

1 HB518
2 167795-1
3 By Representatives Williams (JW), Wilcox, Wood, Martin
4 and Davis
5 RFD: Judiciary
6 First Read: 21-APR-15

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8 SYNOPSIS: Under existing law, the crime of cruelty to
9 a dog or cat in the first degree is a Class C
10 felony.

11 This bill would create the crime of killing
12 a hunting dog and make the crime a Class C felony.

13 This bill would provide for penalties,
14 suspension of hunting privileges, and payment of
15 restitution.

16 This bill would also provide for the
17 forfeiture of hunting gear and firearms used to
18 commit the violation.

19 Amendment 621 of the Constitution of Alabama
20 of 1901, now appearing as Section 111.05 of the
21 Official Recompilation of the Constitution of
22 Alabama of 1901, as amended, prohibits a general
23 law whose purpose or effect would be to require a
24 new or increased expenditure of local funds from
25 becoming effective with regard to a local
26 governmental entity without enactment by a 2/3 vote
27 unless: it comes within one of a number of

1 specified exceptions; it is approved by the
2 affected entity; or the Legislature appropriates
3 funds, or provides a local source of revenue, to
4 the entity for the purpose.

5 The purpose or effect of this bill would be
6 to require a new or increased expenditure of local
7 funds within the meaning of the amendment. However,
8 the bill does not require approval of a local
9 governmental entity or enactment by a 2/3 vote to
10 become effective because it comes within one of the
11 specified exceptions contained in the amendment.

12
13 A BILL
14 TO BE ENTITLED
15 AN ACT
16

17 Relating to animal cruelty; to create the crime of
18 killing a hunting dog and make the crime a Class C felony; to
19 provide for penalties, suspension of hunting privileges, and
20 payment of restitution; to provide for the forfeiture of
21 hunting gear and firearms used to commit the violation; and in
22 connection therewith would have as its purpose or effect the
23 requirement of a new or increased expenditure of local funds
24 within the meaning of Amendment 621 of the Constitution of
25 Alabama of 1901, now appearing as Section 111.05 of the
26 Official Recompilation of the Constitution of Alabama of 1901,
27 as amended.

1 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

2 Section 1. (a) A person commits the crime of killing
3 a hunting dog if he or she intentionally kills any pure breed
4 or mixed breed of dog developed to assist hunters in finding,
5 retrieving, or killing game.

6 (b) (1) A first violation of subsection (a) is a
7 Class C felony. The violator shall pay a fine of not less than
8 one thousand five hundred dollars (\$1,500), and the violator's
9 hunting privileges shall be suspended for two years from the
10 date of the conviction.

11 (2) A second violation of subsection (a) is a Class
12 C felony. The violator shall pay a fine of not less than three
13 thousand dollars (\$3,000), and the violator's hunting
14 privileges shall be suspended for two years from the date of
15 the conviction.

16 (3) A third violation of subsection (a) is a Class C
17 felony. The violator shall pay a fine of not less than ten
18 thousand dollars (\$10,000), and the violator's hunting
19 privileges shall be permanently revoked.

20 (c) In addition to any other fine or penalty imposed
21 under this section or by other law, the court shall require a
22 person in violation of subsection (a) to pay restitution to
23 the dog's owner for the value of the dog. Failure to pay
24 restitution costs will result in the revocation or denial of a
25 hunting or fishing license, tag, or permit.

26 (d) A person in violation of subsection (a) shall
27 forfeit to the Department of Conservation and Natural

1 Resources all hunting gear, including firearms, used to commit
2 the violation.

3 Section 2. Although this bill would have as its
4 purpose or effect the requirement of a new or increased
5 expenditure of local funds, the bill is excluded from further
6 requirements and application under Amendment 621, now
7 appearing as Section 111.05 of the Official Recompilation of
8 the Constitution of Alabama of 1901, as amended, because the
9 bill defines a new crime or amends the definition of an
10 existing crime.

11 Section 3. This act shall become effective on the
12 first day of the third month following its passage and
13 approval by the Governor, or its otherwise becoming law.