



Senate

General Assembly

File No. 88

January Session, 2021

Senate Bill No. 123

Senate, March 18, 2021

The Committee on Public Safety and Security reported through SEN. BRADLEY of the 23rd Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT INCREASING THE PENALTY FOR THE INTENTIONAL INJURY OF A POLICE ANIMAL OR DOG IN A VOLUNTEER CANINE SEARCH AND RESCUE TEAM.

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

1 Section 1. Section 53-247 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2021*):

3 (a) Any person who (1) overdrives, drives when overloaded,
4 overworks, tortures, deprives of necessary sustenance, mutilates or
5 cruelly beats or kills or unjustifiably injures any animal, [or who,] (2)
6 having impounded or confined any animal, fails to give such animal
7 proper care or neglects to cage or restrain any such animal from doing
8 injury to itself or to another animal or fails to supply any such animal
9 with wholesome air, food and water, [or] (3) unjustifiably administers
10 any poisonous or noxious drug or substance to any domestic animal or
11 unjustifiably exposes any such drug or substance, with intent that the
12 same shall be taken by an animal, or causes it to be done, [or,] (4) having
13 charge or custody of any animal, inflicts cruelty upon it or fails to

14 provide it with proper food, drink or protection from the weather or
15 abandons it or carries it or causes it to be carried in a cruel manner, or
16 (5) fights with or baits, harasses or worries any animal for the purpose
17 of making it perform for amusement, diversion or exhibition, shall, for
18 a first offense, be fined not more than one thousand dollars or
19 imprisoned not more than one year or both, and for each subsequent
20 offense, shall be guilty of a class D felony.

21 (b) Any person who maliciously and intentionally maims, mutilates,
22 tortures, wounds or kills an animal shall, (1) for a first offense, be guilty
23 of a class D felony, and (2) for any subsequent offense, be guilty of a
24 class C felony. The provisions of this subsection shall not apply to any
25 licensed veterinarian while following accepted standards of practice of
26 the profession or to any person while following approved methods of
27 slaughter under section 22-272a, while performing medical research as
28 an employee of, student in or person associated with any hospital,
29 educational institution or laboratory, while following generally
30 accepted agricultural practices or while lawfully engaged in the taking
31 of wildlife.

32 (c) Any person who knowingly (1) owns, possesses, keeps or trains
33 an animal engaged in an exhibition of fighting for amusement or gain,
34 (2) possesses, keeps or trains an animal with the intent that it be engaged
35 in an exhibition of fighting for amusement or gain, (3) permits an act
36 described in subdivision (1) or (2) of this subsection to take place on
37 premises under his control, (4) acts as judge or spectator at an exhibition
38 of animal fighting for amusement or gain, or (5) bets or wagers on the
39 outcome of an exhibition of animal fighting for amusement or gain, shall
40 be guilty of a class D felony.

41 (d) Any person who intentionally injures or kills any animal while
42 such animal is in the performance of its duties under the supervision of
43 a peace officer, as defined in section 53a-3, or intentionally injures or
44 kills a dog that is a member of a volunteer canine search and rescue
45 team, as defined in section 5-249, while such dog is in the performance
46 of its duties under the supervision of the active individual member of

47 such team, shall be guilty of a class [D] C felony.

48 [(e) Any person who intentionally kills any animal while such animal
49 is in the performance of its duties under the supervision of a peace
50 officer, as defined in section 53a-3, or intentionally kills a dog that is a
51 member of a volunteer canine search and rescue team, as defined in
52 section 5-249, while such dog is in the performance of its duties under
53 the supervision of the active individual member of such team, shall be
54 fined not more than ten thousand dollars or imprisoned not more than
55 ten years, or both.]

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2021</i>	53-247

PS *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 22 \$	FY 23 \$
Judicial Dept. (Probation); Correction, Dept.	GF - Potential Cost	See Below	See Below
Resources of the General Fund	GF - Potential Revenue Gain	See Below	See Below

Note: GF=General Fund

Municipal Impact: None

Explanation

This bill increases the criminal penalty for intentionally injuring a peace officer’s animal or a volunteer canine search and rescue team’s dog while they are performing their duties under supervision. To the extent that this change results in increased penalties, this provision may result in a potential cost for incarceration or probation and a potential revenue gain from fines assessed. On average, the marginal cost to the state for incarcerating an offender for the year is \$2,200¹ while the average marginal cost for supervision in the community is less than \$700² each year.

There have been 10 charges under the current law in the past 5 years with no fine penalty assessed.

¹ Inmate marginal cost is based on increased consumables (e.g. food, clothing, water, sewage, living supplies, etc.) This does not include a change in staffing costs or utility expenses because these would only be realized if a unit or facility opened.

² Probation marginal cost is based on services provided by private providers and only includes costs that increase with each additional participant. This does not include a cost for additional supervision by a probation officer unless a new offense is anticipated to result in enough additional offenders to require additional probation officers.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to the number of violations.

OLR Bill Analysis**SB 123*****AN ACT INCREASING THE PENALTY FOR THE INTENTIONAL INJURY OF A POLICE ANIMAL OR DOG IN A VOLUNTEER CANINE SEARCH AND RESCUE TEAM.*****SUMMARY**

This bill increases the criminal penalty for intentionally injuring a peace officer's animal or a volunteer canine search and rescue team's dog while they are performing their duties under supervision. Specifically, the bill raises the penalty from a class D to a class C felony, which increases the (1) maximum term of imprisonment from five to 10 years and (2) maximum fine from \$5,000 to \$10,000.

The bill also formally classifies the intentional killing of those animals as a class C felony. Under current law, this crime is an unclassified felony with the same maximum imprisonment and fine as a class C felony.

EFFECTIVE DATE: October 1, 2021

COMMITTEE ACTION

Public Safety and Security Committee

Joint Favorable

Yea 23 Nay 0 (03/04/2021)