

Senate Amendment 5396

Amendment Text

PAG LIN

1 1 Amend [House File 2382](#), as passed by the House, as
1 2 follows:
1 3 #1. Page 1, by inserting after line 18, the
1 4 following:
1 5 "NEW SUBSECTION. 2C. "Law enforcement officer"
1 6 means the same as defined in section 717B.1, including
1 7 a sheriff conducting an investigation as provided in
1 8 section 169A.10."
1 9 #2. Page 2, by inserting after line 16 the
1 10 following:
1 11 "3. Upon request a law enforcement officer shall
1 12 investigate a case in which a person is alleged to
1 13 have intentionally or maliciously abused an animal by
1 14 injury, maiming, torture, mutilation, destruction, or
1 15 neglect to the point of causing death or permanent
1 16 injury. For purposes of this subsection, an animal is
1 17 any domesticated animal other than an animal defined
1 18 in section 169A.1. A person who abuses an animal as
1 19 provided in this subsection is subject to punishment
1 20 and probation as provided in section 714.21."
1 21 #3. Page 3, by inserting after line 1, the
1 22 following:
1 23 "Sec. ____ Section [714.21](#), Code 1997, is amended
1 24 to read as follows:
1 25 714.21 PENALTY.
1 26 1.

~~Violation of~~

~~- A person violating any~~

~~- of the~~

~~-~~
1 27 provisions of section 714.17, 714.18 or 714.20

~~- shall~~

~~-~~
1 28

~~- be~~

~~- is guilty of a serious misdemeanor.~~

1 29 2. A person abusing an animal as provided in
1 30 section 169A.10, subsection 3, is guilty of a class
1 31 "D" felony. A person subject to this penalty is not
1 32 subject to the penalty provided in section 717B.2.
1 33 The person shall undergo a psychological evaluation
1 34 and complete any counseling recommended by the court
1 35 at the person's own expense. In addition to the class
1 36 "D" felony penalty, the person shall not own, keep, or
1 37 care for an animal for a probationary period as
1 38 provided in this subsection. The probationary period
1 39 shall be for not less than five years and not more
1 40 than ten years as ordered by the court. If the person
1 41 is not incarcerated, the probationary period shall
1 42 begin on the date of sentencing. If the person is
1 43 incarcerated, the probationary period shall begin on
1 44 the date that the person's incarceration ends. A
1 45 person who violates a probationary period condition is

1 46 guilty of a serious misdemeanor."
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1 49 _____
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2 8 da/jl/28