

2025 Regular Session

HOUSE BILL NO. 492

BY REPRESENTATIVE VENTRELLA

1 AN ACT

2 To amend and reenact R.S. 14:102.1(A)(1)(introductory paragraph), (b), (d), (e), and (h) and  
3 (2), (B), and (C)(6) and to repeal R.S. 14:102.1(A)(1)(i) and (j), relative to offenses  
4 affecting the public sensibility; to provide relative to the crimes of simple cruelty to  
5 animals and aggravated cruelty to animals; to provide for conduct that constitutes  
6 simple cruelty to animals; to provide for conduct that constitutes aggravated cruelty  
7 to animals; to provide for exceptions; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 14:102.1(A)(1)(introductory paragraph), (b), (d), (e), and (h) and (2),  
10 (B), and (C)(6) are hereby amended and reenacted to read as follows:

11 §102.1. Cruelty to animals; simple and aggravated

12 A.(1) ~~Any person who~~ Simple cruelty to animals is when a person  
13 intentionally or with criminal negligence ~~commits~~ does any of the following ~~shall be~~  
14 ~~guilty of simple cruelty to animals:~~

15 \* \* \*

16 (b) Torments, cruelly beats, or unjustifiably injures any living animal;  
17 ~~whether belonging to himself or another.~~

18 \* \* \*

19 (d) Abandons any animal. A person shall not be considered to have  
20 abandoned an animal if he delivers to an animal which he found running at large in  
21 the care of an animal control center ~~an animal which he found running at large~~ ,  
22 shelter, or rescue location.

1           (e) Impounds or confines or causes ~~to be impounded or confined~~ the  
 2           impoundment or confinement of a living animal in a pound or other place, ~~a living~~  
 3           ~~animal~~ and fails to supply it ~~during such confinement~~ with proper food, proper ~~drink~~  
 4           water, and or proper shelter during such confinement.

\* \* \*

6           (h) ~~Injures any animal belonging to another person.~~

7           (i) ~~Mistreats any living animal by any act or omission whereby unnecessary~~  
 8           ~~or unjustifiable physical pain, suffering or death is caused to or permitted upon the~~  
 9           ~~animal.~~

10          (j) Causes or procures to be done by any person any act enumerated in this  
 11          Subsection Paragraph.

12          (2)(a) Whoever commits the crime of simple cruelty to animals shall be fined  
 13          not more than one thousand dollars or imprisoned for not more than six months, or  
 14          both. The court may also order the offender to pay for any expenses incurred for the  
 15          housing of the animal and for medical treatment of the animal, pursuant to Code of  
 16          Criminal Procedure Article 883.2. In addition, the court may issue an order  
 17          prohibiting the ~~defendant~~ offender from owning or keeping animals for a period of  
 18          not more than one year.

19          (b) Whoever commits a second or subsequent offense of simple cruelty to  
 20          animals shall be fined not less than five thousand dollars nor more than twenty-five  
 21          thousand dollars or imprisoned, with or without hard labor, for not less than one year  
 22          nor more than ten years, or both. In addition, the court may issue an order  
 23          prohibiting the ~~defendant~~ offender from owning or keeping animals for a period of  
 24          not more than five years.

25          (c) In addition to any other penalty imposed, a person who commits the  
 26          crime of simple cruelty to animals shall be ordered to perform five eight-hour days  
 27          of court-approved community service. The community service requirement shall not  
 28          be suspended.

29          (d) In addition to any other penalty imposed, the court may order a  
 30          psychological evaluation or anger management treatment for a first conviction of the

1 crime of simple cruelty to animals. For a second or subsequent offense of the crime  
2 of simple cruelty to ~~an animal~~ animals, the court shall order a psychological  
3 evaluation or anger management treatment. Any costs associated with any  
4 evaluation or treatment ordered by the court shall be borne by the ~~defendant~~  
5 offender.

6 \* \* \*

7 B.(1) ~~Any person who~~ Aggravated cruelty to animals is when a person  
8 intentionally or with criminal negligence ~~tortures, maims, or mutilates any living~~  
9 ~~animal, whether belonging to himself or another, shall be guilty of aggravated cruelty~~  
10 ~~to animals.~~ does any of the following:

11 (a) Tortures, maims, or mutilates any living animal.

12 (2) ~~Any person who tampers~~ (b) Tampers with livestock at a public  
13 livestock exhibition or at a private sale ~~shall also be guilty of aggravated cruelty to~~  
14 ~~animals.~~

15 (3) ~~Any person who causes~~ (c) Causes or procures to be done by ~~any another~~  
16 person any act designated in this Subsection ~~shall also be guilty of aggravated cruelty~~  
17 ~~to animals~~ Paragraph.

18 (4) ~~Any person who intentionally or with criminal negligence mistreats~~  
19 (d) Mistreats any living animal ~~whether belonging to himself or another~~ by any act  
20 or omission which causes or permits unnecessary or unjustifiable physical pain,  
21 suffering, or death to the animal ~~shall also be guilty of aggravated cruelty to animals.~~

22 (e) Having charge, custody, or possession of any animal as either an owner  
23 or otherwise, unjustifiably fails to provide it with proper food, proper water, proper  
24 shelter, or proper veterinary care, which results in the animal's death.

25 (5) (2) In addition to any other penalty imposed for a violation of Paragraph  
26 (1) of this Subsection, the offender shall be ordered to undergo a psychological  
27 evaluation and subsequently recommended psychological treatment and may be  
28 banned by court order from owning or keeping animals for a period of not more than  
29 ten years. Any costs associated with any evaluation or treatment ordered by the  
30 court shall be borne by the ~~defendant~~ offender.

