

2017 -- H 5728

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LC001884
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2017

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A N A C T

RELATING TO ANIMALS AND ANIMAL HUSBANDRY – CRUELTY TO ANIMALS

Introduced By: Representatives Shekarchi, Serpa, Solomon, Ackerman, and Lima

Date Introduced: March 01, 2017

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 4-1-5 of the General Laws in Chapter 4-1 entitled "Cruelty to
2 Animals" is hereby amended to read as follows:

3 **4-1-5. Malicious injury to or killing of animals.**

4 (a) Every person who cuts out the tongue or otherwise dismembers any animal
5 maliciously; or maliciously kills or wounds any animal; or maliciously administers poison to or
6 exposes any poisonous substance with intent that the poison shall be taken or swallowed by any
7 animal; or who maliciously exposes poisoned meat with intent that the poison meat is taken or
8 swallowed by any wild animal, shall be imprisoned not exceeding five (5) years or be fined not
9 exceeding one thousand dollars (\$1,000), and shall, in the case of any animal of another, be liable
10 to the owner of this animal for triple damages, to be recovered by civil action. In addition, any
11 person convicted under this section is required to serve fifty (50) hours of community restitution.
12 The community restitution penalty shall not be suspended or deferred and is mandatory.

13 (b) This section shall not apply to licensed hunters during hunting season or a licensed
14 business killing animals for human consumption.

15 (c) Every person who deliberately harms, dismembers, or maliciously kills any animal
16 during the commission of another crime shall be imprisoned not exceeding five (5) years and
17 every person who unintentionally harms, dismembers or kills any animal during the commission
18 of another crime shall be imprisoned not exceeding two (2) years. The penalties imposed pursuant
19 to this section shall run consecutively to any sentence imposed for the underlying offense.

1 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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1 This act would impose penalties for the deliberate or unintentional harming or killing of
2 any animal during the commission of any crime and any sentence imposed would run
3 consecutively to any sentence imposed for the underlying offense.

4 This act would take effect upon passage.

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