

By Mr. Ayers of Quincy, petition of Bruce J. Ayers relative to the penalty for killing, maiming or poisoning of an animal. Criminal Justice.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety-Nine.

AN ACT RELATIVE TO THE PENALTIES FOR KILLING, MAIMING OR POISONING AN ANIMAL.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 266 of the General Laws, as appearing in
2 the 1996 Official Edition, is hereby amended by striking out
3 section 112 and inserting in place thereof the following new
4 section:—

5 Section 112. Whoever willfully or maliciously kills, maims,
6 tortures or disfigures any horse, cattle, dog, cat or other animal of
7 another person, or willfully or maliciously, administers or exposes
8 poison with intent that it shall be taken or swallowed by any such
9 animal, shall be punished by imprisonment in the state prison for
10 not more than five years and by a fine of not more than five thou-
11 sand dollars or imprisonment in jail for not more than two and
12 one-half years and a fine of not more than one thousand dollars.

1 SECTION 2. Section 47 of chapter 266 of the General Laws, as
2 appearing in the 1996 Official Edition, is hereby amended by
3 striking the second sentence.

1 SECTION 3. Section 77 of chapter 272 of the General Laws, as
2 appearing in the 1996 Official Edition, is hereby amended by
3 striking in line 2 the word "tortures"; by striking in line 3 the
4 words "mutilates or kills an animal"; by striking in line 4 the word
5 "tortured"; and by striking in lines 5 and 6 the words "mutilated
6 or killed."

1 SECTION 4. Section 77 of chapter 272 of the General Laws, as
2 appearing in the 1996 Official Edition, is hereby further amended
3 by inserting at the end of the first paragraph the following:—

4 “Whoever as owner, possessor or person having the charge or
5 custody of an animal, willfully or maliciously kills, maims, mutilates,
6 tortures or disfigures said animal shall be punished by
7 imprisonment in the state prison for not more than five years and
8 by a fine of not more than five thousand dollars or by imprisonment
9 in jail for not more than two and one-half years and by a fine
10 of not more than two thousand five hundred dollars.”