

1 State of Arkansas  
2 81st General Assembly  
3 Regular Session, 1997

# A Bill

HOUSE BILL 1627

4  
5 By: Representatives Pappas, McGee, and Madison  
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## For An Act To Be Entitled

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9 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED § 5-62-101 TO  
10 CREATE THE CRIMINAL OFFENSE OF CRUELTY TO ANIMALS IN THE  
11 FIRST DEGREE; AND FOR OTHER PURPOSES."  
12

## Subtitle

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14 "TO CREATE THE CRIMINAL OFFENSE OF  
15 CRUELTY TO ANIMALS IN THE FIRST DEGREE"  
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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19 SECTION 1. Arkansas Code Annotated § 5-62-101 is amended to read as  
20 follows:

21 "5-62-101. Cruelty to animals.

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

- 24 (1) Abandons any animal;  
25 (2) Subjects any animal to cruel mistreatment;  
26 (3) Subjects any animal in his custody to cruel neglect; or  
27 (4) Kills or injures any animal belonging to another without  
28 legal privilege or consent of the owner.

29 (b) Cruelty to animals ~~is a Class A misdemeanor~~ in the second degree is  
30 punishable by a fine of up to one thousand dollars (\$1,000) and/or one year in  
31 prison.

32 (c) It is cruelty to animals in the first degree if:

33 (1) The offense in subsection (a) above involves three (3) or  
34 more animals or if it inflicts serious pain, suffering, physical injury, or  
35 death upon any animal; or

36 (2) A person uses an animal to threaten, intimidate, injure, or

1 kill another person or animal during the commission of any unlawful act or in  
 2 conjunction with the commission of any unlawful act; or

3 (3) A person has two (2) prior convictions for any type of animal  
 4 abuse under Arkansas Code Annotated §§ 5-62-101 et seq and commits a third  
 5 offense.

6 (d) Cruelty to animals in the first degree is punishable by a fine of  
 7 up to ten thousand dollars (\$10,000) and/or five years in prison.

8 (e) The court may, in addition, order anyone convicted of cruelty to  
 9 animals under this act to obtain professional counseling, the cost of which  
 10 shall be borne by the offender."

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

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

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

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25 SECTION 5. EMERGENCY. It is found and determined by the General  
 26 Assembly of the State of Arkansas that there has been a rapid increase in the  
 27 cruel mistreatment and neglect of animals, including animals in groups of  
 28 three or greater. It is therefore found that it has been shown that the abuse  
 29 of animals often escalates into abuse of human beings, especially children.  
 30 Therefore, in order to protect the pets and other animals in the state of  
 31 Arkansas, as well as the interests and welfare of its people, it is necessary  
 32 to intervene and address these behaviors before they escalate further.  
 33 Therefore an emergency is declared to exist and this act being immediately  
 34 necessary for the preservation of the public peace, health and safety shall  
 35 become effective on the date of its approval by the Governor. If the bill is  
 36 neither approved nor vetoed by the Governor, it shall become effective on the

1 expiration of the period of time during which the Governor may veto the bill.

2 If the bill is vetoed by the Governor and the veto is overridden, it shall

3 become effective on the date the last house overrides the veto.

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