

1 STATE OF OKLAHOMA

2 2nd Session of the 54th Legislature (2014)

3 COMMITTEE SUBSTITUTE

4 FOR ENGROSSED

5 SENATE BILL NO. 72

By: Allen of the Senate

and

Hardin of the House

6
7
8
9 COMMITTEE SUBSTITUTE

10 An Act relating to crimes and punishments; amending
11 21 O.S. 2011, Sections 649.1 and 649.2, which relate
12 to crimes against police dog and horse; modifying
13 prohibition of mistreatment of police dog and horse;
14 providing for additional prohibited acts against
15 police dog and horse; increasing fines; increasing
16 limit for imprisonment; providing for exceptions; and
17 providing effective date.

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

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

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

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

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

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

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

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

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

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

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

10 C. Any person who knowingly and willfully and without lawful
11 cause or justification violates the provisions of this section,
12 during the commission of a misdemeanor or felony, shall be guilty of
13 a felony, punishable by the imposition of a fine not exceeding ~~One~~
14 ~~Thousand Dollars (\$1,000.00)~~ Seven Thousand Five Hundred Dollars
15 (\$7,500.00), or by imprisonment in the ~~State Penitentiary~~ custody of
16 the Department of Corrections not exceeding ~~two (2)~~ five (5) years,
17 or by both such fine and imprisonment.

18 D. The provisions of this section shall not apply:

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

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

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

54-2-10429 GRS 02/26/14