

Fact Sheet

STATE ANIMAL CRUELTY PROVISIONS

Updated May 2009

Forty-six states, the District of Columbia, Puerto Rico and the Virgin Islands have laws making certain types of animal cruelty a felony offense.

State	Statute Number Of cruelty Law	Felony	Classification of crime/ Maximum level of penalty	Maximum Fine	Maximum Jail time	Psychological Counseling	Cross Reporting of animal cruelty	Year enacted into a felony	Other significant circumstances or penalties.
Alabama	§ 13A-11-241	YES	Class C felony on the first offense (cruelty in the first degree).	\$5,000	10 years			2000	"Cruelty to a Dog or a Cat" - only felony
	§ 13A-11-14	No	Class B misdemeanor						All other animals
Alaska	§ 11.61.140	YES	Class C felony on the third offense.	\$50,000	5 years			2008	All animals; may prohibit ownership of animals for up to 10 years.
Arizona	§ 13-2910	YES	Class 6 felony on the first offense.	\$150,000	1 year			1999	All animals Cruel neglect or abandonment resulting in serious physical injury or cruel mistreatment is a felony.
Arkansas	§ 5-62-102	YES	Class D felony on the first offense	\$10,000	6 years	May order		2009	Felony includes dogs, cats, horses; misd. includes all animals
California	Cal. Penal Code § 597	YES	Felony can apply on first conviction.	\$20,000	1-3 years	Mandatory	May Report	1988	All animals



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Colorado	§ 18-9-202	YES	Aggravated cruelty is a class 5 felony and any subsequent offense would be a class 4 felony.	Minimum \$1,000 Maximum \$500,000	Class 5: Min. 1 year, Max. 3 years. Class 4: Min. 2 years, Max. 6 years.	May order an evaluation or anger management treatment on the 1 st offense. <i>Shall</i> order on the 2 nd offense.		2002	Felony includes all animals; Details of the felony and punishment can be found at: & §18-1-105 a person convicted of an animal cruelty or aggravated animal cruelty offense is prohibited from owning an animal after the conviction
Connecticut	§ 53-247	YES		\$5,000	5 years	May order animal cruelty prevention or counseling & education program.		1996	Felony applies to All animals;
Delaware	11 Del. C. § 1325	YES	Class F felony	\$5,000	3 years			1994	Felony applies to all animals Cruelty to animals; class A misd; class F felony; With felony conviction, may not own animals for 15 yrs.
District of Columbia	D.C. Code § 22-1001	YES	Felony	\$25,000	5 years			2001	Felony applies to all animals, except: rats, bats or snakes
Florida	§ 828.12	YES	Felony of the third degree	\$10,000	5 years	Psychological counseling/anger management treatment is	May Report	1989	Felony applies to all animals; Defendants found guilty of "intentional" cruelty



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						mandatory for acts of intentional torture/torment.			must pay a minimum fine of \$2,500.
Georgia	§ 16-12-4 (b) and (c)	No	First offense – misdemeanor	\$1,000 (up to)	Up to 1 year	Sentencing judge may require psychological evaluation and shall consider the entire criminal record of the offender.		2000	Causing death or unjustifiable physical pain or suffering to any animal, by act omission or willful neglect.
			Second offense - misdemeanor for unjustifiable pain/suffering	\$5,000 (up to)	Up to 1 year				
			Second offense of causing death is a high aggravated misdemeanor	\$10,000 (up to)	3 months to 1 year.				
		YES	First offense	\$15,000	1-5 years.				
			Second offense	\$100,000				Felony applies to all animals; causing death or rendering part of the animal useless or disfiguring the animal.	
Hawaii	§ 711-1109	YES	Class C Felony	\$10,000	5 years			2007	Felony only applies to dog, cat, horse, rabbit, so long as not bred for consumption, guinea pig, domestic rat or mouse, or caged bird
Idaho	§ 25-304 Penalties § 25-3520A Definitions: § 25-3502	No	3 stages of misdemeanor	\$5,000 - \$9,000	6 months to 1 year				No felony Applies to all animals; Exception for Poisoning – jail: state max of 3 years, county max of 1 year. Max fine of \$5,000.
Illinois	510 § 3.02; 510	YES	Class 3 felony for torture on 1 st offense.	\$50,000	3-5 years 1-3 years	May order; Shall order for juveniles		1999	Felony applies to torture of any/all



