

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 1049

Short Title: Increase Cruelty to Animals Penalty.

(Public)

Sponsors: Judiciary II Committee; Hensley and McComas.

Referred to:

April 21, 1997

A BILL TO BE ENTITLED

AN ACT TO INCREASE THE PENALTY FOR CRUELTY TO ANIMALS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 14-360 reads as rewritten:

"§ 14-360. Cruelty to animals; construction of section.

(a) If any person shall willfully overdrive, overload, wound, injure, ~~torture, torment, or deprive of necessary sustenance, cruelly beat, needlessly mutilate or kill or cause or procure to be overdriven, overloaded, wounded, injured, tortured, tormented, or deprived of necessary sustenance, cruelly beaten, needlessly mutilated or killed as aforesaid, any useful~~ beast, fowl or any animal, every such offender shall for every such offense be guilty of a Class 1 misdemeanor. ~~In this section, and in every law which may be enacted relating to animals, the words "animal" and "dumb animal" shall be held to include every living creature; the words "torture," "torment" or "cruelty" shall be held to include every act, omission or neglect whereby unjustifiable physical pain, suffering or death is caused or permitted. Such terms shall not be construed to prohibit the lawful taking of animals under the jurisdiction and regulation of the Wildlife Resources Commission.~~

(b) If any person shall willfully torture, torment, mutilate, maim, cruelly beat, disfigure, poison or kill, or cause or procure to be tortured, tormented, mutilated, maimed, cruelly beaten, disfigured, poisoned or killed, any animal, every such offender shall for every such offense be guilty of a Class I felony.

1 (c) In this section, the term 'animal' shall be held to include every domestic or
2 otherwise useful animal. This section shall not be construed to prohibit the lawful taking
3 of animals under the jurisdiction and regulation of the Wildlife Resources Commission,
4 lawful activities sponsored by agencies conducting biomedical research or training,
5 lawful activities for sport, the production of livestock or poultry, or the lawful destruction
6 of any animal for the purpose of protecting such livestock or poultry."

7 Section 2. This act becomes effective December 1, 1997, and applies to
8 offenses committed on or after that date.