

1 STATE OF OKLAHOMA

2 1st Session of the 55th Legislature (2015)

3 HOUSE BILL 1770

By: Enns

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5  
6 AS INTRODUCED

7 An Act relating to crimes and punishments; amending  
8 21 O.S. 2011, Section 1685, which relates to cruelty  
9 to animals; providing that confining animals in a  
10 motor vehicle under certain conditions shall be a  
misdemeanor; authorizing certain persons to remove  
11 animal; eliminating liability; and providing an  
12 effective date.

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

14 SECTION 1. AMENDATORY 21 O.S. 2011, Section 1685, is  
15 amended to read as follows:

16 Section 1685. A. Any person who shall willfully or maliciously  
17 torture, destroy or kill, or cruelly beat or injure, maim or  
18 mutilate any animal in subjugation or captivity, whether wild or  
19 tame, and whether belonging to the person or to another, or deprive  
20 any such animal of necessary food, drink, shelter, or veterinary  
21 care to prevent suffering; or who shall cause, procure or permit any  
22 such animal to be so tortured, destroyed or killed, or cruelly  
23 beaten or injured, maimed or mutilated, or deprived of necessary  
24 food, drink, shelter, or veterinary care to prevent suffering; or

1 who shall willfully set on foot, instigate, engage in, or in any way  
2 further any act of cruelty to any animal, or any act tending to  
3 produce such cruelty, shall be guilty of a felony and shall be  
4 punished by imprisonment in the ~~State Penitentiary~~ custody of the  
5 Department of Corrections not exceeding five (5) years, or by  
6 imprisonment in the county jail not exceeding one (1) year, or by a  
7 fine not exceeding Five Thousand Dollars (\$5,000.00). Any animal so  
8 maltreated or abused shall be considered an abused or neglected  
9 animal.

10 B. Any person who shall confine an animal in a motor vehicle or  
11 other enclosed space in which the temperature is either so high or  
12 so low as to cause serious harm to the animal, without proper  
13 ventilation or other protection from such heat or cold, shall be  
14 guilty of a misdemeanor. Any law enforcement officer or agent of a  
15 licensed humane organization may take action necessary to rescue a  
16 confined animal endangered by extreme temperatures, and to remove  
17 the threat of further serious harm. No officer or agent taking  
18 action to remove a confined animal pursuant to this subsection shall  
19 be liable for damage reasonably necessary to rescue the confined  
20 animal.

21 SECTION 2. This act shall become effective November 1, 2015.

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23 55-1-5510 AMM 01/02/15  
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