

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

H

2

HOUSE BILL 995
Senate Judiciary II (Criminal) Committee Substitute Adopted 6/26/07

Short Title: Increase Penalty/Starvation of Animals. (Public)

Sponsors:

Referred to:

March 26, 2007

A BILL TO BE ENTITLED

1 AN ACT TO INCREASE THE PENALTY FOR THE MALICIOUS, INTENTIONAL
2 STARVATION OF AN ANIMAL AND MAKE OTHER CHANGES TO THE
3 ANIMAL CRUELTY STATUTE.
4

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 14-360 is amended by adding a new subsection to read:

7 "(a1) If any person shall maliciously kill, or cause or procure to be killed, any
8 animal by intentional deprivation of necessary sustenance, that person shall be guilty of
9 a Class A1 misdemeanor."

10 **SECTION 2.** G.S. 14-360(c) reads as rewritten:

11 "(c) As used in this section, the words "torture", "torment", and "cruelly" include
12 or refer to any act, omission, or neglect causing or permitting unjustifiable pain,
13 suffering, or death. As used in this section, the word "intentionally" refers to an act
14 committed knowingly and without justifiable excuse, while the word "maliciously"
15 means an act committed intentionally and with malice or bad motive. As used in this
16 section, the term "animal" includes every living vertebrate in the classes Amphibia,
17 Reptilia, Aves, and Mammalia except human beings. However, this section shall not
18 apply to the following activities:

- 19 (1) The lawful taking of animals under the jurisdiction and regulation of
20 the Wildlife Resources Commission, except that this section shall
21 apply to those birds exempted by the Wildlife Resources Commission
22 from its definition of "wild birds" pursuant to G.S. 113-129(15a).
23 (2) Lawful activities conducted for purposes of biomedical research or
24 training or for purposes of production of livestock, poultry, or aquatic
25 species.
26 (2a) Lawful activities conducted for the primary purpose of providing food
27 for human or animal consumption.
28 (3) Activities conducted for lawful veterinary purposes.

- 1 (4) The lawful destruction of any animal for the purposes of protecting the
2 public, other animals, property, or the public health.
3 (5) The physical alteration of livestock or poultry for the purpose of
4 conforming with breed or show standards."

5 **SECTION 3.** Section 1 of this act becomes effective December 1, 2007, and
6 applies to offenses committed on or after that date. The remainder of this act is effective
7 when it becomes law.