

717B.3A Animal torture — penalties.

1. A person is guilty of animal torture if the person intentionally or knowingly inflicts on an animal severe and prolonged or repeated physical pain that causes the animal's serious injury or death.

2. [This section](#) shall not apply to any of the following:

- a. A person acting to carry out an order issued by a court.
- b. A veterinarian practicing veterinary medicine as provided in [chapter 169](#).
- c. A person acting in order to carry out another provision of law which allows the conduct.
- d. A person taking, hunting, trapping, or fishing for a wild animal as provided in [chapter 481A](#).
- e. A person acting to protect the person's property from a wild animal as defined in [section 481A.1](#).
- f. A person acting to protect a person from bodily harm or death caused by a wild animal as defined in [section 481A.1](#).
- g. A person acting reasonably to protect the person's property from damage caused by an unconfined animal.
- h. A person acting reasonably to protect a person from bodily harm or death caused by an unconfined animal.
- i. A local authority acting reasonably to euthanize an animal, if at the time of the euthanasia, the owner of the animal is absent or unable to care for the animal, and the animal is permanently distressed by disease or injury to a degree that would result in severe and prolonged suffering.
- j. A research facility, as defined in [section 162.2](#), if the research facility has been issued or renewed a valid authorization by the department pursuant to [chapter 162](#), and the research facility performs functions within the scope of accepted practices and disciplines associated with the research facility.
- k. An act required to be carried out by a commercial establishment to care for an animal in its possession or under its control as described in [section 162.10A, subsection 1](#), provided that the commercial establishment complies with applicable standard of care requirements pursuant to [subsections 1 and 2](#) of that section.

3. The juvenile court shall have exclusive original jurisdiction in a proceeding concerning a child who is alleged to have committed animal torture, in the manner provided in [section 232.8](#). The juvenile court shall not waive jurisdiction in a proceeding concerning such an offense alleged to have been committed by a child under the age of seventeen.

4. A person who commits animal torture is guilty of an aggravated misdemeanor.

5. Notwithstanding [subsection 4](#), a person who commits animal torture is guilty of a class "D" felony if the person has previously been convicted of committing animal abuse pursuant to [section 717B.2](#), animal neglect punishable as a serious misdemeanor or aggravated misdemeanor pursuant to [section 717B.3](#), animal torture pursuant to [this section](#), injury to or interference with a police service dog pursuant to [section 717B.9](#), bestiality pursuant to [section 717C.1](#), or an act involving a contest event prohibited in [section 717D.2](#).

2000 Acts, ch 1152, §3; 2008 Acts, ch 1058, §22; 2020 Acts, ch 1111, §7

Referred to in §162.10A, 232.8, 717B.1, 717B.2, 717B.3, 717B.3B, 717C.1