

WITHDRAWN 1-16-96
HOUSE FILE 9
BY WEIDMAN

JAN 9 1995
JUDICIARY

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to cruelty to police service dogs and providing
2 enhanced penalties.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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WITHDRAWN

HF 9

1 Section 1. Section 717B.9, subsections 1, 2, and 4, Code
2 1995, are amended to read as follows:

3 1. A person who knowingly, and willfully or maliciously
4 torments, strikes, administers a nonpoisonous desensitizing
5 substance to, or otherwise interferes with a police service
6 dog, without inflicting serious injury on the dog, commits a
7 simple serious misdemeanor.

8 2. A person who knowingly, and willfully or maliciously
9 does any of the following commits a class "D" felony:

10 a. tortures, Tortures a police service dog.

11 b. injures Injures, so as to disfigure or disable, a
12 police service dog.

13 c. Sets a booby trap device for purposes of injuring, so
14 as to disfigure or disable, or killing a police service dog.

15 d. Pays or agrees to pay a bounty for purposes of injury,
16 so as to disfigure or disable, or killing a police service
17 dog.

18 e. kills, or Kills a police service dog.

19 f. administers Administers poison to a police service dog,
20 commits-a-serious-misdemeanor.

21 4. This section does not apply to a peace officer or
22 veterinarian who terminates the life of such a police service
23 dog for the purpose of relieving the dog of undue pain or
24 suffering, or to a person who justifiably acts in defense of
25 self or another.

26 EXPLANATION

27 This bill raises the penalties applicable to acts defined
28 as cruelty to police service dogs and removes language
29 relating to justifiable acts in defense of self or others.
30 The knowing and willful or malicious tormenting or striking of
31 a police service dog, as well as the administration of
32 nonpoisonous desensitizing substances to or other interference
33 with a police service dog, is elevated from a simple to a
34 serious misdemeanor. The knowing and willful or malicious
35 torture, disfiguring, disabling, killing, or poisoning of a

1 police service dog is elevated from a serious misdemeanor to a
2 class "D" felony. The penalty for a serious misdemeanor is a
3 fine of at least \$250 but not more than \$1,500 or both fine
4 and imprisonment of up to one year in jail. The maximum
5 penalty for a class "D" felony is confinement of up to five
6 years in the penitentiary and a fine of not less than \$500 and
7 not more than \$7,500.

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