

Senate File 2020 - Introduced

SENATE FILE 2020

BY McCOY

A BILL FOR

1 An Act increasing penalties for animal neglect.

2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 717B.3, subsection 3, Code 2014, is
2 amended to read as follows:

3 3. A person who negligently or intentionally commits
4 the offense of animal neglect is guilty of a ~~simple~~ serious
5 misdemeanor. A person who intentionally commits the offense of
6 animal neglect which results in serious injury to or the death
7 of an animal is guilty of ~~a serious~~ an aggravated misdemeanor.

8 EXPLANATION

9 The inclusion of this explanation does not constitute agreement with
10 the explanation's substance by the members of the general assembly.

11 BILL'S PROVISIONS — INCREASE IN CRIMINAL PENALTY FOR ANIMAL
12 NEGLECT. This bill increases the criminal penalty for the
13 offense classified as animal neglect. The general penalty
14 applying to an act committed negligently or intentionally is
15 increased from a simple misdemeanor to a serious misdemeanor.
16 The enhanced penalty applying when an animal is seriously
17 injured or dies is increased from a serious misdemeanor to an
18 aggravated misdemeanor.

19 CRIMINAL PENALTIES. A simple misdemeanor is punishable by
20 confinement for no more than 30 days or a fine of at least
21 \$65 but not more than \$625 or by both. A serious misdemeanor
22 is punishable by confinement for no more than one year and a
23 fine of at least \$315 but not more than \$1,875. An aggravated
24 misdemeanor is punishable by confinement for no more than two
25 years and a fine of at least \$625 but not more than \$6,250.

26 BACKGROUND. The bill amends Code chapter 717B which
27 provides for offenses relating to the mistreatment of animals
28 other than livestock which is governed under Code chapter 717;
29 any game, fur-bearing animal, fish, reptile, or amphibian not
30 owned, confined, or controlled by a person; or any nongame
31 species declared to be a nuisance (Code section 717B.1). Code
32 section 717B.3 specifically provides for the offense of animal
33 neglect. A person commits the offense by failing to supply the
34 animal during confinement with a sufficient quantity of food or
35 water; failing to provide a confined dog or cat with adequate

1 shelter; or torturing, depriving of necessary sustenance,
2 mutilating, beating, or killing an animal by any means which
3 causes unjustified pain, distress, or suffering. The law does
4 not apply to a research facility, provided that the research
5 facility performs functions within the scope of accepted
6 practices and disciplines (Code section 162.2).