

Stricken language would be deleted from present law. Underlined language would be added to present law.

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

As Engrossed: H2/26/97

## A Bill

HOUSE BILL 1609

4  
5 By: Representative Courtway

### For An Act To Be Entitled

9 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED § 5-62-101 TO  
10 PROVIDE FOR THE FORFEITURE OF ABUSED AND NEGLECTED  
11 ANIMALS; AND FOR OTHER PURPOSES."

### Subtitle

14 "TO PROVIDE FOR THE FORFEITURE OF ABUSED  
15 AND NEGLECTED ANIMALS"

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

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 if, except as  
23 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.

30 (c) Upon the conviction of any person for violating the provisions of  
31 subparagraphs (1), (2), or (3) of subsection (a) of this section, if the  
32 conviction is for cruelty to a companion animal the court may order: (i) the  
33 forfeiture by the convicted person of all animals the abuse or neglect of  
34 which was the basis of the conviction, and the placement in the custody of a  
35 society which is incorporated for the prevention of cruelty to animals, or an  
36 animal control agency;

1           (ii) in addition to the fines, penalties, and forfeitures, the  
2 defendant to make restitution to the state, any of its political subdivisions,  
3 an animal control agency, or a society which is incorporated for the  
4 prevention of cruelty to animals for housing, feeding, or providing medical  
5 treatment to animals the abuse or neglect of which was the basis of the  
6 conviction; and (iii) the person to obtain professional counseling, the cost  
7 of which shall be borne by the person convicted.

8           (d) For purposes of this section, the term 'companion animal' means a  
9 dog, cat, bird or other animal which is kept in or about the offender's  
10 personal residence and which is shown to be a pet. The term shall not include  
11 cattle, horses, swine, chickens and other farm animals."

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

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

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

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/s/Rep. Courtway

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