

2024 Regular Session

HOUSE BILL NO. 224

BY REPRESENTATIVE KERNER

CRIME: Prohibits ownership of any animal by a person who has been convicted of cruelty to animals

1 AN ACT

2 To amend and reenact R.S. 14:102.1(A)(2)(a) and (b) and (B)(5) and to enact R.S.  
3 14:102.1(D), relative to the crime of cruelty to animals; to provide for prohibition of  
4 owning or keeping an animal after committing the offense of simple cruelty to  
5 animals or aggravated cruelty to animals; to provide for penalties; and to provide for  
6 related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 14:102.1(A)(2)(a) and (b) and (B)(5) are hereby amended and  
9 reenacted and R.S.14:102.1(D) is hereby enacted to read as follows:

10 §102.1. Cruelty to animals; simple and aggravated

11 A.

12 \* \* \*

13 (2)(a) Whoever commits the crime of simple cruelty to animals shall be fined  
14 not more than one thousand dollars, or imprisoned for not more than six months, or  
15 both. ~~In addition, the~~ The court may also order the offender to pay for any expenses  
16 incurred for the housing of the animal and for medical treatment of the animal,  
17 pursuant to Code of Criminal Procedure Article 883.2. In addition, the court shall  
18 issue an order prohibiting the defendant from owning or keeping animals for a period  
19 of one year.

1 (b) Whoever commits a second or subsequent offense of simple cruelty to  
 2 animals shall be fined not less than five thousand dollars nor more than twenty-five  
 3 thousand dollars or imprisoned, with or without hard labor, for not less than one year  
 4 nor more than ten years, or both. In addition, the court shall issue an order  
 5 prohibiting the defendant from owning or keeping animals for a period of ~~time~~  
 6 ~~deemed appropriate by the court~~ five years for a second offense and ten years for a  
 7 subsequent offense.

8 \* \* \*

9 B.

10 \* \* \*

11 (5) In addition to any other penalty imposed for a violation of this  
 12 Subsection, the offender shall be ordered to undergo a psychological evaluation and  
 13 subsequently recommended psychological treatment and shall be banned by court  
 14 order from owning or keeping animals for a period of ~~time deemed appropriate by~~  
 15 ~~the court~~ ten years and for the remainder of his life for a second offense. Any costs  
 16 associated with any evaluation or treatment ordered by the court shall be borne by  
 17 the defendant.

18 \* \* \*

19 D.(1) Whoever violates a court order that prohibits ownership or keeping of  
 20 animals pursuant to Subsection A of this Section shall be fined not more than one  
 21 thousand dollars, imprisoned for not more than six months, or both.

22 (2) Whoever violates a court order that prohibits the ownership or keeping  
 23 of animals pursuant to Subsection B of this Section shall be fined not more than five  
 24 thousand dollars, imprisoned for not more than one year, or both.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB 224 Original

2024 Regular Session

Kerner

**Abstract:** Prohibits the owning or keeping of an animal for certain periods of time after a conviction for simple cruelty to animals or aggravated cruelty to animals.

Present law provides for the crime of simple cruelty to animals.

Proposed law retains present law.

Present law provides that whoever commits the crime of simple cruelty to animals shall be fined not more than \$100, or imprisoned for not more than six months, or both.

Proposed law retains present law and provides that the court shall also issue an order prohibiting the defendant from owning or keeping animals for a period of one year.

Present law provides that whoever commits a second or subsequent offense of simple cruelty to animals shall be fined not less than \$5,000 nor more than \$25,000 or be imprisoned, with or without hard labor, for not less than one year nor more than 10 years, or both. Further provides that the court shall issue an order prohibiting the defendant from owning or keeping animals for a period of time deemed appropriate by the court.

Proposed law requires the court to prohibit the defendant from owning or keeping animals for a period of five years for a second offense and 10 years for a subsequent offense, rather than for a period of time deemed appropriate by the court.

Present law provides for the crime of aggravated cruelty to animals.

Proposed law retains present law.

Present law provides that in addition to any other penalty imposed for a violation of present law, the offender shall be ordered to undergo a psychological evaluation and subsequently be recommended psychological treatment and shall be banned by court order from owning or keeping animals for a period of time deemed appropriate by the court.

Proposed law requires the court to prohibit the defendant from owning or keeping animals for a period of 10 years and for the remainder of his life for a second offense, rather than for a period of time deemed appropriate by the court.

Proposed law provides that whoever violates a court order that prohibits ownership or keeping of animals after the person has committed the offense of simple cruelty to animals shall be fined not more than \$1,000, imprisoned for not more than six months, or both.

Proposed law provides that whoever violates a court order that prohibits the ownership or keeping of animals after the person has committed the offense of aggravated cruelty to animals shall be fined not more than \$5,000, imprisoned for not more than one year, or both.

(Amends R.S. 14:102.1(A)(2)(a) and (b) and (B)(5); Adds R.S.14:102.1(D))