

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 1049
Committee Substitute Favorable 4/30/97
Senate Judiciary Committee Substitute Adopted 6/29/98

Short Title: Increase Cruelty to Animals Penalty.

(Public)

Sponsors:

Referred to: Appropriations.

April 21, 1997

A BILL TO BE ENTITLED

AN ACT TO INCREASE THE PENALTY FOR CRUELTY TO ANIMALS AND TO
PROHIBIT GREYHOUND RACING IN NORTH CAROLINA.

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, deprive of necessary sustenance, cruelly beat, needlessly mutilate or kill or cause or procure to be overdriven, overloaded, wounded, injured, tortured, tormented, 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.~~

1 (b) If any person shall maliciously torture, torment, deprive of necessary
2 sustenance, mutilate, maim, cruelly beat, disfigure, poison, or kill, or cause to be tortured,
3 tormented, deprived of necessary sustenance, mutilated, maimed, cruelly beaten,
4 disfigured, poisoned, or killed, any equine animal, bovine animal, sheep, goat, swine or
5 other livestock, dogs, cats, and other animals kept as pets or mascots, every such offender
6 shall for every such offense be guilty of a Class I felony. The word 'maliciously' as used
7 in this subsection, shall mean an act done with bad motive, without justifiable excuse,
8 and with the intent to cause physical pain, suffering, or death.

9 (c) This section does not apply to the taking of animals under the jurisdiction and
10 regulation of the Wildlife Resources Commission."

11 Section 2. Article 37 of Chapter 14 of the General Statutes is amended by
12 adding a new Part to read:

13 "Part 3. Greyhound Racing.

14 "**§ 14-309.20. Greyhound racing prohibited.**

15 (a) No person shall hold, conduct, or operate any greyhound races for public
16 exhibition in this State for monetary remuneration.

17 (b) No person shall transmit or receive interstate or intrastate simulcasting of
18 greyhound races for commercial purposes in this State.

19 (c) Any person who violates this section shall be guilty of a Class 1
20 misdemeanor."

21 Section 3. This act becomes effective December 1, 1998, and applies to
22 offenses committed on or after that date.