



- 1           (1) "Animal abuse offense" means any of the following:
- 2           (a) Sexual abuse of an animal as defined in R.S. 14:89.3.
- 3           (b) Cruelty to animals as defined in R.S. 14:102 and 102.1.
- 4           (c) Dogfighting as defined in R.S. 14:102.5.
- 5           (d) Injuring or killing a police animal as defined in R.S. 14:102.8.
- 6           (e) Hog and canine fighting as defined in R.S. 14:102.19.
- 7           (2) "Conviction" means any disposition of charges adverse to the defendant,
- 8           including a plea of guilty, deferred adjudication, adjudication withheld for the
- 9           perpetration of an animal abuse offense. "Conviction" shall not include a decision
- 10           not to prosecute, a dismissal, or an acquittal, except when the acquittal is due to a
- 11           finding of not guilty by reason of insanity and the person was committed. However,
- 12           a dismissal entered after a period of probation, suspension, or deferral of sentence
- 13           shall be included in the definition of "conviction" for purposes of this Part.
- 14           (3) "Disposition" means the formal conclusion of a criminal proceeding at
- 15           whatever stage it occurs in the criminal justice system.
- 16           (4) "Department" means the Department of Agriculture and Forestry.
- 17           (5) "Residence" means a dwelling where the offender regularly resides,
- 18           regardless of the number of days or nights spent there. For those offenders who lack
- 19           a fixed abode or dwelling, "residence" shall include the area or place where the
- 20           offender habitually lives, including but not limited to a rural area with no address or
- 21           a shelter.
- 22           §2522. Registration of animal abuse offenders; requirements; penalties for failure
- 23           to register
- 24           A. Any person who resides in Louisiana and is convicted of any animal
- 25           abuse offense as defined in R.S. 3:2521(1) shall be required to register with the
- 26           department within seven days following either the date of judgment or date of release
- 27           from incarceration, whichever is later. Residents of other states who are convicted
- 28           of an animal abuse crime on or after January 1, 2020, who subsequently reside in
- 29           Louisiana, shall register within their first seven days of residence.

1           B. The offender shall provide all of the following personal information to the  
2           department:

3           (1) Name and any aliases used.

4           (2) Physical address or addresses of residence.

5           (3) Two forms of proof of residence for each residential address provided,  
6           including but not limited to a driver's license, utility service bill, and telephone  
7           service bill. If those forms of proof of residence are not available, the offender may  
8           provide an affidavit of an adult resident living at the same address attesting to the  
9           fact that the offender resides at that residence.

10          (4) The crime for which he was convicted, the date, and place of such  
11          conviction, and if known by the offender, the court in which the conviction was  
12          obtained, the docket number of the case, the specific statute under which he was  
13          convicted, and the sentence imposed.

14          (5) A current photograph.

15          (6) Telephone numbers, including fixed location phone and mobile phone  
16          numbers assigned to the offender or associated with any residence address of the  
17          offender.

18          (7) Social security number and date of birth.

19          C. The offender shall pay a fee of fifty dollars to the department upon initial  
20          registration and annually from the first date of registration. These funds shall be  
21          used to pay the administrative costs of maintaining the registry.

22          D. The offender shall update registration information to reflect any change  
23          in address which may occur, or indicate if no change in address occurs, annually  
24          from the date of their first registration.

25          E. Any offender who fails to register, annually renew and update  
26          information, provide proof of residence or notification of change of address, or  
27          provides false information to the department shall be fined not more than one  
28          thousand dollars, imprisoned for not more than six months, or both.

1        §2523. Louisiana Animal Abuse Registry

2                A. The department shall establish and maintain a central registry of persons  
3        convicted of an animal abuse offense as defined in R.S. 3:2521(1) on or after January  
4        1, 2020. The registry shall be searchable and available to the public.

5                B. The registry shall contain the following personal information for each  
6        offender:

7                    (1) The offender's name.

8                    (2) The offender's residential address.

9                    (3) The date and a description of the crime for which registration is required.

10                  (4) A current photograph.

11                  (5) Any other identifying data the department determines is necessary to  
12        properly identify the offender and exclude innocent persons.

13                C. The registry shall not include the offender's social security number,  
14        driver's license number, or any other state or federal identification number.

15                D. The department shall promulgate and adopt rules and regulations as  
16        necessary to implement the provisions of this Section.

17        §2524. Duration of registration and notification period

18                A person required to register pursuant to the provisions of this Part shall  
19        comply with the requirement for ten years from the date of initial registration for a  
20        first offense and for the duration of the lifetime of the offender for a second or  
21        subsequent offense.

22        §2525. Requirement to check registry; penalties for failure to check

23                A. Prior to the sale or adoption of any animal, all retail pet stores and animal  
24        shelters shall check the registry to determine whether the name and address of any  
25        person seeking to purchase or adopt an animal appears on the registry.

26                B. No retail pet store or animal shelter shall knowingly sell or give an animal  
27        to any person listed on the registry.







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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB 161 Original

2019 Regular Session

Robby Carter

**Abstract:** Creates an animal abuse registry for certain animal abuse offenders and prohibits the offenders from owning an animal while registered.

Present law prohibits a person convicted of sexual abuse of an animal from owning any animal for any length of time deemed appropriate by the court, but not less than five years, in addition to other penalties imposed.

Present law prohibits a person convicted of a second or subsequent offense of simple cruelty to animals or a first offense of aggravated cruelty to animals from owning any animal for a period of time deemed appropriate by the court, in addition to other penalties imposed.

Present law imposes penalties for persons convicted of first offense simple cruelty to animals, dogfighting, injuring or killing a police animal, and hog and canine fighting. The penalties do not include a prohibition on owning an animal.

Proposed law requires any person convicted of any of the following animal abuse offenses to register with the Dept. of Agriculture and Forestry:

- (1) Sexual abuse of an animal.
- (2) Cruelty to animals.
- (3) Dogfighting.
- (4) Injuring or killing a police animal.
- (5) Hog and canine fighting.

Proposed law requires the offender to register for 10 years for a first offense and a lifetime for a second or subsequent offense and prohibits the offender from possessing or owning an animal for the amount of time registration is required.

Proposed law requires the offender to register within seven days of conviction, release from incarceration, or moving to La. if convicted in another state.

Proposed law provides that offenders who fail to comply with registration requirements shall be subject to a fine of not more than \$1,000, imprisonment for not more than six months, or both.

Proposed law requires the Dept. of Agriculture and Forestry to establish a public registry containing the name, address, date and description of the crime, and current photograph of each registered offender.

Proposed law requires retail pet stores and animal shelters to check the registry prior to selling or giving an animal away and prohibits selling or giving an animal to anyone listed on the registry.

Proposed law provides that stores and shelters that violate proposed law shall be subject to the following fines:

- (1) First offense-not more than \$250.
- (2) Second offense-not more than \$500.
- (3) Third or subsequent offense-not more than \$1,000.

(Amends R.S. 14:89.3(D)(2)(b), 102.1(A)(2)(b), (c), and (d) and (B)(5), 102.5(C), and 102.19(F); Adds R.S. 3:2521-2525 and R.S. 14:102.1(A)(2)(e) and 102.8(D)(3))