

By: Representative Holden

To: Judiciary B

HOUSE BILL NO. 1433

1 AN ACT TO CREATE DEFINITIONS REGARDING CRUELTY TO ANIMALS;  
2 AND FOR RELATED PURPOSES.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

4 SECTION 1. (1) For the purpose of this chapter, the  
5 following words shall have the meanings ascribed herein unless the  
6 context clearly requires otherwise:

7 (a) "Abandon" or "abandonment" means that an owner or  
8 custodian of an animal has moved leaving an animal behind without  
9 making provisions for its care, has carried an animal away from  
10 his or her property and intentionally deserted the animal, has  
11 forced the animal to leave, or has otherwise neglected or refused  
12 to provide an animal with sustenance and humane care.

13 (b) "Animal" shall include every living vertebrate.

14 (c) "Cruelty," "torture," or "torment" shall be held to  
15 include every act, omission or neglect whereby unnecessary or  
16 unjustifiable pain or suffering is caused.

17 (d) "Euthanize" or "euthanasia" means the humane  
18 killing of an animal by a licensed veterinarian, or by an animal  
19 control officer, a law enforcement officer, or an agent of a  
20 society for the prevention of cruelty, by means of a method  
21 recognized by the American and Mississippi Veterinary Medical  
22 Association as humane.

23 (e) "Injury" or "injured" means physical damage or harm  
24 inflicted or suffered.

25 (f) "Diseased" means deviated from a healthy or normal  
26 condition of any of the functions of tissues of the body, an

27 alteration in the state of the body or some of its organs,  
28 interrupted or disturbed performance of the vital functions  
29 causing or threatening pain or weakness, suffering from an illness  
30 or an abnormal state having a definite pattern of symptoms.

31 (g) "Neglect" means an owner or custodian of an animal  
32 who omits, fails, disregards or refuses to provide that which is  
33 necessary sustenance or protection for the well-being of the  
34 animal.

35 (h) "Owner," "person," and "custodian" shall be held to  
36 include corporations, and the knowledge and acts of agents and  
37 employees of corporations in regard to animals transported, owned,  
38 employed by or in the custody of a corporation.

39 (i) "Sanitary conditions" means living space free from  
40 health hazards such as accumulated animal excreta, exposure to  
41 disease, overcrowding or other conditions that endanger an  
42 animal's well-being.

43 (j) "Shelter" means appropriate protection or housing  
44 from discomfort and the elements suitable for the age, breed and  
45 species of an animal to sustain the animal in good health.

46 (k) "Sustenance" or "care" means the provision of  
47 sufficient and appropriate wholesome food and unpolluted water,  
48 shelter, sanitary conditions, veterinary medical attention and  
49 necessary grooming to maintain an animal's well-being.

50 (2) Nothing in this section shall be construed to prohibit  
51 the lawful killing of livestock, any customary animal husbandry or  
52 framing practice involving livestock or the lawful killing and use  
53 of an animal pursuant to fish and wildlife regulations, pest  
54 control or scientific research that is being conducted in  
55 compliance with federal regulations.

56 SECTION 2. Section 1 shall be codified in Chapter 41 of  
57 Title 97, Mississippi Code of 1972.

58 SECTION 3. This act shall take effect and be in force from  
59 and after July 1, 1999.