

House Study Bill 114 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE
ON JUDICIARY BILL BY
CHAIRPERSON HOLT)

A BILL FOR

1 An Act relating to the treatment of animals other than
2 livestock and certain wild animals, providing for
3 criminal offenses and court orders associated with animal
4 mistreatment, and including penalties.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 717B.1, Code 2019, is amended by adding
2 the following new subsections:

3 NEW SUBSECTION. 2A. "*Animal mistreatment*" means an act
4 described as animal abuse as provided in section 717B.2,
5 animal neglect as provided in section 717B.3, animal torture
6 as provided in section 717B.3A, abandonment of a cat or dog as
7 provided in section 717B.8, or injury to or interference with a
8 police service dog as provided in section 717B.9.

9 NEW SUBSECTION. 3A. a. "*Convicted*" means the entry of
10 a judgment of conviction under chapter 901 or adjudicated
11 delinquent for an act which is an indictable offense in this
12 state or in another state under chapter 232.

13 b. "*Convicted*" does not mean a plea, sentence, adjudication,
14 deferred sentence, or deferred judgment which has been reversed
15 or otherwise set aside.

16 NEW SUBSECTION. 3B. "*Department*" means the department of
17 agriculture and land stewardship.

18 NEW SUBSECTION. 4A. "*Euthanasia*" means the same as defined
19 in section 162.2.

20 NEW SUBSECTION. 4B. "*Injury*" means an animal's
21 disfigurement; the impairment of an animal's health; or an
22 impairment to the functioning of an animal's limb or organ,
23 including physical damage or harm to an animal's muscle,
24 tissue, organs, bones, hide, or skin.

25 NEW SUBSECTION. 8A. "*Serious injury*" means an injury that
26 constitutes an animal's protracted or permanent disfigurement,
27 the protracted or permanent impairment of an animal's health,
28 the protracted or permanent impairment of the functioning of
29 an animal's limb or organ, or the loss of an animal's limb or
30 organ.

31 Sec. 2. Section 717B.2, Code 2019, is amended to read as
32 follows:

33 **717B.2 Animal mistreatment — animal abuse — penalties.**

34 **1.** ~~A person is guilty of animal abuse if the person~~
35 ~~intentionally injures, maims, disfigures, or destroys an animal~~

~~1 owned by another person, in any manner, including intentionally~~
~~2 poisoning the animal~~ commits animal abuse when the person
~~3 intentionally, knowingly, or recklessly acts to inflict injury,~~
~~4 serious injury, or death on an animal by force, violence, or~~
~~5 poisoning. A person guilty of animal abuse is guilty of an~~
~~6 aggravated misdemeanor.~~

7 2. This section shall not apply to conduct engaged in by any
8 of the following:

9 ~~1. A person acting with the consent of the person owning~~
10 ~~the animal, unless the action constitutes animal neglect as~~
11 ~~provided in section 717B.3.~~

12 a. An owner of the animal, or a person acting with the
13 consent of the owner, who euthanizes an animal in a reasonable
14 manner, if at the time of the euthanasia, the animal is in a
15 state of permanent pain or suffering.

16 b. An owner of the animal, or a person acting with the
17 consent of the owner, who euthanizes a rabbit in a reasonable
18 manner for purposes of preparing the rabbit for human
19 consumption.

20 c. A commercial breeder as defined in section 162.2 who
21 tail docks a dog or removes the dewclaw of a dog, if all of the
22 following apply:

23 (1) The commercial breeder has been issued a valid
24 authorization by the department under chapter 162.

25 (2) The dog is five days or younger in age.

26 ~~2.~~ d. A person acting to carry out an order issued by a
27 court.

28 ~~3.~~ e. A licensed veterinarian practicing veterinary
29 medicine as provided in chapter 169.

30 ~~4.~~ f. A person acting in order to carry out another
31 provision of law which allows the conduct.

32 ~~5.~~ g. A person taking, hunting, trapping, or fishing for a
33 wild animal as provided in chapter 481A.

34 ~~6.~~ h. A person acting to protect the person's property from
35 a wild animal as defined in section 481A.1.

1 ~~7.~~ i. A person acting to protect a person from injury or
2 death caused by a wild animal as defined in [section 481A.1](#).