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	§§ 70/4.01, 70/16		Class 4 felony for aggravated cruelty						animals. Convicted or anyone residing in the same household may not adopt any forfeited animals.
Indiana	§ 35-46-3-12	YES	Class D felony on the first conviction or torture or mutilation.	\$10,000	3 years	Mandatory evaluation and treatment		1998 In 2002 felony on the first.	Felony applies to all animals. A person who knowingly or intentionally beats a vertebrate animal commits cruelty to an animal, a Class A misdemeanor. 35-50-2-7 Fixed term 1 ½ years, with not more than 1 1/2 years added for aggravating circumstances or not more than 1 yr subtracted for mitigating circumstances.
Iowa	§§ 717B.3A, 717B.1, 717B.2	YES	Second offense committed is a Class D felony	\$7,500	5 years	Shall order		2000	Felony applies to "injury to animals other than livestock and does not apply to any game, fur-bearing animal, fish, reptile, or amphibian. Injury to an animal belonging to another person.



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									Animal abuse is an aggravated misdemeanor.
Kansas	§ 21-4310, Amended by S.B. 408 (2006)	YES	First offense is a non-Person felony	\$500 - \$5000	30 days to 1 year	Evaluation is mandated		2006	Intentionally and maliciously killing, injuring, maiming, torturing, burning or mutilating any animal
Kentucky	§§ 525.135, 525.130 class A mis.	YES	First offense of a Class D felony.	\$1000 -\$10,000 \$500 – for misdemeanor	1-5 years for felony 1 year – for misdemeanor			2003 – 2 nd offense; 2008- 1 st offense	Felony applies to torture of a dog or a cat, only.
Louisiana	La. R.S. § 14:102.1 (2004)	YES		\$25,000	10 years		YES	1995	Felony applies to all animals except chickens; Community service shall be ordered for the misdemeanor offenses and a fine of up to \$1,000.
Maine	§7 –4011 Civil	No	If two or more convictions of civil or criminal animal cruelty charges a felony or max fine is charged.	\$5,000	Not ordered in Civil prosecution	Shall order if JV May order for all others		2001	Felony applies to all animals; If someone kills or tortures an animal to frighten or intimidate a person or forces a person to injure or kill an animal they are guild of a Class D crime. If convicted the court shall prohibit the defendant from owning
	§17-1031 Criminal	YES	Felony penalty for the first violation of aggravated animal cruelty	\$10,000	5 years				



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									or having animals on their property permanently.
Massachusetts	272 §77 and 266 §112	YES	First conviction is a felony.	\$2,500	5 years in a the state prison or 2 ½ in the house of correction		May Report	1804 increased penalties in 2004	Felony applies to all animals; felony if time is served in the state prison.
Maryland	Criminal Law, § 10-606	YES	First conviction of aggravated cruelty is a felony	\$5,000	3 years	May order		2001	Felony covers all animals; 2002 court case - man was also ordered to not own any dogs in the future.
Michigan	750 §50b	YES	Felony	\$5,000	4 years	May order		1931	Felony applies to all animals; May also order up to 500 hours community service. And the defendant not to own or possess animals for a period of time not to exceed the period of probation..... a second conviction the court may order the defendant to permanently relinquish animal ownership.
Minnesota	§ 343.21	YES	Felony	10,000	2 years	May order		2001	Felony only on cruelty to a pet. Court may limit the possession of



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									pets or probation w/no control of a pet.
Mississippi	§97-41-16	No		\$1,000	6 months				No felony 97-41-1 was found unconstitutionally vague; it lacked words of intent 2006 law to now include cats in misdemeanor code.
	§ 97-41-1	No		\$1,000	6 months				97-41-16 - Kill, maim or wound a dog.
	§ 97-41-15	NO- for Livestock only	Special - Felony for livestock (does not include companion animals or wildlife) \$500	\$1500 - \$10,000	12 months – 5 years				97-41-15 - Maliciously, mischievously kills maim or wound, injure any livestock – felony – penalties to the left §97-41-23 - Kill or injure a public service animal – felony - \$5,000 and/or up to 5 years in jail.
Missouri	§578.012	YES	Class D felony (first offence of torture or mutilation)	\$5,000	5 years			1994	Applies to all animals; Animal abuse is a class A misdemeanor but the 2 nd offense is a felony.
Montana	§ 45-8-217	YES	First offense of aggravated cruelty is a felony	Up to \$2,500	2 years (Dept. of			1993	Felony applies to all animals; Deliberate



