

Effective 5/7/2025

Chapter 13
Offenses Involving Cruelty to Animals

Part 1
General Provisions

76-13-101 Definitions.

Reserved.

Enacted by Chapter 173, 2025 General Session

76-13-102 Officer's authority to take possession of an animal -- Lien for care -- Humane destruction.

- (1) Terms defined in Sections 76-1-101.5 and 76-13-101 apply to this section.
- (2) A law enforcement officer may take possession of an animal being treated cruelly and, after reasonable efforts to notify the owner, may provide shelter and care for the animal or, upon permission from the owner, may destroy the animal.
- (3)
 - (a) An officer caring for an animal under this section has a lien for the reasonable value of the care provided to the animal and, if applicable, the reasonable value for the destruction of the animal.
 - (b) A court, upon proof that the owner has been notified at least five days earlier of the lien and amount due, shall order the animal sold at public auction or destroyed.
- (4)
 - (a) A law enforcement officer may humanely destroy an animal found suffering past recovery for any useful purpose.
 - (b) Before destroying the animal under Subsection (4)(a), the officer shall obtain:
 - (i) the judgment of a veterinarian or of two reputable citizens called by the officer to view the animal in the officer's presence, of the animal's nonrecoverable condition; or
 - (ii) consent to the destruction from the owner of the animal.

Renumbered and Amended by Chapter 173, 2025 General Session

76-13-103 Officer's authority at a dog fighting exhibition -- Authority to arrest and take possession of dogs and property.

- (1) Terms defined in Sections 76-1-101.5 and 76-13-101 apply to this section.
- (2) A peace officer as defined in Title 53, Chapter 13, Peace Officer Classifications, may enter any place, building, or tenement where an exhibition of dog fighting is occurring, or where preparations are being made for such an exhibition and, without a warrant, arrest all persons present.
- (3)
 - (a) Notwithstanding the provisions of Section 76-13-102, Officer's authority to take possession of an animal, any authorized officer who makes an arrest under Subsection (2) may lawfully take possession of all dogs, paraphernalia, implements, or other property or things used or employed, or to be employed, in an exhibition of dog fighting prohibited by Subsection 76-13-202(2)(e) or Section 76-13-205, Dog fighting.

- (b) The officer, at the time of the taking of property pursuant to Subsection (3)(a), shall state the officer's name and provide other identifying information to the person in charge of the dogs or property taken.
- (4)
 - (a) After taking possession of dogs, paraphernalia, implements, or other property or things under Subsection (3), the officer shall file an affidavit with the judge or magistrate before whom a complaint has been made against any person arrested under this section.
 - (b) The affidavit shall include:
 - (i) the name of the person charged in the complaint;
 - (ii) a description of all property taken;
 - (iii) the time and place of the taking of the property;
 - (iv) the name of the person from whom the property was taken;
 - (v) the name of the person who claims to own the property, if known; and
 - (vi) a statement that the officer has reason to believe and believes that the property taken was used or employed, or was to be used or employed, in violation of Section 76-13-202, 76-13-203, 76-13-204, or 76-13-205, and the grounds for the belief.
- (5)
 - (a) The officer shall deliver the confiscated property to the judge or magistrate who shall, by order, place the property in the custody of the officer or any other person designated in the order, and that person shall keep the property until conviction or final discharge of the person against whom the complaint was made.
 - (b) The person designated in Subsection (5)(a) shall assume immediate custody of the property, and retain the property until further order of the court.
 - (c) Upon conviction of the person charged, all confiscated property shall be forfeited and destroyed or otherwise disposed of, as the court may order.
 - (d) If the person charged is acquitted or discharged without conviction, the court shall, on demand, order the property to be returned to its owner.

Renumbered and Amended by Chapter 173, 2025 General Session

76-13-104 Enhanced penalties for cruelty to animal offenses.

