

By: Senator(s) Dearing, Dawkins

To: Judiciary, Division B

COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 2210

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

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

7 **SECTION 1.** Section 97-41-16, Mississippi Code of 1972, is
8 amended as follows:

9 97-41-16. (1) Any person who shall maliciously, either out
10 of a spirit of revenge or wanton cruelty, or who shall
11 mischievously kill, maim or wound, or injure any dog or cat, or
12 cause any person to do the same, shall be fined not more than One
13 Thousand Dollars (\$1,000.00) or be imprisoned not exceeding six
14 (6) months.

15 (2) In addition to such fine or imprisonment which may be
16 imposed, the court shall order that restitution be made to the
17 owner of such dog or cat. The measure for restitution in money
18 shall be the current replacement value of such loss and the actual
19 veterinarian fees, special supplies, loss of income and other cost
20 incurred as a result of actions in violation of subsection (1) of
21 this section.

22 **SECTION 2.** (1) For the purposes of this section, "hog"
23 means a pig, swine or boar.

24 (2) It is unlawful for any person to organize or conduct any
25 commercial event commonly referred to as a "catch" wherein there
26 is a display of combat or fighting among one or more domestic or
27 feral canines and feral or domestic hogs and in which it is

28 intended or reasonably foreseeable that the canines or hogs would
29 be injured, maimed, mutilated or killed.

30 (3) It is unlawful for any person to organize, conduct or
31 financially or materially support any event prohibited by this
32 section.

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

40 (5) The provisions of this section shall not apply to the
41 lawful hunting of hogs with canines or the use of canines for the
42 management, farming or herding of hogs which are livestock or the
43 private training of canines for the purposes enumerated in this
44 subsection provided that such training is conducted for the field
45 using accepted dog handling and training practices and is not in
46 violation of the provisions of subsection (1) of this section.

47 (6) Any person convicted under the provisions of this
48 section shall be fined not more than One Thousand Dollars
49 (\$1,000.00), imprisoned for not more than six (6) months, or both.

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