

STATE OF OKLAHOMA

1st Session of the 50th Legislature (2005)

HOUSE BILL 1884

By: Morgan (Fred)

AS INTRODUCED

An Act relating to crimes and punishments; amending 21 O.S. 2001, Section 1686, which relates to abandoned animals; modifying language; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 21 O.S. 2001, Section 1686, is amended to read as follows:

Section 1686. A. Any person owning or having charge or custody of a maimed, diseased, disabled, or infirm animal who abandons ~~said~~ the animal or who allows ~~said~~ the animal to lie in a public street, road, or public place one (1) hour after ~~said~~ the person receives notice by a duly constituted authority that the animal is disabled or dead, upon conviction, shall be guilty of a misdemeanor.

B. Any peace officer, animal control officer, or agent or officer of the Society for the Prevention of Cruelty to Animals or of any humane society duly incorporated for the purpose of the prevention of cruelty to animals may destroy or cause to be destroyed any animal found abandoned and for which no proper care has been given.

C. When any person who is arrested, and who is at the time of such arrest in charge of any animal or of any vehicle drawn by or containing any animal, any peace officer, animal control officer, or agent or officer of ~~said~~ the humane societies may take custody of the animal or of the vehicle and its contents, or deliver the animal or the vehicle and its contents into the possession of the police or

sheriff of the county or place where ~~such~~ the arrest was made, who shall assume the custody thereof. All necessary expenses incurred in taking custody of the animal or of the vehicle and its contents shall be a lien on such property.

D. For the purpose of the provisions of this section and Section 1691 of this title, the term "abandon" means the voluntary relinquishment of an animal with no intention to retain possession and shall include but shall not be limited to vacating a premises and leaving the animal in or at the premises, or failing to feed the animal or allowing it to stray or wander onto private or public property with the intention of surrendering ownership or custody over ~~said~~ the animal.

SECTION 2. This act shall become effective November 1, 2005.

50-1-5670            GRS            12/27/04