- (1)
 - (a) As used in this section, "conviction" means a conviction by plea or by verdict, including a plea of guilty or no contest that is held in abeyance under Title 77, Chapter 2a, Pleas in Abeyance, regardless of whether the charge was, or is, subsequently reduced or dismissed in accordance with the plea in abeyance agreement.
 - (b) Terms defined in Sections 76-1-101.5 and 76-13-101 apply to this section.
- (2) Except as provided in Subsection (4), an actor who commits a violation of Section 76-13-202, 76-13-203, 76-13-206, or 76-13-208 within the state and on at least one previous occasion has been convicted of violating Section 76-13-202, 76-13-203, 76-13-206, or 76-13-208 shall be subject to an enhanced penalty as provided in Subsection (3).
- (3) The enhanced degree of offense for offenses committed under this section are:
 - (a) if the offense is a class C misdemeanor, it is a class B misdemeanor; and
 - (b) if the offense is a class B misdemeanor, it is a class A misdemeanor.
- (4) The penalty enhancements described in this section do not apply to a conviction for the offense described in Section 76-13-204, Torturing a companion animal.

Renumbered and Amended by Chapter 173, 2025 General Session

Part 2 Cruelty to Animal Offenses

76-13-201 Definitions.

Reserved.

Enacted by Chapter 173, 2025 General Session

76-13-202 Cruelty to an animal.

- (1)
- (a) As used in this section:
 - (i)
 - (A) "Abandon" means to intentionally deposit, leave, or drop off any live animal:
 - (I) without providing for the care of that animal, in accordance with accepted animal husbandry practices or customary farming practices; or
 - (II) in a situation where conditions present an immediate, direct, and serious threat to the life, safety, or health of the animal.
 - (B) "Abandon" does not include returning wildlife to its natural habitat.
 - (ii)
 - (A) "Animal" means, except as provided in Subsection (1)(a)(ii)(B), a live, nonhuman vertebrate creature.
 - (B) "Animal" does not include:
 - (I) a live, nonhuman vertebrate creature, if:
 - (Aa) the conduct toward the creature, and the care provided to the creature, is in accordance with accepted animal husbandry practices; and
 - (Bb) the creature is:
 - (li) owned or kept by a zoological park that is accredited by, or a member of, the American Zoo and Aquarium Association;
 - (Iiii) kept, owned, or used for the purpose of training hunting dogs or raptors; or
 - (IIIiii) temporarily in the state as part of a circus or traveling exhibitor licensed by the United States Department of Agriculture under 7 U.S.C. Sec. 2133;
 - (II) a live, nonhuman vertebrate creature that is owned, kept, or used for rodeo purposes, if the conduct toward the creature, and the care provided to the creature, is in accordance with accepted rodeo practices;
 - (III) livestock, if the conduct toward the creature, and the care provided to the creature, is in accordance with accepted animal husbandry practices or customary farming practices; or
 - (IV) wildlife, as defined in Section 23A-1-101, including protected and unprotected wildlife, if the conduct toward the wildlife is in accordance with lawful hunting, fishing, or trapping practices or other lawful practices.
 - (iii) "Custody" means ownership, possession, or control over an animal.
 - (iv) "Legal privilege" means an act that:
 - (A) is authorized by state law, including rules under Title 23A, Wildlife Resources Act; and
 - (B) is not in violation of a local ordinance.
 - (v) "Livestock" means:

- (A) domesticated:
 - (I) cattle;
 - (II) sheep;
 - (III) goats;
 - (IV) turkeys;
 - (V) swine;
 - (VI) equines;
 - (VII) camelidae;
 - (VIII) ratites; or
 - (IX) bison;
 - (B) domesticated elk, as defined in Section 4-39-102;
 - (C) a livestock guardian dog, as defined in Section 76-6-111; or
 - (D) any domesticated nonhuman vertebrate creature, domestic furbearer, or domestic poultry, raised, kept, or used for agricultural purposes.
- (vi) "Necessary food, water, care, or shelter" means the following, taking into account the species, age, and physical condition of the animal:
- (A) appropriate and essential food and water;
 - (B) adequate protection, including appropriate shelter, against extreme weather conditions; and
 - (C) other essential care.
- (vii) "Torture" means intentionally or knowingly causing or inflicting extreme physical pain to an animal in an especially heinous, atrocious, cruel, or exceptionally depraved manner.
- (b) Terms defined in Sections 76-1-101.5, 76-13-101, and 76-13-201 apply to this section.
- (2) Except as provided in Subsection (4), an actor commits cruelty to an animal if the actor, without legal privilege to do so, intentionally, knowingly, recklessly, or with criminal negligence:
- (a) fails to provide necessary food, water, care, or shelter for an animal in the actor's custody;
 - (b) abandons an animal in the actor's custody;
 - (c) injures an animal;
 - (d) causes an animal, not including a dog or game fowl, to fight with another animal of like kind for amusement or gain; or
 - (e) causes an animal, including a dog or game fowl, to fight with a different kind of animal or creature for amusement or gain.
- (3) A violation of Subsection (2) is:
- (a) a class B misdemeanor if committed intentionally or knowingly; or
 - (b) a class C misdemeanor if committed recklessly or with criminal negligence.
- (4) If an actor's conduct in violation of this section also constitutes a violation of Section 76-13-203, Aggravated cruelty to an animal, or Section 76-13-204, Torturing a companion animal, the actor's conduct shall be prosecuted under either Section 76-13-203 or 76-13-204 as applicable.
- (5) It is a defense to prosecution under this section that the conduct of the actor towards the animal was:
- (a) by a licensed veterinarian using accepted veterinary practice;
 - (b) directly related to bona fide experimentation for scientific research, provided that if the animal is to be destroyed, the manner employed will not be unnecessarily cruel unless directly necessary to the veterinary purpose or scientific research involved;
 - (c) permitted under Section 18-1-3;
 - (d) by an actor who humanely destroys an animal found suffering past recovery for any useful purpose; or

