

HOUSE BILL NO. 155

INTRODUCED BY HARPER, GRADY, RAPP-SVRCEK, MILES,
M. WILLIAMS, GLASER, NATHE, PATTERSON, BERGENE, DARKO,
ELLERD, KADAS, MERCER, EUDAILY, KRUEGER, LORY

IN THE HOUSE

January 11, 1985	Introduced and referred to Committee on Judiciary.
January 15, 1985	Committee recommend bill do pass. Report adopted. Bill printed and placed on members' desks.
January 19, 1985	Second reading, do pass. Considered correctly engrossed.
January 21, 1985	Third reading, passed. Transmitted to Senate.

IN THE SENATE

January 22, 1985	Introduced and referred to Committee on Judiciary.
March 21, 1985	Committee recommend bill be concurrent in as amended. Report adopted.
March 23, 1985	Second reading, concurred in.
March 26, 1985	Third reading, concurred in. Ayes, 47; Noes, 3. Returned to House with amendments.

IN THE HOUSE

March 27, 1985

Received from Senate.

April 2, 1985

Second reading, amendments
concurrent in.

April 3, 1985

Third reading, amendments
concurrent in.

Sent to enrolling.

Reported correctly enrolled.

1 control, or aids or abets any such act;

2 (d) participates in or is knowingly present at such
3 exhibition, fighting, menacing, or injuring of an animal for
4 the purpose of sport, amusement, or gain.

5 (2) A person convicted of violating this section is
6 guilty of a felony and shall be fined an amount not to
7 exceed \$5,000 or imprisoned in the state prison for a term
8 of not less than 1 year or more than 5 years, or both such
9 fine and imprisonment.

10 (3) Nothing in this section prohibits the following:

11 (a) accepted husbandry practices used in the raising
12 of livestock or poultry;

13 (b) the use of animals in the normal and usual course
14 of rodeo events; or

15 (c) the use of dogs in hunting as permitted by law.

16 NEW SECTION. Section 4. Codification instruction.
17 Sections 2 and 3 are intended to be codified as an integral
18 part of Title 45, chapter 8, part 2, and the provisions of
19 Title 45 apply to sections 2 and 3.

-End-

APPROVED BY COMMITTEE ON JUDICIARY

1 HOUSE BILL NO. 155 *Williams*

2 INTRODUCED BY *Hayes* *Davis* *Page* *Davis* *Wiley*

3 *NATHAN* *Kirkpatrick* *Edwards* *Merce* *Adams* *Kranz*

4 A BILL FOR AN ACT ENTITLED: "AN ACT DECLARING IT A FELONY

5 TO KEEP OR TRAIN AN ANIMAL WITH THE INTENT THAT THE ANIMAL

6 BE ENGAGED IN AN EXHIBITION OF FIGHTING WITH ANOTHER ANIMAL,

7 TO ALLOW OR CAUSE AN ANIMAL TO FIGHT ANOTHER ANIMAL, TO

8 PERMIT A VIOLATION OF THIS ACT TO TAKE PLACE, OR TO AID,

9 ABET, OR BE KNOWINGLY PRESENT AT SUCH FIGHTING BETWEEN

10 ANIMALS; PROVIDING PENALTIES; AMENDING SECTION 45-8-211,

11 MCA."

12

13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

14 Section 1. Section 45-8-211, MCA, is amended to read:

15 "45-8-211. Cruelty to animals. (1) A person commits

16 the offense of cruelty to animals if without justification

17 he knowingly or negligently subjects an animal to

18 mistreatment or neglect by:

19 (a) overworking, beating, tormenting, injuring, or

20 killing any animal;

21 (b) carrying any animal in a cruel manner;

22 (c) failing to provide an animal in his custody with

23 proper food, drink, or shelter;

24 (d) abandoning any helpless animal or abandoning any

25 animal on any highway, railroad, or in any other place where

1 it may suffer injury, hunger, or exposure or become a public

2 charge; or

3 (e) promoting, sponsoring, conducting, or

4 participating in a horse race of more than 2 miles or

5 ~~promoting;--sponsoring;--conducting;--or-participating-in-any~~

6 ~~fight-between-any-animals.~~

7 (2) A person convicted of the offense of cruelty to

8 animals shall be fined not to exceed \$500 or be imprisoned

9 in the county jail for a term not to exceed 6 months, or

10 both."