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					corrections)				cruelty; court may prohibit ownership of animals for any period of time. Misdemeanor: MCA § 45-8-211 \$1,000 and 2 years in Dept. of Corrections.
Nebraska	§28-1009	YES	The first conviction of torture, beating or mutilation is a IV degree felony	\$10,000	5 years		YES	2002- 2 nd offense, 2003 – 1 st offense	Applies to all animals in captivity. Lesser offense: Class I misdemeanor for second offense of abandonment or cruel neglect.
Nevada	§574.100	YES	The third offense committed is a felony	\$10,000	5 years	Mandatory for juveniles		1999	Applies to all animals, specific exemptions for rodeo and ranching.
New Hampshire	RSA 644:8	YES	First offense of beating or torturing	\$4,000	7 years			1994	Felony applies to all animals; 2 nd offense of certain acts is a felony. Court may also prohibit future ownership of other animals for any period or impose other restrictions.
New Jersey	§4:22 – 17	YES	Crime of the fourth degree on the first offense (felony equivalent)	\$15,000	3-5 years	Shall order juveniles for certain animal cruelty offenses		2001	Felony applies to all animals; A second offense is a crime of the third degree,. The court may also sentence the convicted



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									to community service and bonding requirements.
New Mexico	§30-18-1	YES	"Extreme cruelty to animals" is a felony in the first offense Fourth offense committed of "cruelty to animals" is a felony	\$5,000	18 months	May order Shall order for JV's.		1999	Felony applies to all animals; Court may order an animal cruelty prevention program.
New York	353-a 55.10 penal law	YES	Aggravated cruelty to a companion animal is a Class E felony	\$5,000 (\$80)	4 years (\$70)			1999	Felony only applies to dogs, cats, and companion animals.
North Carolina	§14-360	YES	First offense of cruelly beating, mutilating, torturing, poisoning of killing any animal is a Class I felony	\$1,000	6 months			1998	Felony applies to all animals; Basic animal cruelty is a class 1 misdemeanor. It is a class 1 misdemeanor to instigate or promote animal cruelty.
North Dakota	§ 36-21.1-02	No	Class A misdemeanor	\$2,000	1 year				No felony Misdemeanor law only;
Ohio	§ 959.13	YES	Second offense committed is a 5 th degree felony	\$2000	1 year	May order		2002	Felony only applies to companion animals and on the 2 nd offense. First offense is a class 1 misdemeanor, with a maximum 6 months in jail and a \$1000 fine. "Harassing a service dog or police dog" is a felony of the 3 rd degree



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	§ 959.02	No	1 st degree misdemeanor	\$1,000	180 days				and the offender must pay vet, replacement, and training costs. 1 st degree is ordered for "injuring" an animal whose value is over \$300. This applies to the property of another.
Oklahoma	§ 21- 1685	YES	Felony on first offense committed	\$5,000	5 years in State jail, 1 year in a county jail			1887	Felony applies to all animals; Aggravated animal abuse in the 1 st degree.
Oregon	§167.322	YES	Class C felony on the first offense	\$100,000	5 years	May order		1995	Felony applies to all animals;
Pennsylvania	§ 18-5511	YES	The second offense committed on a dog or cat is a felony of the 3 rd degree. First offense committed on a zoo animal is a felony of the 3 rd degree	\$15,000	7 years	May order (the court may order a presentence mental evaluation)		1995	Felony only applies to zoo animals (1 st offense) and dogs and cats (on the 2 nd offense) based on deliberate cruelty. First offense is a misdemeanor of the 1 st degree. 18-1103 - sentencing
Rhode Island	§ 4-1-3	YES	First offense committed is a felony	\$1,000	2 years	§4-1-36 - May order an evaluation		1896	Felony applies to all animals; Any penalty of over 1 year in jail or a fine of over \$1000 is a felony. (law does not specify the word "felony")



