

CHAPTER 343

PREVENTION OF CRUELTY

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343.01 PURPOSES; POWERS; COUNTY ORGANIZATION.

Subdivision 1. **Formation authorized.** A state federation of county and district societies for the prevention of cruelty to animals may be created as a corporation under chapter 317 for the purpose provided in section 343.06. The federation may appoint representatives in any county where no active county or district society exists for the purpose of receiving and accounting for funds from any source, and may also appoint agents at large to carry out the work of the federation throughout the state. The federation and all county and district societies may appoint agents for the purpose of investigating or otherwise assisting lawfully empowered officials in the prosecution of persons charged with cruelty to animals. Appointed agents must have training and experience in activities relating to prevention of cruelty to animals or enforcement of laws relating to cruelty to animals. The federation may make bylaws as are necessary to implement its authority under this chapter and under chapter 317.

Subd. 2. **Name of federation.** It shall be unlawful for any organization, association, firm or corporation not authorized by this chapter to refer to itself as or in any way to use the names Minnesota federated humane societies, Minnesota society for the prevention of cruelty, the Minnesota humane society, or any combination of words or phrases using the above names which would imply that it represents, acts in behalf or is a branch of the federation.

Subd. 3. **Powers and duties.** The federation must be governed by a board of directors designated in accordance with chapter 317. The powers, duties, and organization of the federation and other matters for the conduct of the business of the federation shall be as provided in chapter 317 and in the federation's articles of incorporation and bylaws.

History: 1987 c 394 s 3

343.06 PURPOSE.

It shall be the purpose of the state federation of county and district humane societies to assist in the enforcement of the laws for the prevention of wrongs to animals; to assist in the organization of district and county societies and give them representation in the state federation; to aid such societies and agents in the enforcement of the laws for the prevention of wrongs to animals which may now or hereafter exist, and to promote the growth of education and sentiment favorable to the protection of animals.

History: 1987 c 394 s 4

343.08 [Repealed, 1987 c 394 s 14]

343.10 COUNTY AND DISTRICT SOCIETIES.

A county society for the prevention of cruelty to animals may be formed in any county and a district society for the prevention of cruelty to animals may be formed in any group of two or more contiguous or noncontiguous counties or parts of counties by not less than seven incorporators. County and district societies shall be created as corporations under chapter 317 and as provided in the bylaws of the state federation.

History: 1987 c 394 s 5

343.11 ACQUISITION OF PROPERTY, APPROPRIATIONS.

Every county and district society for the prevention of cruelty to animals may acquire, by purchase, gift, grant, or devise, and hold, use, or convey, real estate and personal property, and lease, mortgage, sell, or use the same in any manner conducive to its interest, to the same extent as natural persons. The county board of any county, or the council of any city, in which such societies exist, may, in its discretion, appropriate for the maintenance and support of such societies in the transaction of the work for which they are organized, any sums of money not otherwise appropriated, not to exceed in any one year the sum of \$4,800 or the sum of 50 cents per capita based upon the county's or city's population as of the most recent federal census, whichever is greater; provided, that no part of the appropriation shall be expended for the payment of the salary of any officer of the society.

History: 1987 c 394 s 6

343.12 DUTIES OF PEACE OFFICERS.

Upon application of any agent appointed by the federation or a county or district society, it shall be the duty of, any sheriff or the agent's deputy or any police officer to investigate any alleged violation of the law relative to cruelty to animals, and to arrest any person found violating those laws. It shall also be the duty of those officers to take possession of any animals in their respective jurisdictions which have been cruelly treated, and deliver the same to the proper officers of the county or district for custody and care.

History: 1987 c 394 s 7

343.22 INVESTIGATION OF CRUELTY COMPLAINTS.

Subdivision 1. **Reporting.** Any person who has reason to believe that a violation of this chapter has taken place or is taking place may apply to any court having jurisdiction over actions alleging violation of that section for a warrant and for investigation. The court shall examine under oath the person so applying and any witnesses the applicant produces and the court shall take their affidavits in writing. The affidavits must set forth facts tending to establish the grounds for believing a violation of this chapter has occurred or is occurring, or probable cause to believe that a violation exists. If the court is satisfied of the existence of the grounds of the application, or that there is probable cause to believe a violation exists, it shall issue a signed search warrant and order for investigation to a peace officer in the county. The order shall command the officer to proceed promptly to the location of the alleged violation, along with a doctor of veterinary medicine.

[For text of subs 2 and 3, see M.S.1986]

History: 1987 c 394 s 8

343.29 EXPOSURE OF ANIMALS; DUTY OF OFFICERS.

Subdivision 1. **Delivery to shelter.** Any peace officer or any agent of the federation or county or district societies for the prevention of cruelty, may remove, shelter, and care for any animal which is not properly sheltered from cold, hot, or inclement weather or any animal not properly fed and watered, or provided with suitable food and drink. When necessary, a peace officer or agent may deliver the animal to another person to be sheltered and cared for, and furnished with suitable food and drink. In all cases, the owner, if known, shall be immediately notified, and the person having possession of the animal, shall have a lien thereon for its care and keeping, the reasonable value of the food and drink furnished, and the expenses of the notice. If the owner or custodian is unknown and cannot by reasonable effort be ascertained, or does not, within five days after notice, redeem the animal by paying the expenses authorized by this subdivision, the animal may be treated as an estray.

[For text of subd 2, see M.S.1986]

History: 1987 c 394 s 9