

1 HB374
2 207817-1
3 By Representative Sorrell
4 RFD: Agriculture and Forestry
5 First Read: 09-FEB-21

SYNOPSIS: Under existing law, a person commits the crime of cruelty to a dog or cat in the second degree if he or she deprives the animal of food or shelter.

This bill would clarify the statutory requirement of a necessary shelter for dogs and cats including a definition of shelter.

A BILL
TO BE ENTITLED
AN ACT

Relating to cruelty to dogs and cats; to amend Section 13A-11-240, Code of Alabama 1975, to include the definition of shelter.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 13A-11-240, Code of Alabama 1975, is amended to read as follows:

"§13A-11-240.

1 "(a) The word "torture" as used in this article
2 shall mean the act of doing physical injury to a dog or cat by
3 the infliction of inhumane treatment or gross physical abuse
4 meant to cause ~~said the~~ animal intensive or prolonged pain or
5 serious physical injury, or thereby causing the death of the
6 dog or cat due to ~~said the~~ act.

7 "(b) The word "cruel" as used in this article shall
8 mean every act, omission, or neglect, including abandonment,
9 where unnecessary or unjustifiable pain or suffering,
10 including abandonment, is caused or where unnecessary pain or
11 suffering is allowed to continue.

12 "(c) The words "dog or cat" as used in this article
13 shall mean any domesticated member of the dog or cat family.

14 (d) The word "shelter" as used in this article shall
15 mean a measure by which a dog or cat regularly maintained
16 outdoors is reasonably protected from the elements, including
17 heat, cold, wind, and water. The measure shall have a roof,
18 sides, and be of a size to allow the animal to enter, turn
19 around, and lie down."

20 Section 2. This act shall become effective
21 immediately following its passage and approval by the
22 Governor, or its otherwise becoming law.