3 ~~8.~~ j. A person reasonably acting to protect the person's
4 property from damage caused by an unconfined animal.

5 ~~9.~~ k. A person reasonably acting to protect a person from
6 injury or death caused by an unconfined animal.

7 ~~10.~~ l. A local authority reasonably acting to destroy an
8 animal, if at the time of the destruction, the owner of the
9 animal is absent or unable to care for the animal, and the
10 animal is permanently distressed by disease or injury to a
11 degree that would result in severe and prolonged suffering.

12 ~~11.~~ m. A research facility, as defined in [section 162.2](#),
13 ~~provided that~~ if the research facility has been issued a valid
14 authorization by the department pursuant to chapter 162, and
15 performs functions within the scope of accepted practices and
16 disciplines associated with the research facility.

17 3. A person who commits animal abuse that causes injury,
18 other than serious injury or death, to an animal is guilty of
19 a serious misdemeanor.

20 4. A person who commits animal abuse that causes serious
21 injury or death to an animal is guilty of an aggravated
22 misdemeanor.

23 5. Notwithstanding subsection 4, a person who commits
24 animal abuse that causes serious injury or death to an animal
25 is guilty of a class "D" felony if the person has previously
26 been convicted of committing animal abuse pursuant to this
27 section, animal neglect punishable as a serious misdemeanor
28 or aggravated misdemeanor pursuant to section 717B.3, animal
29 torture pursuant to section 717B.3A, injury to or interference
30 with a police service dog pursuant to section 717B.9,
31 bestiality pursuant to section 717C.1, or an act involving a
32 contest event prohibited in section 717D.2.

33 Sec. 3. Section 717B.3, Code 2019, is amended to read as
34 follows:

35 **717B.3 Animal mistreatment — animal neglect — penalties.**

1 1. A person ~~who impounds or~~ commits animal neglect when
2 the person owns or has custody of an animal, confines, in any
3 place, an that animal, is guilty of animal neglect if the
4 person does any of the following:

5 a. Fails and intentionally, knowingly, or recklessly fails
6 to supply the animal during confinement with a sufficient
7 quantity of food or water. provide the animal with any of the
8 following conditions for the animal's welfare:

9 a. Access to food in an amount and quality reasonably
10 sufficient to satisfy the animal's basic nutrition level to the
11 extent that the animal's health or life is endangered.

12 b. Fails to provide a confined dog or cat with adequate
13 shelter Access to a supply of potable water in an amount
14 reasonably sufficient to satisfy the animal's basic hydration
15 level to the extent that the animal's health or life is
16 endangered. Access to snow or ice does not satisfy this
17 requirement.

18 c. Tortures, deprives of necessary sustenance, mutilates,
19 beats, or kills an animal by any means which causes unjustified
20 pain, distress, or suffering Sanitary conditions free from
21 excessive animal waste or the overcrowding of animals to the
22 extent that the animal's health or life is endangered.

23 d. Ventilated shelter reasonably sufficient to provide
24 adequate protection from the elements and weather conditions
25 suitable for the age, species, and physical condition of the
26 animal so as to maintain the animal in a state of good health
27 to the extent that the animal's health or life is endangered.
28 The shelter must protect the animal from wind, rain, snow, or
29 sun and have adequate bedding to provide reasonable protection
30 against cold and dampness. A shelter may include a residence,
31 garage, barn, shed, or doghouse.

32 e. Grooming, to the extent it is reasonably necessary to
33 prevent adverse health effects or suffering.

34 f. (1) Veterinary care deemed reasonably necessary to
35 relieve an animal's distress from any of the following:

1 (a) A condition caused by failing to provide for the
2 animal's welfare as described in paragraphs "a" through "e".

3 (b) An injury or serious illness suffered by the animal
4 causing the animal prolonged pain and suffering.

5 (2) This paragraph "f" does not apply to any of the
6 following:

7 (a) An animal for which the cost of such veterinary care is
8 not reasonably affordable by the animal's owner, so long as the
9 animal's owner makes appropriate and reasonable arrangements
10 to transfer ownership and possession of the animal to a person
11 who agrees to provide such care.

12 (b) The animal's owner provides for the euthanasia of the
13 animal, and all of the following apply:

14 (i) The animal suffers from an illness or injury.

