

STATE ANIMAL ANTI-CRUELTY LAW PROVISIONS

Updated October, 2003

Forty-one states and the District of Columbia, 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	Year enacted into a felony	Other significant circumstances or penalties under the felony statute.
Alabama	§13A-11-241	YES	Class C felony on the first offense (cruelty in the first degree).	\$5,000	10 years		2000	The felony statute, cruelty to animals in the 1 st & 2 nd degree applies only to cruelty to a dog or a cat. Cruelty to any other animal is a class B misdemeanor §13A-11-14
Alaska	AS 11.61.140	No	Class A misdemeanor	\$5,000	1 year			
Arizona	§13-2910	YES	Class 6 felony on the first offense.	\$150,000	1 year		1999	
Arkansas	A.C.A. § 5-62-101	No	Class A misdemeanor.	\$1,000	1 year	May order (2001)		
California	§597	YES	Felony can apply on first conviction.	\$20,000	1-3 years	Mandatory	1988	
Colorado	§18-9-202 & §18-1-105	YES	Aggravated cruelty is a class 6 felony and any subsequent offense would be a class 5 felony.	Minimum \$1,000 Maximum \$100,000	Class 6: Min. 1 year, Max. 18 mo. Class 5: Min. 1 year, Max. 3 years.	May order an evaluation or anger management treatment on the 1 st offense, but shall order on the 2 nd offense.	2002	
Connecticut	§53-247	YES		\$5,000	5 years	May order counseling or animal cruelty prevention & education program.	1996	
Delaware	§1325	YES	Class F felony	\$5,000	3 years		1994	With felony conviction, may not own animals for 15 yrs.
District of Columbia	D.C. Act 13-418	YES	Felony	\$25,000	5 years		2001	Does not apply to rats, bats or snakes

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	§22-801							
Florida	§828.12	YES	Felony	\$10,000	5 years	Psychological counseling/anger management treatment is mandatory for acts of intentional torture/torment.	1989	Defendants found guilty of "intentional" cruelty must pay a minimum fine of \$2,500.
Georgia	16-12-4 (b) (c)		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 of an animal 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							
Hawaii	§711-1109	No	Misdemeanor	\$2,000			1999	
Idaho	25-3502	No	3 stages of misdemeanor	\$5,000 - \$9,000	6 months to 1 year			Exception for Poisoning – jail: state max of 3 years, county max of 1 year. Max fine of \$5,000.
Illinois	510 §3.02 & 510 70/4.01 & 70/16	YES	Second offense committed is a Class 4 felony	\$50,000	5 years	May order	1999	For animal torture.

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Indiana	IC 35-46-3-12	YES	Class D felony on the first conviction or torture or mutilation.	\$10,000	3 years		1998 Amended to make it a felony on the first in 2002.	
Iowa	717B.2	YES	Second offense committed is a Class D felony	\$7,500	5 years	Shall order	2000	
Kansas	21-4310	No	Class A non person misdemeanor	\$2,500	1 year			
Kentucky	525.130	YES	First offense for torture is a Class A misdemeanor and 2 nd and subsequent offenses are a Class D felony.	\$1000 - \$10,000 for felony \$500 – for misdemeanor	1-5 years for felony 1 year – for misdemeanor		2003	Felony only applies to torture of a dog or a cat only.
Louisiana	§102.1	YES		\$25,000	10 years		1995	
Maine	§7 –4011 Civil	No	If 2 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		1 st offense on “Aggravated animal cruelty” New law 2001
	§17-1031 Criminal	YES	Felony penalty for the first violation of aggravated animal cruelty	\$10,000	5 years			
Mass.	272 §77	YES	First conviction is a felony.	\$1,000	5 years and 1 year.		1804	Only a person other than the owner can be sentence to a felony & 5 years. 266§112

