

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 83rd General Assembly
3 Regular Session, 2001
4

As Engrossed: S3/29/01 S4/9/01

A Bill

Act 1826 of 2001
HOUSE BILL 2443

5 By: Representative Wood
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For An Act To Be Entitled

9 AN ACT TO ALLOW PSYCHI ATRIC EXAMI NATIONS AND
10 TREATMENT FOR PERSONS WHO ABUSE ANI MALS; TO
11 AUTHORI ZE TRANSFERRI NG ABUSED ANI MALS TO ANI MAL
12 CRUELTY PREVENTI ON SOCI ETI ES; AND FOR OTHER
13 PURPOSES.
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Subtitle

16 AN ACT TO ALLOW PSYCHI ATRIC EXAMI NATIONS
17 AND TREATMENT FOR PERSONS WHO ABUSE
18 ANI MALS; TO AUTHORI ZE TRANSFERRI NG
19 ABUSED ANI MALS TO ANI MAL CRUELTY
20 PREVENTI ON SOCI ETI ES.
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25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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27 SECTION 1. Arkansas Code 5-62-101 is amended to read as follows:
28 5-62-101. Cruel ty to animal s.

29 (a) A person commi ts the offense of cruel ty to animal s if, except as
30 authorized by law, he knowi ngly:

- 31 (1) Abandons any animal ;
- 32 (2) Subject s any animal to cruel mi streatment;
- 33 (3) Subject s any animal in hi s custody to cruel neglect; or
- 34 (4) Kill s or injure s any animal belongi ng to another wi thout

35 legal privilege or consent of the owner.

36 (b) Cruel ty to animal s is a Class A mi sdemeanor.

1 (c)(1) In addition to all other penalties provided by law, the court
2 may order any person found guilty of cruelty to animals to receive a
3 psychiatric or psychological evaluation, and if determined appropriate,
4 psychiatric or psychological counseling or treatment.

5 (2) The cost of any evaluation, counseling or treatment may be
6 ordered paid by the defendant up to the jurisdictional limit of the court.

7 (d) If the person pleads guilty, nolo contendere to, or is found
8 guilty of cruelty to animals, the court may assign custody of the abused
9 animal or animals to a society which is incorporated for the prevention of
10 cruelty to animals.

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12 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the
13 General Assembly that each year there is an increasing number of dogs, cats
14 and other animals subjected to cruel treatment and needless suffering, and
15 the present law concerning cruelty to animals needs more specificity with
16 regard to those acts against animals which subject persons to criminal
17 responsibility. Therefore, an emergency is declared to exist and this act
18 being immediately necessary for the preservation of the public peace, health
19 and safety shall become effective on the date of its approval by the
20 Governor. If the bill is neither approved nor vetoed by the Governor, it
21 shall become effective on the expiration of the period of time during which
22 the Governor may veto the bill. If the bill is vetoed by the Governor and
23 the veto is overridden, it shall become effective on the date the last house
24 overrides the veto.

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27 /s/ Wood

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30 APPROVED: 4/18/2001