

1 **GAME FOWL FIGHTING - AMENDMENTS**

2 2015 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Gene Davis**

5 House Sponsor: _____

6

LONG TITLE

7 **General Description:**

8 This bill amends provisions of the Utah Criminal Code relating to animal cruelty.

9 **Highlighted Provisions:**

10 This bill:

11 ▶ provides that game fowl fighting and specified acts related to game fowl fighting are ~~§~~→

12a class A misdemeanors for the first offense, and that subsequent offenses are ←§

13 third degree felonies;

14 ▶ provides that being present at a game fowl fight is a class B misdemeanor; and

15 ▶ provides definitions and cross references.

16 **Money Appropriated in this Bill:**

17 None

18 **Other Special Clauses:**

19 None

20 **Utah Code Sections Affected:**

21 AMENDS:

22 **76-9-301**, as last amended by Laws of Utah 2008, Chapter 292

23 **76-9-301.5**, as last amended by Laws of Utah 2008, Chapter 292

24 ENACTS:

25 **76-9-301.3**, Utah Code Annotated 1953

26

Be it enacted by the Legislature of the state of Utah:



152 county ~~and~~ or municipal animal control agency~~;~~ or an animal welfare agency registered with
 153 the state~~;~~ to be sold at public auction~~;~~ or humanely destroyed.

154 (12) This section does not prohibit the use of animals in lawful training.

155 (13) A veterinarian who, acting in good faith, reports a violation of this section to law
 156 enforcement may not be held civilly liable for making the report.

157 Section 2. Section **76-9-301.3** is enacted to read:

158 **76-9-301.3. Game fowl fighting -- Training game fowl for fighting.**

159 (1) As used in this section ~~§~~ **→** ~~["game"]~~ :

159a **(a) "Game ~~←~~§ fowl" means any of several breeds of fowl reared or**
 160 **used for fighting other fowl.**

160a **§ ~~→~~ (b) "Promote" means to engage in promoting, producing, or staging events or activities**
 160b **that involve game fowl fighting. ~~←~~§**

161 (2) It is unlawful for any person to:

162 (a) own, possess, keep, or train game fowl with the intent to engage it in fighting with
 163 another game fowl;

164 (b) cause a game fowl to fight with or injure another game fowl;

164a **§ ~~→~~ (c) promote any activity that involves game fowl fighting, including promoting an activity**
 164b **that is a violation of Subsection (2)(b); ~~←~~§**

165 **§ ~~→~~ [(c)] (d) ~~←~~§ manufacture, buy, sell, trade, or possess an instrument designed to enhance**
 165a **the**

166 **ability to, or likelihood of, causing injury to a game fowl with the intent that the instrument be**
 167 **used in game fowl fighting or game fowl training; or**

168 **§ ~~→~~ [(d)] (e) ~~←~~§ permit or allow any act that violates Subsection (2)(a), (b), § ~~→~~ [or] ~~←~~§ (c)**

168a **§ ~~→~~ , or (d) ~~←~~§ on any premises**

169 **under the person's charge.**

170 (3) A person who violates Subsection (2) is **§ ~~→~~ upon conviction ~~←~~§ guilty of a § ~~→~~ :**

170a **(a) class A misdemeanor for the first violation; and**

170b **(b) ~~←~~§ third degree felony § ~~→~~ for a second or subsequent violation ~~←~~§ .**

171 (4) This section does not prohibit the lawful use of livestock by the owner, the owner's
 172 employees or agent, or any other person in the lawful custody of livestock.

173 (5) Any property, material, or device used or possessed in violation of this section is
 174 subject to criminal or civil forfeiture under the procedures and substantive protections

175 established in Title 24, **§ ~~→~~ [Utah Uniform Forfeiture Procedures Act] Forfeiture and Disposition**
 175a **of Property Act ~~←~~§ .**