

1 STATE OF OKLAHOMA

2 1st Session of the 54th Legislature (2013)

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL 72

By: Allen of the Senate

and

Hardin of the House

8 COMMITTEE SUBSTITUTE

9 [crimes against animals - prohibited acts against a
10 police dog or a police horse - effective date]

11
12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

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

15 Section 649.1. A. No person shall willfully ~~torture~~ strike,
16 ~~torment, beat, mutilate, injure, disable,~~ administer a nonpoisonous
17 desensitizing substance or otherwise mistreat a police dog or police
18 horse owned, or the service of which is employed, by a law
19 enforcement agency of the state or a political subdivision of the
20 state.

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

23 C. Except as provided in subsection D of this section, any
24 person convicted of violating any of the provisions of this section

1 shall be guilty of a misdemeanor, punishable by the imposition of a
2 fine not exceeding Five Hundred Dollars (\$500.00), or by
3 imprisonment in the county jail not exceeding one (1) year, or by
4 both such fine and imprisonment.

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

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

14 Section 649.2. A. No person shall willfully kill, beat,
15 torture, injure so as to disfigure or disable, administer poison to,
16 set a booby trap device for the purpose of injury so as to
17 disfigure, disable or kill, pay or agree to pay bounty for purposes
18 of injury so as to disfigure, disable or kill any police dog or
19 police horse owned, or the service of which is employed, by a law
20 enforcement agency of the state or a political subdivision of the
21 state.

22 B. ~~Except as provided in subsection C of this section, any~~
23 ~~person convicted of violating the provisions of this section is~~
24 ~~guilty of a misdemeanor punishable by the imposition of a fine not~~

1 ~~exceeding One Thousand Dollars (\$1,000.00), or by imprisonment in~~
2 ~~the county jail not exceeding one (1) year, or by both such fine and~~
3 ~~imprisonment.~~

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

13 C. The provisions of this section shall not apply:

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

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

20 SECTION 3. This act shall become effective November 1, 2013.

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