15 (ii) There is no reasonable probability that reasonable
16 veterinary care could alleviate the animal's illness or injury.

17 2. This section does not apply to conduct engaged in by
18 a research facility, as defined in section 162.2, provided
19 that if the research facility has been issued a valid
20 authorization by the department pursuant to chapter 162, and
21 performs functions within the scope of accepted practices and
22 disciplines associated with the research facility.

23 3. A person who negligently or intentionally commits
24 the offense of animal neglect that does not cause injury,
25 serious injury, or death to an animal is guilty of a simple
26 misdemeanor. A person who intentionally commits the offense of
27 animal neglect which results in serious injury to or the death
28 of an animal is guilty of a serious misdemeanor.

29 4. A person who commits animal neglect that causes injury,
30 other than serious injury or death, to an animal is guilty of
31 a serious misdemeanor.

32 5. A person who commits animal neglect that causes serious
33 injury or death to an animal is guilty of an aggravated
34 misdemeanor.

35 6. Notwithstanding subsection 5, a person who commits

1 animal neglect that causes serious injury or death to an
2 animal is guilty of a class "D" felony if the person has been
3 previously convicted of animal abuse pursuant to section
4 717B.2, animal neglect punishable as a serious misdemeanor or
5 aggravated misdemeanor pursuant to this section, animal torture
6 pursuant to section 717B.3A, injury to or interference with
7 a police service dog pursuant to section 717B.9, bestiality
8 pursuant to section 717C.1, or an act involving a contest event
9 prohibited in section 717D.2.

10 Sec. 4. Section 717B.3A, Code 2019, is amended to read as
11 follows:

12 **717B.3A Animal mistreatment — animal torture — penalties.**

13 1. A person is guilty of animal torture, ~~regardless of~~
14 ~~whether the person is the owner of the animal,~~ if the person
15 intentionally or knowingly inflicts upon the on an animal
16 severe and prolonged or repeated physical pain with a depraved
17 or sadistic intent to cause prolonged suffering that causes the
18 animal's serious injury or death.

19 2. **This section** shall not apply to conduct engaged in by any
20 of the following:

21 a. A person acting to carry out an order issued by a court.

22 b. A licensed veterinarian practicing veterinary medicine as
23 provided in **chapter 169**.

24 ~~c. A person carrying out a practice that is consistent with~~
25 ~~animal husbandry practices.~~

26 ~~d.~~ c. A person acting in order to carry out another
27 provision of law which allows the conduct.

28 ~~e.~~ d. A person taking, hunting, trapping, or fishing for a
29 wild animal as provided in **chapter 481A**.

30 ~~f.~~ e. A person acting to protect the person's property from
31 a wild animal as defined in **section 481A.1**.

32 ~~g.~~ f. A person acting to protect a person from ~~injury~~
33 bodily harm or death caused by a wild animal as defined in
34 **section 481A.1**.

35 ~~h.~~ g. A person ~~reasonably~~ acting reasonably to protect the

1 person's property from damage caused by an unconfined animal.

2 ~~i.~~ h. A person ~~reasonably~~ acting reasonably to protect a
3 person from ~~injury~~ bodily harm or death caused by an unconfined
4 animal.

5 ~~j.~~ i. A local authority ~~reasonably~~ acting reasonably to
6 ~~destroy~~ euthanize an animal, if at the time of the ~~destruction~~
7 euthanasia, the owner of the animal is absent or unable to care
8 for the animal, and the animal is permanently distressed by
9 disease or injury to a degree that would result in severe and
10 prolonged suffering.

11 ~~k.~~ j. A research facility, as defined in section 162.2,
12 ~~provided that~~ if the research facility has been issued a valid
13 authorization by the department pursuant to chapter 162, and
14 the research facility performs functions within the scope of
15 accepted practices and disciplines associated with the research
16 facility.

