COMMITTEE AMENDMENT

HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend SB72 _____
Of the printed Bill

Page _____ Section _____ Lines _____
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Amendment submitted by: Tommy Hardin

Adopted: _____

_____
Reading Clerk

STATE OF OKLAHOMA

2nd Session of the 54th Legislature (2014)

PROPOSED
COMMITTEE SUBSTITUTE
FOR ENGROSSED
SENATE BILL NO. 72 By: Allen of the Senate

and

Hardin of the House

PROPOSED COMMITTEE SUBSTITUTE

An Act relating to crimes and punishments; amending 21 O.S. 2011, Sections 649.1 and 649.2, which relate to crimes against police dog and horse; modifying prohibition of mistreatment of police dog and horse; providing for additional prohibited acts against police dog and horse; increasing fines; increasing limit for imprisonment; providing for exceptions; and providing effective date.

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

SECTION 1. AMENDATORY 21 O.S. 2011, Section 649.1, is amended to read as follows:

Section 649.1 A. No person shall willfully ~~torture~~ strike, torment~~, beat, mutilate, injure, disable~~, administer a nonpoisonous desensitizing substance to, or otherwise mistreat a police dog or police horse owned, or the service of which is employed, by a law

enforcement agency of the state or a political subdivision of the state.

B. No person shall willfully interfere with the lawful performance of any police dog or police horse.

C. Except as provided in subsection D of this section, any person convicted of violating any of the provisions of this section shall be guilty of a misdemeanor, punishable by the imposition of a fine not exceeding Five Hundred Dollars ($500.00), or by imprisonment in the county jail not exceeding one (1) year, or by both such fine and imprisonment.

D. Any person who knowingly and willfully and without lawful cause or justification violates the provisions of this section, during the commission of a misdemeanor or felony, shall be guilty of a felony, punishable by the imposition of a fine not exceeding One Thousand Dollars ($1,000.00), or by imprisonment in the ~~State Penitentiary~~ custody of the Department of Corrections not exceeding two (2) years, or by both such fine and imprisonment.

SECTION 2. AMENDATORY 21 O.S. 2011, Section 649.2, is amended to read as follows:

Section 649.2 A. No person shall willfully kill; beat; torture; injure so as to disfigure or disable; administer poison to; set a booby trap device for the purpose of injury so as to disfigure, disable or kill; or pay or agree to pay bounty for purposes of injury so as to disfigure, disable or kill any police

dog or police horse owned, or the service of which is employed, by a law enforcement agency of the state or a political subdivision of the state.

B. Except as provided in subsection C of this section, any person convicted of violating the provisions of this section is guilty of a misdemeanor punishable by the imposition of a fine not exceeding ~~One Thousand Dollars ($1,000.00)~~ Seven Thousand Five Hundred Dollars ($7,500.00), or by imprisonment in the county jail not exceeding one (1) year, or by both such fine and imprisonment.

C. Any person who knowingly and willfully and without lawful cause or justification violates the provisions of this section, during the commission of a misdemeanor or felony, shall be guilty of a felony, punishable by the imposition of a fine not exceeding ~~One Thousand Dollars ($1,000.00)~~ Seven Thousand Five Hundred Dollars ($7,500.00), or by imprisonment in the ~~State Penitentiary~~ custody of the Department of Corrections not exceeding ~~two (2)~~ five (5) years, or by both such fine and imprisonment.

D. The provisions of this section shall not apply:

1. To a peace officer or veterinarian who terminates the life of a police dog or a police horse for the purpose of relieving the dog or horse of undue pain or suffering; or

2. If a police dog is off duty and is running loose without supervision of a police officer and gets run over by a motor vehicle or is perceived to be a threat to the public.

SECTION 3. This act shall become effective November 1, 2014.

54-2-10330 AMM 02/24/14