- (e) by an actor who humanely destroys an apparently abandoned animal found on the actor's property.
- (6) For purposes of Subsection (5)(d), before destroying the suffering animal, the actor who is not the owner of the animal shall obtain:
 - (a) the judgment of a veterinarian of the animal's nonrecoverable condition;
 - (b) the judgment of two other persons called by the actor to view the unrecoverable condition of the animal in the actor's presence;
 - (c) the consent from the owner of the animal to the destruction of the animal; or
 - (d) a reasonable conclusion that the animal's suffering is beyond recovery, through the actor's own observation, if the actor is in a location or circumstance where the actor is unable to contact another person.
- (7) This section does not affect or prohibit:
 - (a) the training, instruction, and grooming of animals, if the methods used are in accordance with accepted animal husbandry practices or customary farming practices;
 - (b) the use of an electronic locating or training collar by the owner of an animal for the purpose of lawful animal training, lawful hunting practices, or protecting against loss of that animal; or
 - (c) the lawful hunting of, fishing for, or trapping of, wildlife.
- (8) County and municipal governments may not prohibit the use of an electronic locating or training collar.
- (9) Upon conviction under this section, the court may in its discretion, in addition to other penalties:
 - (a) order the defendant to be evaluated to determine the need for psychiatric or psychological counseling, to receive counseling as the court determines to be appropriate, and to pay the costs of the evaluation and counseling;
 - (b) require the defendant to forfeit any rights the defendant has to the animal subjected to a violation of this section and to repay the reasonable costs incurred by any person or agency in caring for each animal subjected to violation of this section;
 - (c) order the defendant to no longer possess or retain custody of any animal, as specified by the court, during the period of the defendant's probation or parole or other period as designated by the court; and
 - (d) order the animal to be placed for the purpose of adoption or care in the custody of a county or municipal animal control agency or an animal welfare agency registered with the state to be sold at public auction or humanely destroyed.
- (10) This section does not prohibit the use of animals in lawful training.
- (11) A veterinarian who, acting in good faith, reports a violation of this section to law enforcement may not be held civilly liable for making the report.

Renumbered and Amended by Chapter 173, 2025 General Session

76-13-203 Aggravated cruelty to an animal.

- (1)
 - (a) As used in this section:
 - (i) "Animal" means the same as that term is defined in Section 76-13-202.
 - (ii) "Custody" means the same as that term is defined in Section 76-13-202.
 - (iii) "Legal privilege" means the same as that term is defined in Section 76-13-202.
 - (iv) "Torture" means the same as that term is defined in Section 76-13-202.
 - (b) Terms defined in Sections 76-1-101.5, 76-13-101, and 76-13-201 apply to this section.
- (2) Except as provided in Subsection (4), an actor commits aggravated cruelty to an animal if the actor:

