

SENATE BILL NO. 157

INTRODUCED BY LYBECK, HOLLIDAY, MANUEL, KOEHNKE, KOLSTAD,  
MANNING, BRANDEWIE, CONNELLY, SCHULTZ, HARP, NEUMAN,  
MENAHAN, IVERSON, C. SMITH, JONES, FARRELL, TVEIT, MOHAR,  
BENGTSON, LANE, HIRSCH, CONOVER, HARDING, STORY, B. BROWN

IN THE SENATE

January 18, 1985	Referred to Committee on Agriculture, Livestock and Irrigation.
January 23, 1985	Committee recommend bill do pass. Report adopted.
January 24, 1985	Bill printed and placed on members' desks.
January 25, 1985	Second reading, do pass.
January 26, 1985	Considered correctly engrossed.
January 28, 1985	Third reading, passed. Ayes, 39; Noes, 10.  Transmitted to House.

IN THE HOUSE

January 29, 1985	Introduced and referred to Committee on Agriculture, Livestock and Irrigation.
March 7, 1985	Committee recommend bill do pass as amended. Report adopted.
March 9, 1985	Second reading, concurred in.
March 12, 1985	Third reading, concurred in.  Returned to Senate with amendments.

IN THE SENATE

March 12, 1985

Received from House.

March 14, 1985

Second reading, amendments  
concurrent in.

March 16, 1985

Third reading, amendments  
concurrent in. Ayes, 46; Noes, 1.

Sent to enrolling.

Reported correctly enrolled.

*Senate* BILL NO. *157*

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

INTRODUCED BY *Lyle Hickey Manuel Zabala Kestel*  
*Richard Manning Connelly HARP Menehan Duce*  
*Orlando Adams*

A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING THE *Spitz*  
FORFEITURE OF AN ANIMAL BY AN OWNER CONVICTED OF MISTREATING *From*  
OR NEGLECTING IT; ALLOWING THE IMPOSITION OF REASONABLE *Tree*  
VETERINARY FEES; AMENDING SECTION 45-8-211, MCA." *McKen Bengta*  
*LADN*

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: *Hirsch*  
Section 1. Section 45-8-211, MCA, is amended to read: *Conroy*  
"45-8-211. Cruelty to animals. (1) A person commits *the*  
the offense of cruelty to animals if without justification, *store*  
he knowingly or negligently subjects an animal to *Bob Brown*  
mistreatment or neglect by:

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

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12

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 in the county jail for a term not to exceed 6 months, or both. If such person is the owner, he may be required to forfeit to the county in which he is convicted any animal affected.

(3) In addition to the sentence provided in subsection (2), the court may require the defendant to pay all reasonable costs incurred in providing necessary veterinary attention and treatment for any animal affected.

-End-



APPROVED BY COMMITTEE  
ON AGRICULTURE LIVESTOCK  
AND IRRIGATION

*Senate* BILL NO. 157

INTRODUCED BY *Tyler Hocking, Manuel Salas, Richard E. Manning, Corneally, HARF, Menchen, Dieren*

A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING THE FORFEITURE OF AN ANIMAL BY AN OWNER CONVICTED OF MISTREATING OR NEGLECTING IT; ALLOWING THE IMPOSITION OF REASONABLE VETERINARY FEES; AMENDING SECTION 45-8-211, MCA." *McKa, Bengt, LANN, Hirsch, Connor, Steve, Bob Brown*

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

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

"45-8-211. Cruelty to animals. (1) A person commits the offense of cruelty to animals if without justification he knowingly or negligently subjects an animal to mistreatment or neglect by:

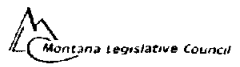
- (a) overworking, beating, tormenting, injuring, or killing any animal;
- (b) carrying any animal in a cruel manner;
- (c) failing to provide an animal in his custody with proper food, drink, or shelter;
- (d) abandoning any helpless animal or abandoning any animal on any highway, railroad, or in any 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

1 promoting, sponsoring, conducting, or participating in any  
2 fight between any animals.

3 (2) A person convicted of the offense of cruelty to  
4 animals shall be fined not to exceed \$500 or be imprisoned  
5 in the county jail for a term not to exceed 6 months, or  
6 both. If such person is the owner, he may be required to  
7 forfeit to the county in which he is convicted any animal  
8 affected.

