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DIGEST

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SB 435 Reengrossed

2016 Regular Session

Morrell

Proposed law provides that theft of animals is the misappropriation, killing, or taking of any animal which belongs to another, either without consent of the other to the misappropriation or taking, or by means of fraudulent conduct, practices, or representations. An intent to deprive the other permanently of the animal or an intent to ransom it for the purpose of extorting money or favor is essential.

Proposed law provides for a penalty of imprisonment for not more than six months or a fine of not more than \$500, or both.

Proposed law provides that if the offender in such a case has been convicted of misdemeanor theft of an animal two or more times previously, upon any subsequent conviction he will be imprisoned, with or without hard labor, for not more than two years or may be fined not more than \$1,000, or both.

Proposed law provides that "animal" means any nonhuman living creature except for livestock as defined in present law.

Present law provides that any person finding any dog not on the premises of its owner, harbinger, or possessor, which is harassing, wounding, or killing livestock, may kill the dog, and the owner shall not be able to sustain any action for damages against the person killing the dog.

Proposed law retains present law and adds an exception to proposed law to address killing of dogs harassing, wounding, or killing livestock.

Effective August 1, 2016.

(Adds R.S. 14:67.30)

Summary of Amendments Adopted by Senate

Senate Floor Amendments to engrossed bill

1. Replaces the several penalties based on the value of the animal with the penalty of imprisonment of not more than six months or a fine of not more than \$500, or both.

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the reengrossed bill:

1. Add an exception to proposed law for the killing of a dog harassing, wounding, or killing livestock.