

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                                   STATE OF OKLAHOMA

3                                   2nd Session of the 54th Legislature (2014)

4 COMMITTEE SUBSTITUTE  
5 FOR ENGROSSED  
6 SENATE BILL NO. 72

By: Allen of the Senate

and

Hardin of the House

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10                                   COMMITTEE SUBSTITUTE

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

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

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

22                   Section 649.1 A. No person shall willfully ~~torture~~ strike,  
23 ~~torment, beat, mutilate, injure, disable,~~ administer a nonpoisonous  
24 desensitizing substance to, or otherwise mistreat a police dog or  
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 SECTION 3. This act shall become effective November 1, 2014.

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3 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY, dated 02/26/2014 - DO  
4 PASS, As Amended.  
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