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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 1053

02/11/2019 Authored by Lesch, Freiberg, Masin, Mariani, Her and others
The bill was read for the first time and referred to the Committee on Ways and Means

1.1 A bill for an act
1.2 relating to companion animals; providing criminal penalties for certain acts resulting
1.3 in death or great bodily harm to a pet or companion animal; amending Minnesota
1.4 Statutes 2018, section 343.21, subdivision 9.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2018, section 343.21, subdivision 9, is amended to read:

1.7 Subd. 9. Penalty. (a) Except as otherwise provided in this subdivision, a person who
1.8 fails to comply with any provision of this section is guilty of a misdemeanor. A person
1.9 convicted of a second or subsequent violation of subdivision 1 or 7 within five years of a
1.10 previous violation of subdivision 1 or 7 is guilty of a gross misdemeanor.

1.11 (b) A person who intentionally violates subdivision 1 or 7 where the violation results in
1.12 substantial bodily harm to a pet or companion animal may be sentenced to imprisonment
1.13 for not more than one year or to payment of a fine of not more than \$3,000, or both.

1.14 (c) A person convicted of violating paragraph (b) within five years of a previous gross
1.15 misdemeanor or felony conviction for violating this section may be sentenced to
1.16 imprisonment for not more than two years or to payment of a fine of not more than \$5,000,
1.17 or both.

1.18 (d) A person who intentionally violates subdivision 1 or 7 where the violation results in
1.19 death or great bodily harm to a pet or companion animal may be sentenced to imprisonment
1.20 for not more than two years or to payment of a fine of not more than \$5,000, or both.

1.21 (e) A person who violates subdivision 8a where the violation renders the service animal
1.22 unable to perform its duties is guilty of a gross misdemeanor.

2.1 (f) A person who violates subdivision 8a where the violation results in substantial bodily
2.2 harm to a service animal may be sentenced to imprisonment for not more than two years or
2.3 to payment of a fine of not more than \$5,000, or both.

2.4 (g) A person who intentionally violates subdivision 1 or 7 where the violation results in
2.5 substantial bodily harm to a pet or companion animal, and the act is done to threaten,
2.6 intimidate, or terrorize another person, may be sentenced to imprisonment for not more than
2.7 two years or to payment of a fine of not more than \$5,000, or both.

2.8 (h) A person who violates subdivision 8a where the violation results in death or great
2.9 bodily harm to a service animal may be sentenced to imprisonment for not more than four
2.10 years or to payment of a fine of not more than \$10,000, or both.

2.11 (i) A person who intentionally violates subdivision 1 or 7 where the violation results in
2.12 death or great bodily harm to a pet or companion animal, and the act is done to threaten,
2.13 intimidate, or terrorize another person, may be sentenced to imprisonment for not more than
2.14 ~~four~~ eight years or to payment of a fine of not more than \$10,000, or both.

2.15 (j) A person who intentionally violates subdivision 1 or 7 where the violation results in
2.16 death or great bodily harm to a pet or companion animal, and the act causes extreme pain
2.17 or prolonged suffering, may be sentenced to imprisonment for not more than eight years or
2.18 to payment of a fine of not more than \$10,000, or both.

2.19 **EFFECTIVE DATE.** This section is effective August 1, 2019, and applies to violations
2.20 committed on or after that date.