

By: Senator(s) England

To: Judiciary, Division B

SENATE BILL NO. 2123

1 AN ACT TO AMEND SECTION 97-41-23, MISSISSIPPI CODE OF 1972,
2 TO INCREASE THE PENALTIES FOR HARMING PUBLIC SERVICE ANIMALS; AND
3 FOR RELATED PURPOSES.

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

5 **SECTION 1.** Section 97-41-23, Mississippi Code of 1972, is
6 amended as follows:

7 97-41-23. (1) It is unlawful for any person to willfully
8 and maliciously taunt, torment, tease, beat, strike, or to
9 administer, expose or inject any desensitizing drugs, chemicals or
10 substance to any public service animal. Any person who violates
11 this section is guilty of a misdemeanor, and upon conviction
12 thereof shall be fined not more than * * * Five Hundred Dollars
13 (\$500.00) and be imprisoned not more than * * * sixty (60) days,
14 or both.

15 (2) Any person who, without just cause, purposely kills or
16 injures any public service animal is guilty of a felony and upon
17 conviction shall be fined not more than Five Thousand Dollars



18 (\$5,000.00) and be imprisoned not more than * * * fifteen (15)
19 years, or both.

20 (3) For purposes of this section, the term "public service
21 animal" means any animal trained and used to assist a law
22 enforcement agency, public safety entity or search and rescue
23 agency.

24 (4) A conviction and imposition of a sentence under this
25 section does not prevent a conviction and imposition of a sentence
26 under Section 97-41-16 pertaining to the offenses of simple or
27 aggravated cruelty to a dog or cat, or under any other applicable
28 provision of law.

29 (5) Any person guilty of violating subsection (2) of this
30 section shall also be required to make restitution to the law
31 enforcement agency or owner aggrieved thereby.

32 (6) The provisions of this section shall not apply to the
33 lawful practice of veterinary medicine.

34 **SECTION 2.** This act shall take effect and be in force from
35 and after July 1, 2023.

