

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**

A Bill

SENATE BILL 724

4 **By: Senators Snyder, Scott and Harriman**

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For An Act To Be Entitled

8 "AN ACT TO AMEND TITLE 5, CHAPTER 62, SUBCHAPTER 1 OF THE
9 ARKANSAS CODE OF 1987 TO ESTABLISH VARIOUS DEGREES OF THE
10 CRIME OF CRUELTY TO ANIMALS; TO SET PUNISHMENTS FOR EACH
11 CRIME; AND FOR OTHER PURPOSES."

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13 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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15 SECTION 1. Arkansas Code §5-62-101 is hereby amended to read as
16 follows:

17 "5-62-101. Cruelty to animals.

18 (a) A person commits the offense of cruelty to animals in the first
19 degree if, except as authorized by law, he purposely tortures any animal which
20 results in intense pain, serious physical injury, or death upon the animal or
21 knowingly takes or exercises unauthorized control over, or makes an
22 unauthorized transfer of an interest in, an animal in the care, custody or
23 control of another, if the person knows, or if there is good reason to
24 believe, that the ultimate destination of the animal is research or killing
25 for dissection.

26 (b) Cruelty to animals in the first degree is a Class D felony .

27 (c) A person commits the offense of cruelty to animals in the second
28 degree if, except as authorized by law, he knowingly:

29 (1) *Abandons any animal;*

30 (2) *Subjects any animal to cruel mistreatment;*

31 (3) *Subjects any animal in his custody to cruel neglect; or*

32 (4) *Kills or injures any animal belonging to another without*
33 *legal privilege or consent of the owner.*

34 (d) Cruelty to animals in the second degree is a Class A misdemeanor."

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SECTION 2. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 3. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

SECTION 4. All laws and parts of laws in conflict with this act are hereby repealed.

SECTION 5. EMERGENCY CLAUSE. It is hereby found and determined by the Seventy-Eighth General Assembly that there has been a large increase in the theft of pet animals for use in research and dissection; and a rapid increase in sadistic attacks upon and ritualistic mutilations and killings of animals. It is further found that it has been shown that the abuse of animals often escalates into abuse of human beings, especially children. Therefore, in order to protect the pets and other animals in the State of Arkansas, as well as the interests and welfare of its people, it is necessary to intervene and address these behaviors before they escalate further. Therefore, an emergency is hereby declared to exist, and this act being necessary for the immediate preservation of the public peace, health and safety and welfare, shall be in full force and effect from and after its passage and approval.

/s/Snyder et al