## **Wisconsin**

[http://folio.legis.state.wi.us/cgi-bin/om\\_isapi.dll?clientID=96087&hitsperheading=on&infobase=stats.nfo&jump=951.02&softpage](http://folio.legis.state.wi.us/cgi-bin/om_isapi.dll?clientID=96087&hitsperheading=on&infobase=stats.nfo&jump=951.02&softpage)

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Wis Stat. 951.02 et. seq.

Cruelty to animals is defined as: “No person may treat any animal, whether belonging to the person or another, in a cruel manner.” Intentional or negligent violation is a Class A Misdemeanor punishable with a fine up to \$10,000 and/or imprisonment up to 6 months. Intentional violation that results in the mutilation, disfigurement or death of an animal is a Class E Felony punishable with a fine up to \$10,000 and/or imprisonment up to 2 years. Additional sentencing provisions include forfeiture of animals, cost of care, and forbidding the convicted from owning, possessing or training any animal of the type or species of the abused for not more than 5 years. Exceptions are made for laws regarding wild animals, scientific research and veterinary care.



## Wyoming

<http://legisweb.state.wy.us/statutes/titles/title06/chapter03.htm>

Wyo. Stat. 6-3-203

Cruelty to animals is defined as: “knowingly and with intent to cause death, injury or undue suffering: overrides an animal or drives an animal when overloaded; or unnecessarily or cruelly beats, tortures, torments, injures, mutilates or attempts to kill an animal; or carries an animal in a manner that poses undue risk of injury or death; or unnecessarily fails to provide it with the proper food, drink or protection from the weather, or cruelly abandons the animal, or in the case of immediate, obvious, serious illness or injury, fails to provide the animal with appropriate care.” Cruelty to animals is a Misdemeanor with a fine up to \$750 and/or imprisonment up to 6 months.

Aggravated animal cruelty is defined as: “Owns, possesses, keeps or trains fowls or dogs with the intent to allow the dog or fowl to engage in an exhibition of fighting with another dog or fowl” or attends, permits or promotes such an event. Aggravated cruelty to animals or a second or subsequent offense of cruelty to animals is a high misdemeanor with a fine up to \$5000 and/or imprisonment up to 1 year.

Felony cruelty to animals is defined as: “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.” This is a Felony with a fine up to \$5000 and/or imprisonment up to 2 years.

Additional sentencing provisions are: forfeiture of animals, cost of care, and prohibit or limit possession, ownership or custody of animals. Exemptions are made for use of dogs in livestock management, use or training of dogs or raptors for hunting, humanely destroying an animal, industry accepted agricultural and livestock practices, rodeo, hunting or capture or predatory animals or other wildlife not otherwise prohibited.