



Senate

General Assembly

File No. 605

January Session, 2015

Senate Bill No. 361

Senate, April 13, 2015

The Committee on Environment reported through SEN. KENNEDY of the 12th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT INCREASING THE MAXIMUM PENALTY FOR PERSONS CONVICTED OF MALICIOUS AND INTENTIONAL ANIMAL CRUELTY.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (b) of section 53-247 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2015*):

4 (b) Any person who maliciously and intentionally maims, mutilates,
5 tortures, wounds or kills an animal shall, for a first offense, be [guilty
6 of a class D felony] imprisoned not more than seven years or fined not
7 more than five thousand dollars, or both, and, for any subsequent
8 offense, be guilty of a class C felony. The provisions of this subsection
9 shall not apply to any licensed veterinarian while following accepted
10 standards of practice of the profession or to any person while
11 following approved methods of slaughter under section 22-272a, while
12 performing medical research as an employee of, student in or person
13 associated with any hospital, educational institution or laboratory,
14 while following generally accepted agricultural practices or while

15 lawfully engaged in the taking of wildlife.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2015</i>	53-247(b)

ENV *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 16 \$	FY 17 \$
Resources of the General Fund	GF - Potential Revenue Gain	See Below	See Below
Correction, Dept.; Judicial Dept. (Probation)	GF - Potential Cost	See Below	See Below

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill results in a potential revenue gain by increasing the fine for subsequent offences of malicious and intentional animal cruelty or killing and results in a potential cost by increasing the penalty for subsequent offenses. However, in FY 13 and FY 14 no charges resulted in fine revenue.

The bill results in a potential cost by increasing the maximum prison time for a first offense to seven years (currently 5 years) and by changing subsequent offenses from a class D felony to a class C felony. To the extent that offenders are prosecuted for new or expanded offenses under this bill, potential costs for incarceration or probation supervision in the community, or judicial revenue would result. On average, it costs the agency \$6,050 (including benefits) to supervise an inmate in the community as opposed to \$50,690 (including benefits) to incarcerate an offender. Currently there are three offenders incarcerated for violation of the current statute.

The Out Years

The annualized ongoing fiscal impact identified above would

continue into the future subject to inflation.

Sources: *Department of Correction, Summary of Offenders by Controlling Offense, as of 1/1/2015*
Judicial Department Offenses and Revenue Database

OLR Bill Analysis**SB 361*****AN ACT INCREASING THE MAXIMUM PENALTY FOR PERSONS CONVICTED OF MALICIOUS AND INTENTIONAL ANIMAL CRUELTY.*****SUMMARY:**

This bill increases the penalty for maliciously and intentionally maiming, mutilating, torturing, wounding, or killing an animal. Under the bill, a first offense is punishable by up to seven years in prison, a fine of up to \$5,000, or both. A subsequent offense is a class C felony, punishable by one to 10 years in prison, a fine of up to \$10,000, or both. Under current law, any violation is a class D felony, punishable by up to five years in prison, a fine of up to \$5,000, or both.

Existing law, unchanged by the bill, exempts from this provision anyone who is:

1. a licensed veterinarian following accepted standards of practice;
2. following statutorily approved methods of slaughter;
3. performing medical research as an employee, student, or person associated with a hospital, educational institution, or laboratory;
4. following generally accepted agricultural practices; or
5. lawfully taking wildlife.

EFFECTIVE DATE: October 1, 2015

COMMITTEE ACTION

Environment Committee

Joint Favorable

Yea 20 Nay 9 (03/25/2015)