11 NEW SECTION. Section 2. Definition. For purposes of

12 [section 3], "animal" means any cock, bird, dog, or living

13 creature except man.

14 NEW SECTION. Section 3. Causing animals to fight --

15 owners, trainers, and spectators -- penalties -- exception.

16 (1) A person commits the offense of causing animals to

17 fight if he knowingly:

18 (a) owns, possesses, keeps, or trains any animal with

19 the intent that such animal fight or be engaged in an

20 exhibition of fighting with another animal;

21 (b) allows or causes any animal to fight with another

22 animal or causes any animal to menace or injure another

23 animal for the purpose of sport, amusement, or gain;

24 (c) permits any act in violation of subsection (1)(a)

25 or (1)(b) to take place on any premises under his charge or



1 control, or aids or abets any such act;

2 (d) participates in or is knowingly present at such
3 exhibition, fighting, menacing, or injuring of an animal for
4 the purpose of sport, amusement, or gain.

5 (2) A person convicted of violating this section is
6 guilty of a felony and shall be fined an amount not to
7 exceed \$5,000 or imprisoned in the state prison for a term
8 of not less than 1 year or more than 5 years, or both such
9 fine and imprisonment.

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SENATE STANDING COMMITTEE REPORT

Page 1 of 2

March 21 19 85

March 21 19 85

MR. PRESIDENT

We, your committee on JUDICIARY

having had under consideration HOUSE BILL No. 155

third reading copy (blue color)

(Senator Pinsonneault)

DECLARES A FELONY TO CAUSE OR ALLOW THE FIGHTING OF ANIMALS FOR SPORT

Respectfully report as follows: That HOUSE BILL No. 155

be amended as follows:

- 1. Page 2, lines 12 and 13. Following: "or" on line 12 Strike: remainder of line 12 through "creature" on line 13 Insert: "mammal"
2. Page 2, line 17. Following: "he" Strike: "knowingly"
3. Page 2, line 24. Following: (c) Insert: "knowingly"
4. Page 3, line 2. Following: "in" Strike: "or is knowingly present at such" Insert: "any"

Page 2 of 2

HOUSE BILL NO. 155

- 5. Page 3, line 3. Following: "exhibition" Strike: ", fighting, menacing, or injuring of an animal" Insert: "in which animals are fighting"
6. Page 3, line 15. Following: "of" Strike: "dogs" Insert: "animals" Following: "hunting" Insert: "and training"

DELETED

DELETED

continued Senator Joe Mazurek Chairman

KB

AND AS AMENDED

BE CONCURRED IN

Senator Joe Mazurek, Chairman

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killing any animal;

(b) carrying any animal in a cruel manner;

(c) failing to provide an animal in his custody with
proper food, drink, or shelter;

(d) abandoning any helpless animal or abandoning any
animal on any highway, railroad, or in any other place where
it may suffer injury, hunger, or exposure or become a public
charge; or

(e) promoting, sponsoring, conducting, or
participating in a horse race of more than 2 miles or
~~promoting, sponsoring, conducting, or participating in any
fight between any animals.~~

(2) A person convicted of the offense of cruelty to
animals shall be fined not to exceed \$500 or be imprisoned
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if he ~~knowingly~~:

(a) owns, possesses, keeps, or trains any animal with
the intent that such animal fight or be engaged in an
exhibition of fighting with another animal;

(b) allows or causes any animal to fight with another
animal or causes any animal to menace or injure another
animal for the purpose of sport, amusement, or gain;



1 (c) KNOWINGLY permits any act in violation of
2 subsection (1)(a) or (1)(b) to take place on any premises
3 under his charge or control, or aids or abets any such act;

4 (d) participates in ~~or-is-knowingly-present-at-such~~
5 ANY exhibition, fighting, menacing, or injuring of an animal
6 IN WHICH ANIMALS ARE FIGHTING for the purpose of sport,
7 amusement, or gain.

8 (2) A person convicted of violating this section is
9 guilty of a felony and shall be fined an amount not to
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19 permitted by law.

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