17 3. ~~a.~~ ~~The following shall apply to a person who commits~~
18 ~~animal torture:~~

19 ~~(1) For the first conviction, the person is guilty of an~~
20 ~~aggravated misdemeanor. The sentencing order shall provide~~
21 ~~that the person submit to psychological evaluation and~~
22 ~~treatment according to terms required by the court. The costs~~
23 ~~of the evaluation and treatment shall be paid by the person.~~
24 ~~In addition, the sentencing order shall provide that the person~~
25 ~~complete a community work requirement, which may include a work~~
26 ~~requirement performed at an animal shelter or pound, as defined~~
27 ~~in section 162.2, according to terms required by the court.~~

28 ~~(2) For a second or subsequent conviction, the person is~~
29 ~~guilty of a class "D" felony. The sentencing order shall~~
30 ~~provide that the person submit to psychological evaluation and~~
31 ~~treatment according to terms required by the court. The costs~~
32 ~~of the psychological evaluation and treatment shall be paid by~~
33 ~~the person.~~

34 ~~b.~~ The juvenile court shall have exclusive original
35 jurisdiction in a proceeding concerning a child who is alleged

1 to have committed animal torture, in the manner provided in
2 section 232.8. The juvenile court shall not waive jurisdiction
3 in a proceeding concerning such an offense alleged to have been
4 committed by a child under the age of seventeen.

5 4. A person who commits animal torture is guilty of a class
6 "D" felony.

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

16 **Sec. 5. NEW SECTION. 717B.3B Animal mistreatment — court**
17 **order — evaluation and treatment.**

18 1. At the time of a person's conviction for committing a
19 public offense constituting animal mistreatment, a court may
20 enter an order requiring the person to undergo a psychological
21 or psychiatric evaluation and to undergo any treatment that the
22 court determines to be appropriate after due consideration of
23 the evaluation.

24 2. Notwithstanding subsection 1, the court shall enter an
25 order described in that subsection, if the convicted person is
26 any of the following:

27 a. A juvenile.

28 b. An adult convicted of animal abuse punishable as an
29 aggravated misdemeanor or class "D" felony pursuant to section
30 717B.2, animal neglect punishable as an aggravated misdemeanor
31 or class "D" felony pursuant to section 717B.3, or animal
32 torture pursuant to section 717B.3A.

33 3. The costs of undergoing a psychological or psychiatric
34 evaluation and undergoing any treatment ordered by the court
35 shall be borne by the convicted person, unless the person is

1 a juvenile.

2 4. An order made under this section is in addition to any
3 other order or sentence of the court.

4 5. Any violation of the court order shall be punished as
5 contempt of court pursuant to chapter 665.

6 Sec. 6. NEW SECTION. **717B.3C Animal mistreatment —**
7 **sentencing order — prohibitions.**

8 1. At the time of a person's sentencing for committing
9 a public offense constituting animal mistreatment, a court
10 shall prohibit the person from owning or obtaining custody of
11 an animal or residing in the same dwelling where an animal is
12 kept.

13 a. The period of the prohibition shall be not less than one
14 year.

15 b. Notwithstanding paragraph "a", the period of the
16 prohibition shall be not less than five years, if the convicted
17 person has committed animal abuse punishable as an aggravated
18 misdemeanor or class "D" felony pursuant to section 717B.2,
19 animal neglect punishable as an aggravated misdemeanor or
20 class "D" felony pursuant to section 717B.3, or animal torture
21 pursuant to section 717B.3A.

22 2. The duration of a prohibition described in this
23 section commences on the date that the person is placed on
24 probation, released on parole or work release, or released from
25 incarceration or from placement in a juvenile facility.

26 3. An order made pursuant to this section is in addition to
27 any other order or sentence of the court.

28 4. Any violation of the court order described in this
29 section is a public offense and shall be punished as a simple
30 misdemeanor.

31 Sec. 7. Section 717B.8, Code 2019, is amended to read as
32 follows:

33 **717B.8 Abandonment of cats and dogs — penalties.**

34 1. A person who has ownership or custody of a cat or dog
35 shall not abandon the cat or dog, ~~except the person may deliver~~

1 ~~the.~~

2 2. This section does not apply to any of the following:

3 a. The delivery of a cat or dog to another person who will
4 accept ownership and custody ~~or the person may deliver~~ of the
5 cat or dog.

6 b. The delivery of a cat or dog to an animal shelter or
7 pound as defined in [section 162.2](#) that has been issued a valid
8 authorization by the department under chapter 162.