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Maryland	Criminal Law, § 10-606	YES	First conviction of aggravated cruelty to animals.	\$5,000	3 years	May order	2001	
Michigan	750 §50b	YES	Felony	\$5,000	4 years	May order	1931	May also order up to 500 hours of community service.
Minnesota	343.21	YES	Felony	\$10,000	2 years	May order	2001	Maximum penalties only apply to cruelty to a pet or companion animal.
Mississippi	§97-41-1	No	Misdemeanor					Kill, maim or wound any dog is a fine up to \$1,000, and six months in prison. (It is a felony to kill or injure a public service animal - \$5,000 and or up to 5 years in jail.)
Missouri	§578.012	YES	Class D felony.	\$5,000	5 years		1994	Animal abuse is a class A misdemeanor. The 2 nd offense of animal abuse or if an animal is tortured or mutilated (1 st offense) it is a felony.
Montana	§45-8-210	YES	First offense of aggravated cruelty is a felony.	\$1,000	2 years (Dept. of corrections).		1993	Deliberate cruelty
Nebraska	§28-1009	YES	The first conviction of torture, beating or mutilation is a IV degree felony.	\$10,000	5 years		2002- 2 nd offense, 2003 – 1 st offense	It is a Class I misdemeanor for 2 nd offense of abandonment or cruel neglect.

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Nevada	Rev. Stat. §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	Second offense of certain other acts is a felony.
New Jersey	4:22 – 17	YES	Crime of the fourth degree on the first offense. (felony equivalent)	\$10,000 \$1,000 max for a misdemeanor.	18 months	Mandatory for juveniles for certain animal cruelty offenses	2001	The court may also sentence the convicted to community service and bonding requirements.
New Mexico	§30-18-1	YES	“Extreme cruelty to animals” is a felony in the 1 st offense. Fourth offense committed of “cruelty to animals” is a felony.	\$5,000	18 months	May order Shall order for JV’s.		Court may order an animal cruelty prevention program.
New York	§353-a 55.10 penal law	YES	Class E Felony	\$5,000 (\$80)	4 years (\$70)		1999	The felony law only applies to dogs, cats, and other 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	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			
Ohio (continued on next page)	§959.13	Yes	Second offense committed is a 5 th degree felony	\$2000	1 year		2002	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.

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Ohio (continued)	§959.02	No	1 st degree misdemeanor	\$1,000	180 days			1 st degree is ordered for "injuring" an animal whose value is over \$300. This applies to the property of another.
Oklahoma	§21 Okl. ST. §1685	YES	Felony on first offense committed.	\$5,000	5 years in State jail, 1 year in a county jail		1887	Aggravated animal abuse in the 1 st degree.
Oregon	ORS §167.322	YES	Class C felony on the first offense.	\$100,000	5 years	May order	1995	
Pennsylvania	Pa.C.S. §18-5511 §18-1101 §18-1103	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	The maximum fine 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.
Rhode Island	Gen. Laws § 4-1-3	YES	First offense committed is a felony	\$1,000	2 years	§4-1-36 - May order an evaluation	1896	
South Carolina	S.C. C.A. §47-1-40	YES	First offense is a felony.	\$5,000	5 years		2000	
South Dakota	Codified laws §40-1-15	No		\$1,000	1 year			
Tennessee	39-14-202 39-14-212	YES	A second or subsequent act is a felony.		9 month minimum (mandatory) no suspended sentence or probation until	The judge shall order psychological counseling.	2001 2002	Felony only applies to companion animals. The first time an act of aggravated cruelty is committed it is a Class A misdemeanor.

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Tennessee (continued)					9 months are served.			Court may order forfeiture of any owned 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 previously been convicted two times prior. The first offence is a lesser felony.	\$10,000	2 years	Mandatory for juveniles	1997	State Jail felony 1 st offense of most egregious, third degree felony on 2 nd .
Utah	Code Ann. §76-9-301	No	Class A misdemeanor	\$5,000	1 year	Mandatory for juveniles		
Vermont	§352	YES	The second act of cruelty committed is a felony.	\$7500	5 years	May order	1998	Felony applies to acts of aggravated cruelty. Any sentence less than 2 years is a misdemeanor. Defendant may have forfeit 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.	The animal must die as a result of his/her injuries for the felony to apply.
Washington	§16.52.205	YES	First offense committed is a felony.	\$10,000	5 years		1994	
West Virginia	§61-8-19	YES	First offense committed is a felony	\$1000 - \$5000	1-3 years	Shall order an evaluation	2003	§61-8-19
	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	§951.02	YES	Felony	\$10,000	5 years		1986	For aggravated cruelty or animal fighting.
Wyoming	§6-3-203	YES	Felony	5,000	2 year		2003	

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