

Senate Study Bill 6

Conference Committee Text

PAG LIN

1 1 Section 1. Section 717B.9, subsections 1, 2, and 4, Code
1 2 1995, are amended to read as follows:
1 3 1. A person who knowingly, and willfully or maliciously
1 4 torments, strikes, administers a nonpoisonous desensitizing
1 5 substance to, or otherwise interferes with a police service
1 6 dog, without inflicting serious injury on the dog, commits a
1 7

~~simple~~

- ~~serious~~ misdemeanor.

1 8 2. A person who knowingly, and willfully or maliciously
1 9 does any of the following commits a class "D" felony:
1 10 a.

~~tortures,~~

- ~~Tortures a police service dog.~~

1 11 b.

~~injures~~

- ~~Injures,~~ so as to disfigure or disable, a

1 12 police service dog.

1 13 c. Sets a booby trap device for purposes of injuring, so
1 14 as to disfigure or disable, or killing a police service dog.

1 15 d. Pays or agrees to pay a bounty for purposes of injury,
1 16 so as to disfigure or disable, or killing a police service
1 17 dog.

1 18 e.

~~kills, or~~

- ~~Kills a police service dog.~~

1 19 f.

~~administers~~

- ~~Administers~~ poison to a police service dog

1 20

~~commits a serious misdemeanor~~

1 21 4. This section does not apply to a peace officer or
1 22 veterinarian who terminates the life of such a dog for the
1 23 purpose of relieving the dog of undue pain or suffering

~~, or to~~

1 24

~~a person who justifiably acts in defense of self or another~~

1 25

EXPLANATION

1 26 This bill raises the penalties applicable to acts defined
1 27 as cruelty to police service dogs and removes language
1 28 relating to justifiable acts in defense of self or others.

1 29 The knowing and willful or malicious tormenting or striking of

1 30 a police service dog, as well as the administration of
1 31 nonpoisonous desensitizing substances to or other interference
1 32 with a police service dog, is elevated from a simple to a
1 33 serious misdemeanor. The knowing and willful or malicious
1 34 torture, disfiguring, disabling, killing, or poisoning of a
1 35 police service dog is elevated from a serious misdemeanor to a
2 1 class "D" felony. The penalty for a serious misdemeanor is a
2 2 fine of at least \$250 but not more than \$1,500 or both fine
2 3 and imprisonment of up to one year in jail. The maximum
2 4 penalty for a class "D" felony is confinement of up to five
2 5 years in the penitentiary and a fine of not less than \$500 and
2 6 not more than \$7,500.
2 7 LSB 1443XC 76
2 8 lh/sc/14