9 (3) In addition to the sentence provided in subsection  
10 (2), the court may require the defendant to pay all  
11 reasonable costs incurred in providing necessary veterinary  
12 attention and treatment for any animal affected."

-End-



*Senate* BILL NO. 157

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

INTRODUCED BY *Lyle Hocking Manuel LeBaron Kelstad*  
*Richard Manning Connolly HARP Menehan Deane*  
*Orlando J. Deane*

A BILL FOR AN ACT ENTITLED: *AN ACT* AUTHORIZING THE *Spinth*  
FORFEITURE OF AN ANIMAL BY AN OWNER CONVICTED OF MISTREATING *Fanny*  
OR NEGLECTING IT; ALLOWING THE IMPOSITION OF REASONABLE *Tried*  
VETERINARY FEES; AMENDING SECTION 45-8-211, MCA. "*McKa Bengtas*

**LANE**

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: *Kirsch*

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

"45-8-211. Cruelty to animals. (1) A person commits *Stacy*  
the offense of cruelty to animals if without justification *Bob Brown*  
he knowingly or negligently subjects an animal to  
mistreatment or neglect by:

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

1 promoting, sponsoring, conducting, or participating in any  
2 fight between any animals.

3 (2) A person convicted of the offense of cruelty to  
4 animals shall be fined not to exceed \$500 or be imprisoned  
5 in the county jail for a term not to exceed 6 months, or  
6 both. If such person is the owner, he may be required to  
7 forfeit to the county in which he is convicted any animal  
8 affected.

9 (3) In addition to the sentence provided in subsection  
10 (2), the court may require the defendant to pay all  
11 reasonable costs incurred in providing necessary veterinary  
12 attention and treatment for any animal affected."

-End-



THIRD READING  
SB 157

HOUSE  
STANDING COMMITTEE REPORT

March 6

19 85

MR. Speaker

We, your committee on Agriculture

having had under consideration Senate

Bill No. 157

Third reading copy ( Blue color )

AUTHORIZES FORFEITURE OF ABUSED ANIMALS

Respectfully report as follows: That Senate

Bill No. 157

BE AMENDED AS FOLLOWS:

1. Page 2, line 8.

Following: "affected."

Insert: "This provision does not affect the interest of any secured party or other person who has not participated in the offense."

KMC

AND AS AMENDED,  
BE CONCURRED IN

EXPRESS

7/2/6

James M. Schultz  
JAMES SCHULTZ

Chairman.

## 1 SENATE BILL NO. 157

2 INTRODUCED BY LYBECK, HOLLIDAY, MANUEL, KOEHNKE, KOLSTAD,  
3 MANNING, BRANDEWIE, CONNELLY, SCHULTZ, HARP, NEUMAN,  
4 MENAHAN, IVERSON, C. SMITH, JONES, FARRELL, TVEIT, MOHAR,  
5 BENGTSO, LANE, HIRSCH, CONOVER, HARDING, STORY, B. BROWN

6  
7 A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING THE  
8 FORFEITURE OF AN ANIMAL BY AN OWNER CONVICTED OF MISTREATING  
9 OR NEGLECTING IT; ALLOWING THE IMPOSITION OF REASONABLE  
10 VETERINARY FEES; AMENDING SECTION 45-8-211, MCA."

11  
12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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

14 "45-8-211. Cruelty to animals. (1) A person commits  
15 the offense of cruelty to animals if without justification  
16 he knowingly or negligently subjects an animal to  
17 mistreatment or neglect by:

18 (a) overworking, beating, tormenting, injuring, or  
19 killing any animal;

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

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

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

1 charge; or

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

6 (2) A person convicted of the offense of cruelty to  
7 animals shall be fined not to exceed \$500 or be imprisoned  
8 in the county jail for a term not to exceed 6 months, or  
9 both. If such person is the owner, he may be required to  
10 forfeit to the county in which he is convicted any animal  
11 affected. THIS PROVISION DOES NOT AFFECT THE INTEREST OF ANY  
12 SECURED PARTY OR OTHER PERSON WHO HAS NOT PARTICIPATED IN  
13 THE OFFENSE.

14 (3) In addition to the sentence provided in subsection  
15 (2), the court may require the defendant to pay all  
16 reasonable costs incurred in providing necessary veterinary  
17 attention and treatment for any animal affected."

-End-