- (a) tortures an animal;
 - (b) administers, or causes to be administered, poison or a poisonous substance to an animal; or
 - (c) kills an animal or causes an animal to be killed without having a legal privilege to do so.
- (3) A violation of Subsection (2) is:
- (a) a class A misdemeanor if committed intentionally or knowingly;
 - (b) a class B misdemeanor if committed recklessly; or
 - (c) a class C misdemeanor if committed with criminal negligence.
- (4) If an actor's conduct in violation of this section also constitutes a violation of Section 76-13-204, Torturing a companion animal, the actor's conduct shall be prosecuted under Section 76-13-204.
- (5) It is a defense to prosecution under this section that the conduct of the actor towards the animal was:
- (a) performed by a licensed veterinarian using accepted veterinary practice;
 - (b) directly related to bona fide experimentation for scientific research, provided that if the animal is to be destroyed, the manner employed will not be unnecessarily cruel unless directly necessary to the veterinary purpose or scientific research involved;
 - (c) permitted under Section 18-1-3;
 - (d) performed by an actor who humanely destroys an animal found suffering past recovery for any useful purpose; or
 - (e) performed by an actor who humanely destroys an apparently abandoned animal found on the actor's property.
- (6) For purposes of Subsection (5)(d), before destroying the suffering animal, an actor who is not the owner of the animal shall obtain:
- (a) the judgment of a veterinarian of the animal's nonrecoverable condition;
 - (b) the judgment of two other individuals called by the actor to view the unrecoverable condition of the animal in the actor's presence;
 - (c) the consent from the owner of the animal to the destruction of the animal; or
 - (d) a reasonable conclusion that the animal's suffering is beyond recovery, through the actor's own observation, if the actor is in a location or circumstance where the actor is unable to contact another individual.
- (7) Upon conviction under this section, the court may in the court's discretion, in addition to other penalties:
- (a) order the actor to be evaluated to determine the need for psychiatric or psychological counseling, to receive counseling as the court determines to be appropriate, and to pay the costs of the evaluation and counseling;
 - (b) require the actor to forfeit any rights the actor has to the animal subjected to a violation of this section and to repay the reasonable costs incurred by any person in caring for each animal subjected to violation of this section;
 - (c) order the actor to no longer possess or retain custody of any animal, as specified by the court, during the period of the actor's probation or parole or other period as designated by the court; and
 - (d) order the animal to be placed for the purpose of adoption or care in the custody of a county or municipal animal control agency or an animal welfare agency registered with the state to be sold at public auction or humanely destroyed.
- (8) A veterinarian who, acting in good faith, reports a violation of this section to law enforcement may not be held civilly liable for making the report.

Enacted by Chapter 173, 2025 General Session

76-13-204 Torturing a companion animal.

- (1)
 - (a) As used in this section:
 - (i) "Animal" means the same as that term is defined in Section 76-13-202.
 - (ii) "Companion animal" means an animal that is a domestic dog or a domestic cat.
 - (iii) "Custody" means the same as that term is defined in Section 76-13-202.
 - (iv) "Torture" means the same as that term is defined in Section 76-13-202.
 - (b) Terms defined in Sections 76-1-101.5, 76-13-101, and 76-13-201 apply to this section.
- (2) An actor commits torturing a companion animal if the actor intentionally or knowingly tortures a companion animal.
- (3) A violation of Subsection (2) is a third degree felony.
- (4) It is a defense to prosecution under this section that the conduct of the actor towards the animal was:
 - (a) performed by a licensed veterinarian using accepted veterinary practice;
 - (b) directly related to bona fide experimentation for scientific research, provided that if the animal is to be destroyed, the manner employed will not be unnecessarily cruel unless directly necessary to the veterinary purpose or scientific research involved; or
 - (c) permitted under Section 18-1-3.
- (5) Upon conviction under this section, the court may in its discretion, in addition to other penalties:
 - (a) order the actor to be evaluated to determine the need for psychiatric or psychological counseling, to receive counseling as the court determines to be appropriate, and to pay the costs of the evaluation and counseling;
 - (b) require the actor to forfeit any rights the actor has to the animal subjected to a violation of this section and to repay the reasonable costs incurred by any person in caring for each animal subjected to violation of this section;
 - (c) order the actor to no longer possess or retain custody of any animal, as specified by the court, during the period of the actor's probation or parole or other period as designated by the court; and
 - (d) order the animal to be placed for the purpose of adoption or care in the custody of a county or municipal animal control agency or an animal welfare agency registered with the state to be sold at public auction or humanely destroyed.
- (6) A veterinarian who, acting in good faith, reports a violation of this section to law enforcement may not be held civilly liable for making the report.

