

By: Representative Upshaw

To: Agriculture; Judiciary B

HOUSE BILL NO. 829

1 AN ACT TO PROHIBIT HOG AND CANINE FIGHTING WHEN INTENTIONALLY
2 CONDUCTED BY ANY PERSON; TO ENACT PENALTIES FOR VIOLATION; TO
3 AMEND SECTION 97-41-16, MISSISSIPPI CODE OF 1972, TO REVISE THE
4 CRIME OF MALICIOUS OR MISCHIEVOUS INJURY TO CERTAIN PETS; AND FOR
5 RELATED PURPOSES.

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

7 **SECTION 1.** (1) For the purposes of this section, "hog"
8 means a pig, swine or boar.

9 (2) It is unlawful for any person to organize or conduct any
10 commercial or private event, commonly referred to as a "catch,"
11 wherein there is a display of combat or fighting among one or more
12 domestic or feral canines and feral or domestic hogs and in which
13 it is intended or reasonably foreseeable that the canines or hogs
14 would be injured, maimed, mutilated or killed.

15 (3) It is unlawful for any person to organize, conduct or
16 financially or materially support any event prohibited by this
17 section.

18 (4) The provisions of this section shall not apply to any
19 competitive event in which canines trained for hunting or herding
20 activities are released in an open or enclosed area to locate and
21 corner hogs, commonly referred to as a "bay event," and in which
22 competitive points are deducted if a hog is caught and held,
23 unless by these actions it is reasonably foreseeable that the
24 canines or hogs would be injured, maimed, mutilated or killed.

25 (5) The provisions of this section shall not apply to the
26 lawful hunting of hogs with canines or the use of canines for the
27 management, farming or herding of hogs which are livestock or the
28 private training of canines for the purposes enumerated in this

29 subsection provided that such training is conducted for the field
30 using accepted dog handling and training practices and is not in
31 violation of the provisions of subsection (1) of this section.

32 (6) Any person convicted under the provisions of this
33 section shall be fined not more than One Thousand Dollars
34 (\$1,000.00), imprisoned for not more than six (6) months, or both.

35 **SECTION 2.** Section 97-41-16, Mississippi Code of 1972, is
36 amended as follows:

37 97-41-16. (1) Any person who shall maliciously, either out
38 of a spirit of revenge or wanton cruelty, or who shall
39 mischievously kill, maim or wound, or injure any animal, or cause
40 any person to do the same, shall be fined not more than One
41 Thousand Dollars (\$1,000.00) or be imprisoned not exceeding six
42 (6) months. Recurring convictions for the same actions shall
43 indicate the individual as a habitual criminal and therefore shall
44 allow judgment of a felony under Mississippi habitual offender
45 code.

46 (2) In addition to such fine or imprisonment which may be
47 imposed, the court shall order that restitution be made to the
48 owner of such dog or cat. The measure for restitution in money
49 shall be the current replacement value of such loss and/or the
50 actual veterinarian fees, special supplies, loss of income and
51 other cost incurred as a result of actions in violation of
52 subsection (1) of this section.

53 **SECTION 3.** This act shall take effect and be in force from
54 and after July 1, 2006.