

PROPOSED AMENDMENT TO AB381

Contact information:

Paloma Guerrero
Deputy Public Defender
Clark County Public Defenders Office
(702) 467-1619 or
Paloma.Guerrero@clarkcountynv.gov
309 S. Third Street
Las Vegas, NV 89155-2610

Angela Knott
Deputy Public Defender
Washoe County Public Defenders Office
(775) 337-4825 or AKnott@washoecounty.gov
350 S. Center St., 5th Floor
Reno, NV 89501

INTENT OF AMENDMENT

To remove the affirmative duty towards intervening when witnessing cruelty to animals. To reduce the penalties that got moved up to B felonies from 1 to 10 years to 1 to 6 years. Lastly, to define an unjustifiable killing.

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EXPLANATION: Matters in (1) *blue bold italics* is new language in the original bill; (2) variations of **green bold underlining** is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; and (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.

PROPOSE TO AMEND BILL AS FOLLOWS:

Amendment #1:

Chapter 574 of NRS is hereby amended by adding thereto a new section to read as follows:

For the purposes of NRS 574.050 to 574.200, inclusive, a person:

- ~~1. Allows the torture of or cruelty to an animal to occur if the person does nothing to prevent or stop the torture of or cruelty to an animal in circumstances in which the person knows or has reason to know that the torture or cruelty is occurring.~~
- ~~2. Permits the torture of or cruelty to an animal to occur if the person approves, grants approval or allows an act, omission or neglect to occur in circumstances in which a reasonable person would not approve, grant approval or allow such an act, omission or neglect to occur and which act, omission, or neglect constitutes the torture of or cruelty to an animal.~~

Amendment #2:

NRS 574.050 Section 4.

4. "Torture" or "cruelty" includes every act, omission or neglect, whereby unjustifiable physical pain, suffering or death is caused, ~~allowed~~ or permitted.

Amendment #3:

NRS 574.100 Section 6.

6. A person who ~~willfully~~ :

(a) Willfully and maliciously violates paragraph (a) of subsection 1:

(1) Except as otherwise provided in ~~paragraph (b)~~ *subparagraph (2)*, is guilty of a category D felony and shall be punished as provided in NRS 193.130.

(2) If the act caused the death of the animal, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than ~~10~~ 6 years, and may be further punished by a fine of not more than \$10,000.

(b) ~~If~~ Violates paragraph (a) of subsection 1 and commits the act is committed in order to threaten, intimidate or terrorize another person, is guilty of a category ~~C~~ B felony and shall be punished *by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than ~~10~~ 6 years, and may be further punished by a fine of not more than \$10,000.*

Amendment #4:

NRS 574.100 Section 1.

1. A person shall not:

(a) Torture or unjustifiably maim, mutilate or kill:

(1) An animal kept for companionship or pleasure, whether belonging to the person or to another; or

(2) Any cat or dog;

(3) An unjustifiable killing is not one done in self-defense or to prevent substantial bodily harm to themselves or another or when an animal is badly injured and requires relief from further suffering.