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H.325

Introduced by Representatives McCormack of Burlington and Bissonnette of
Winooski

Referred to Committee on

Date:

Subject: Crimes; cruelty to animals; bestiality

Statement of purpose of bill as introduced: This bill proposes to prohibit
sexual contact between a person and an animal.

An act relating to prohibiting bestiality

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 13 V.S.A. § 351 is amended to read:

§ 351. DEFINITIONS

As used in this chapter:

(1) “Animal” means all living sentient creatures, not human beings.

* * *

(19) “Sexual contact” means:

(A) any act between a person and animal that involves contact

between the mouth, sex organ, or anus of a person and the mouth, sex organ, or

anus of an animal; or

1 (B) without a bona fide veterinary or animal husbandry purpose, any
2 touching or fondling by a person, either directly or through clothing, of the sex
3 organs or anus of an animal; any transfer or transmission of semen by the
4 person upon any part of the animal; or the insertion, however slight, of any part
5 of a person's body or of any instrument, apparatus, or other object into the
6 vaginal or anal opening of an animal.

7 Sec. 2. 13 V.S.A. § 352 is amended to read:

8 § 352. CRUELTY TO ANIMALS

9 A person commits the crime of cruelty to animals if the person:

10 * * *

11 (11)(A) engages in sexual contact with an animal;

12 (B) possesses, sells, transfers, purchases, or otherwise obtains an
13 animal with the intent that it be used for sexual contact;

14 (C) organizes, promotes, conducts, aids, abets, or participates in as an
15 observer, an act involving any sexual contact with an animal;

16 (D) causes, aids, or abets another person to engage in sexual contact
17 with an animal;

18 (E) permits sexual contact with an animal to be conducted on
19 premises under his or her charge or control; or

20 (F) advertises, offers, or accepts the offer of an animal with the intent
21 that it be subject to sexual contact in this State.

1 (12) forces a child younger than 16 years of age to engage in sexual
2 contact with an animal or engages in sexual contact with an animal in the
3 presence of a child younger than 16 years of age.

4 Sec. 3. 13 V.S.A. § 353 is amended to read:

5 § 353. DEGREE OF OFFENSE; SENTENCING UPON CONVICTION

6 (a) Penalties.

7 (1) Except as provided in subdivision (3) or (4) of this subsection,
8 cruelty to animals under section 352 of this title shall be punishable by a
9 sentence of imprisonment ~~of~~ for not more than one year, or a fine of not more
10 than \$2,000.00, or both. Second and subsequent convictions shall be
11 punishable by a sentence of imprisonment ~~of~~ for not more than two years or a
12 fine of not more than \$5,000.00, or both.

13 (2) Aggravated cruelty under section 352a and a violation of
14 subdivision 352(11) of this title shall be punishable by a sentence of
15 imprisonment of not more than three years or a fine of not more than
16 \$5,000.00, or both. Second and subsequent offenses shall be punishable by a
17 sentence of imprisonment ~~of~~ for not more than five years or a fine of not more
18 than \$7,500.00, or both.

19 (3) An offense committed under subdivision 352(5) ~~or~~, (6), or (12) of
20 this title shall be punishable by a sentence of imprisonment ~~of~~ for not more
21 than five years, or a fine of not more than \$5,000.00, or both.

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Sec. 4. EFFECTIVE DATE

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This act shall take effect on passage.