9 c. A person who relinquishes custody of a cat at a location
10 in which the person does not hold a legal or equitable
11 interest, if previously the person had taken custody of the cat
12 at the same location and provided for the cat's sterilization
13 by a licensed veterinarian practicing veterinary medicine
14 pursuant to chapter 169.

15 3. A person who violates [this section](#) is guilty of a simple
16 misdemeanor.

17 EXPLANATION

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

20 GENERAL. This bill amends Code chapter 717B prohibiting the
21 mistreatment of certain animals, including dogs and cats, but
22 excluding other animals from its provisions such as livestock
23 (Code chapter 717); game, fur-bearing animals, fish, reptiles,
24 or amphibians (Code chapter 481A), unless such animal is owned,
25 confined, or controlled by a person; or a nongame animal
26 declared to be a nuisance by the natural resource commission
27 (Code sections 481A.42 and 717B.1).

28 PRIMARY AND OTHER OFFENSES UNDER CODE CHAPTER 717B (ANIMAL
29 MISTREATMENT) — NON-CODE CHAPTER 717B OFFENSES. The bill
30 amends three primary offenses which are part of Code chapter
31 717B. These include animal abuse (Code section 717B.2), animal
32 neglect (Code section 717B.3), and animal torture (Code section
33 717B.3A). It also refers to two other offenses provided in
34 the Code chapter which include the abandonment of a cat or
35 dog (Code section 717B.8) and injury or interference with

1 a police service dog (Code section 717B.9). All of these
2 offenses, which the bill classifies as "animal mistreatment",
3 are currently subject to a series of penalties ranging from a
4 simple misdemeanor to a class "D" felony. Finally, the bill
5 refers to two other types of offenses not part of Code chapter
6 717B and which each define "animal" broadly to include any
7 nonhuman vertebrate. These include the offense of bestiality
8 (Code section 717C.1) and a number of closely related offenses
9 that involve animals participating in certain contest events
10 such as fighting that may result in an animal's injury or death
11 (Code section 717D.2).

12 PRIMARY OFFENSES — DISTINCTION BETWEEN INJURY AND SERIOUS
13 INJURY. The bill retains and expands a distinction between an
14 infliction of an injury and serious injury or death currently
15 applicable to animal neglect. The bill defines an injury
16 to include an animal's disfigurement, the impairment of an
17 animal's health, or an impairment to the functioning of an
18 animal's limb or organ. It defines a serious injury as an
19 animal's protracted or permanent disfigurement, the protracted
20 or permanent impairment of an animal's health, the protracted
21 or permanent impairment of the functioning of an animal's limb
22 or organ, or the loss of an animal's limb or organ (amended
23 Code section 717B.1).

24 PRIMARY OFFENSES — ORDINARY AND ENHANCED CRIMINAL
25 PENALTIES. Under Code chapter 717B, criminal penalties for
26 committing a primary offense range from a simple misdemeanor
27 to a class "D" felony. The bill increases those penalties
28 with the highest penalty raised to a class "C" felony. Under
29 the bill, a person convicted of a primary offense and who
30 has previously been convicted of committing a form of animal
31 mistreatment, or other described non-Code chapter 717B
32 offense (not subject to a simple misdemeanor), is subject to
33 an enhanced penalty which equals a one-step increase from
34 the penalty ordinarily applicable (e.g., from an aggravated
35 misdemeanor to a class "D" felony).

1 A simple misdemeanor is punishable by confinement for no
2 more than 30 days or a fine of at least \$65 but not more than
3 \$625 or by both. A serious misdemeanor is punishable by
4 confinement for no more than one year and a fine of at least
5 \$315 but not more than \$1,875. An aggravated misdemeanor is
6 punishable by confinement for no more than two years and a fine
7 of at least \$625 but not more than \$6,250. A class "D" felony
8 is punishable by confinement for no more than five years and
9 a fine of at least \$750 but not more than \$7,500. A class "C"
10 felony is punishable by confinement for no more than 10 years
11 and a fine of at least \$1,000 but not more than \$10,000.