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	§ 4-1-4	YES		\$1,000					Dismembering any animal maliciously or killing any animal or poisoning any animal. 10 hours of community restitution.
South Carolina	§ 47-1-40	YES	First offense is a felony	\$5,000	5 years			2000	Felony applies to all animals;
South Dakota	§ 40-1-21 § 40-1-27	No No	Class 1 misdemeanor	\$1,000	1 year				No felony 40-1-21 killing the animal of another. 40-1-27 treating one's own animal inhumanely 406. 22-22-42 Bestiality Class 6 felony, 2 nd offense is a Class 5 felony. Several other statutes w/no penalties mentioned: 40-1-2.2 unjustifiable or unreasonable physical pain or suffering is caused. 40-1-2.4 40-1-20. Poisoning



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									animal of another.
Tennessee	§ 39-14-202 § 39-14-212	YES	First offense of aggravated cruelty is a felony		9 month minimum (mandatory) no suspended sentence or probation until 9 months are served.	Shall order	YES	2001 2002 Felony on the 1 st offense was passed in 2004	First offense of aggravated cruelty to a pet is a felony. Includes failure to provide food/water with a substantial risk of death or death. Court may order forfeiture of companion animals, and limit ownership in the future.
Texas	Sec. 42.09 Sec. 12.21 Sec. 12.35	YES	Felony of the 3 rd degree if the person has been convicted two times prior. The first offence is a lesser felony.	\$10,000	2 years	Mandatory for juveniles		1997	All animals that are your own; State Jail felony on the first offense of most egregious, 3 rd degree felony on second. It is not illegal to kill one's own animal, no matter how cruelly or by what means. Separate section for livestock animals including horses.
Utah	§ 76-9-301	YES	Third degree felony	\$5,000	5 years	Mandatory for juveniles		2008	Felony for torture of a dog or cat; misdemeanor applies to all animals; The court may order the defendant to no longer



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									possess or retain custody of any animal during the period of probation, parole or other.
Vermont	13 VSA § 352	YES	First act of cruelty committed is a felony	\$7500	5 years	May order		1998 improved 2004	Felony applies to acts of aggravated cruelty to all animals; any sentence less than 2 years is a misdemeanor. Defendant may have forfeited the right to ever own animals again.
Virginia	§ 3.1-796.122	YES	First offense committed is a felony	\$2500	5 years	May order		1999 – felony Upgraded in 2002.	Dog or cat for felony on the first offense. All other animals if 2 nd offense. The animal must die as a result of his/her injuries for the felony to apply. Any person convicted of violating this section may be prohibited from possession or ownership of companion animals.
Washington	§ 16.52.205	YES	First offense committed is a class C felony	\$10,000	5 years	May order		1994	Felony applies to all animals
West Virginia	§ 61-8-19	YES	First offense committed is a felony	\$1000 - \$5000	5 years	Shall order an evaluation	YES	2003	All animals included in felony; §61-8-19 - a court shall prohibit



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									convicted from owning or residing with any animal for 5 yrs (if mis) and 15 yrs (for a felony). For a misdemeanor the max fine is \$2000 and 1 year. Cross reporting required.
	For livestock §61-3-27	YES	Felony only applies to animals with "value" over \$100						Felony if the animal's value is over \$100, but does not include dogs.
Wisconsin	§ 951.18 (2004) §951.02 – mistreating	YES	Felony	\$10,000	5 years			1986	Felony applies to all animals; aggravated cruelty, mutilating or animal fighting. A court may order that the violator may not own, possess or train any animal or species for up to five years. If someone intentionally injures a service dog or allows his/her dog to injure a service dog, he/she is guilty of a Class I felony. If someone intentionally causes the death of a service



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									dog or takes possession of a service dog without consent of the owner, he/she is guilty of a Class H felony. (S.B. 181 (2006))
Wyoming	§ 6-3-203	YES	Felony	5,000	2 years			2003	Felony applies to all animals; court may prohibit or limit the defendant's ownership, possession or custody of animals.
Puerto Rico	Law 439 Amends 67		Grave Offense in the 4 th degree					2004	Animal abuse is a felony offense.
Virgin Islands	§ 181	YES	Felony	2,000-5,000	2 years			2005	Applies to any non-human mammal, except for "pests," can be banned from having custody of an animal for up to 20 years.



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