

Existing law provides that one of the 10 elements of the crime of simple cruelty to animals is when a person intentionally or with criminal negligence injures any animal belonging to another without legal privilege or consent of the owner.

New law deletes language providing for a violation of the crime when the animal is injured without legal privilege or the consent of the owner of the animal and otherwise retains existing law.

Existing law provides that whoever commits the crime of simple cruelty to animals shall be fined not more than \$1,000 or imprisoned for not more than six months, or both.

New law provides that whoever commits a second or subsequent offense of simple cruelty to animals shall be fined not less than \$5,000 and not more than \$25,000 or imprisonment, with or without hard labor, for not less than one year nor more than 10 years, or both, and shall be banned by court order from owning or keeping animals for a period of time deemed appropriate by the court.

New law also provides that in addition to any other penalty imposed for a violation of the crime of simple cruelty to animals the court may order a psychological evaluation or anger management treatment for a first conviction of the crime of simple cruelty to animals. For a second or subsequent conviction, the court shall order a psychological evaluation or anger management treatment.

Existing law provides that any person who intentionally or with criminal negligence tortures, maims, or mutilates any living animal, whether belonging to himself or another, shall be guilty of aggravated cruelty to animals.

New law retains existing law penalties for a violation of the crime of aggravated cruelty to animals of a fine of not less than \$5,000 nor more than \$25,000 or imprisonment, with or without hard labor, for not less than one year nor more than 10 years, or both.

New law also provides that in addition to any other penalty imposed for a violation of the crime of aggravated cruelty to animals, the offender shall be ordered to undergo a psychological evaluation and subsequently recommended psychological treatment and shall be banned by court order from owning or keeping animals for a period of time deemed appropriate by the court.

New law provides that costs associated with examination or treatment shall be borne by the defendant.

Effective August 15, 2009.

(Amends R.S. 14:102.1(A)(1)(h) and (2)(b) and (B)(5); Adds R.S. 14:102.1(A)(2)(c) and (d) and (3) and (B)(6))