12 PRIMARY OFFENSES — ANIMAL ABUSE. Under current law,
13 a person commits animal abuse by intentionally inflicting
14 an injury upon an animal. The bill provides that a person
15 commits the offense by intentionally, knowingly, or recklessly
16 inflicting the injury. The bill amends an exception that
17 currently applies to a person who is the owner or acting
18 with the owner's consent. Under the bill, this exception
19 would only be available if the animal is euthanized and is
20 either (1) in a state of permanent pain or suffering or (2) a
21 rabbit being prepared for consumption. A new exception also
22 allows practices associated with altering a dog's appearance,
23 including tail docking or removing the dewclaw of a dog, if
24 the procedure is performed by a commercial breeder licensed
25 by the department of agriculture and land stewardship (Code
26 chapter 162). The bill reduces the penalty from an aggravated
27 to a serious misdemeanor for committing an offense that causes
28 an animal injury but does not cause an animal serious injury
29 or death. It retains the penalty of aggravated misdemeanor
30 if the animal suffers serious injury or death. In that case,
31 the offense is subject to an enhanced penalty as a class "D"
32 felony.

33 PRIMARY OFFENSES — ANIMAL NEGLECT. Under current law, a
34 person commits animal neglect by (1) impounding or confining an
35 animal and (2) failing to supply the animal with an adequate

1 supply of food or water, or failing to provide the animal
2 with adequate shelter. The bill provides that the offense is
3 committed by a person who (1) owns or has custody of an animal,
4 (2) confines that animal, and (3) intentionally, knowingly, or
5 recklessly fails to provide the animal with conditions for the
6 animal's welfare. These include access to nutritional food,
7 potable water, adequate sanitary conditions, ventilated shelter
8 from the weather, grooming, and veterinary care if required
9 to relieve the animal from distress. The bill eliminates a
10 provision that includes inflicting upon an animal unjustified
11 pain, including torture. It retains the ordinary criminal
12 penalty which is a simple misdemeanor but provides that the
13 offense does not involve an injury or death. For an offense
14 that causes an animal to suffer an injury, other than serious
15 injury or death, the new penalty is a serious misdemeanor. For
16 an offense that causes an animal to suffer a serious injury or
17 death, the new penalty is an aggravated misdemeanor which may
18 be enhanced to a class "D" felony.

19 PRIMARY OFFENSES — ANIMAL TORTURE. Under current law, a
20 person commits animal torture by (1) acting with a depraved
21 or sadistic intent to (2) inflict severe and prolonged pain
22 or suffering, or death upon an animal. The bill provides
23 that a person commits the offense by (1) intentionally or
24 knowingly (but not recklessly) inflicting severe and prolonged
25 or repeated physical pain upon an animal, and (2) causes the
26 animal's serious injury or death. The bill increases the
27 criminal penalty to a class "D" felony which may be enhanced
28 to a class "C" felony.

29 ANIMAL MISTREATMENT — COURT-ORDERED EVALUATION AND
30 TREATMENT. The bill eliminates a requirement that a court may
31 order psychological evaluation and treatment for a person's
32 first conviction of animal torture and must enter such order
33 for the person's subsequent conviction. Instead, the bill
34 provides that the court may order psychological or psychiatric
35 evaluation and treatment for any conviction of an animal

1 mistreatment offense and must enter the order if the sentenced
2 person is a juvenile or the offense is punishable as an
3 aggravated misdemeanor, class "D" felony, or class "C" felony
4 (which would include any offense in which a person inflicts a
5 serious injury or death on an animal).

6 ANIMAL MISTREATMENT — COURT-ORDERED PROHIBITIONS. Under
7 the bill, a person committing an animal mistreatment offense
8 is also subject to a court order prohibiting the person from
9 owning or obtaining custody of an animal or residing in the
10 same dwelling where an animal is kept. The prohibition is
11 for not less than one year. However, if the person is guilty
12 of an offense punishable as an aggravated misdemeanor, class
13 "D" felony, or class "C" felony (including being subject to an
14 enhanced penalty), the period is for not less than five years.
15 A violation of the court order is punishable as a simple
16 misdemeanor.

17 ANIMAL MISTREATMENT — ABANDONMENT OF CATS AND DOGS —
18 EXCEPTION. Under current law, a person who owns or has custody
19 of a cat or dog is prohibited from abandoning that animal
20 and is subject to a simple misdemeanor. The bill creates
21 an exception that allows a person to return the cat to the
22 same location as it was taken, if the returned cat has been
23 sterilized by a licensed veterinarian (Code chapter 169).