

18-9-201. Definitions. *Add definitions for “animal crushing” and “visual recording.”*

*(#) “Animal crushing” means conduct in which an animal is intentionally or knowingly crushed, burned, drowned, suffocated, impaled or otherwise subjected to serious physical harm as defined in subsection (4.5)(a)-(c) of this section.*

*(#) “Visual recording” includes, but is not limited to, photographs, films, videotapes and computer and other digital pictures, regardless of the manner in which the recording is stored.*

18-9-202. Cruelty and aggravated cruelty to animals, service animals, and law enforcement animals - penalties - short title - definition. *Add “encourages visual recording of animal crushing” to list of offenses that constitute cruelty to animals; add “creates a visual recording of animal crushing” to list of offenses that constitute aggravated animal cruelty.*

(1)

(a) A person commits cruelty to animals if he or she knowingly, recklessly, or with criminal negligence overdrives, overloads, overworks, torments, deprives of necessary sustenance, unnecessarily or cruelly beats, allows to be housed in a manner that results in chronic or repeated serious physical harm, carries or confines in or upon any vehicles in a cruel or reckless manner, engages in a sexual act with an animal, or otherwise mistreats or neglects any animal, or causes or procures it to be done, or, having the charge or custody of any animal, fails to provide it with proper food, drink, or protection from the weather consistent with the species, breed, and type of animal involved, ~~or~~ abandons an animal, *or encourages visual recording of animal crushing.*

(b) Any person who intentionally abandons a dog or cat commits the offense of cruelty to animals.

(1.5)

(a) A person commits cruelty to animals if the person recklessly or with criminal negligence tortures, needlessly mutilates, or needlessly kills an animal.

(b) A person commits aggravated cruelty to animals if the person:

(I) Knowingly tortures, needlessly mutilates, or needlessly kills an animal;

(II) Knowingly kills or causes serious bodily injury that results in the death of a law enforcement animal, whether the law enforcement animal is on duty or not on duty. For the purposes of this subsection (1.5)(b)(II), “serious bodily injury” means bodily injury that involves a substantial risk of death, a substantial risk of permanent disfigurement, a substantial risk of protracted loss or impairment of the function of any part or organ of the body, breaks, fractures, a penetrating wound from a knife or a penetrating gunshot wound, or burns of the second or third degree; or

**(III) Creates a visual recording of animal crushing.**

(c) A person commits cruelty to a service animal or a law enforcement animal if the person violates subsection (1) of this section with respect to a service animal or a law enforcement animal, as those terms are defined in section 18-9-201, whether the service animal or law enforcement animal is on duty or not on duty.