Enacted by Chapter 173, 2025 General Session

76-13-205 Dog fighting.

- (1) Terms defined in Sections 76-1-101.5, 76-13-101, and 76-13-201 apply to this section.
- (2) An actor commits dog fighting if the actor:
 - (a) owns, possesses, keeps, or trains a dog with the intent to engage the dog in an exhibition of fighting with another dog;
 - (b) causes a dog to fight with another dog or causes a dog to injure another dog for amusement or gain;
 - (c) ties, attaches, or fastens any live animal to a machine or device propelled by any power, for the purpose of causing the animal to be pursued by a dog;
 - (d) permits or allows any act that violates Subsection (2)(a), (b), or (c) on any premises under the actor's charge; or

- (e) controls, aids, or abets any act that violates Subsection (2)(a), (b), or (c).
- (3)
 - (a) A violation of Subsection (2) is a third degree felony.
 - (b) A fine imposed for a violation of Subsection (2) may not exceed \$25,000.
- (4) Possession of a breaking stick, treadmill, wheel, hot walker, cat mill, cat walker, jenni, or other paraphernalia, together with evidence that the paraphernalia is being used or is intended for use in the unlawful training of a dog to fight with another dog, together with the possession of any such dog, is prima facie evidence of violation of Subsection (2)(b) or (c).
- (5) Nothing in this section prohibits any of the following:
 - (a) the use of dogs for management of livestock by the owner, the owner's employees or agents, or any other person in the lawful custody of livestock;
 - (b) the use of dogs for hunting; or
 - (c) the training of dogs or the possession or use of equipment in the training of dogs for any purpose not prohibited by law.

Renumbered and Amended by Chapter 173, 2025 General Session

76-13-206 Attending a dog fight or related activity.

- (1) Terms defined in Sections 76-1-101.5, 76-13-101, and 76-13-201 apply to this section.
- (2) An actor commits attending a dog fight or related activity if the actor knowingly or intentionally is:
 - (a) present as a spectator at a place, building, or tenement where preparations are being made for an exhibition of dog fighting;
 - (b) present at a dog fighting exhibition; or
 - (c) present for any other conduct that would be in violation of Section 76-13-205, Dog fighting.
- (3) A violation of Subsection (2) is a class B misdemeanor.

Enacted by Chapter 173, 2025 General Session

76-13-207 Game fowl fighting.

- (1)
 - (a) As used in this section:
 - (i) "Game fowl" means a fowl reared or used for fighting other fowl.
 - (ii) "Promote" means to engage in promoting, producing, or staging events or activities that involve game fowl fighting.
 - (b) Terms defined in Sections 76-1-101.5, 76-13-101, and 76-13-201 apply to this section.
- (2) An actor commits game fowl fighting if the actor:
 - (a) intentionally causes a game fowl to fight with or attack another game fowl for the purpose of entertainment, sport, or contest; or
 - (b) promotes any activity that involves game fowl fighting, including promoting an activity that is a violation of Subsection (2)(a).
- (3) A violation of Subsection (2) is:
 - (a) a class B misdemeanor for the first violation;
 - (b) a class A misdemeanor for the second violation; or
 - (c) a third degree felony for a third or subsequent violation.
- (4) This section does not prohibit the lawful use of livestock by the livestock owner, an employee or agent of the livestock owner, or a person in the lawful custody of livestock.

Renumbered and Amended by Chapter 173, 2025 General Session

76-13-208 Attending an organized animal fighting exhibition.

- (1) Terms defined in Sections 76-1-101.5, 76-13-101, and 76-13-201 apply to this section.
- (2) An actor commits attending an organized animal fighting exhibition if the actor is knowingly present:
 - (a) as a spectator at any place, building, or tenement where preparations are being made for an exhibition of the fighting of animals, as prohibited by Subsection 76-13-202(2)(d) or (e); or
 - (b) at an exhibition prohibited by Subsection 76-13-202(2)(d) or (e), regardless of whether an entrance fee has been charged.
- (3) A violation of Subsection (2) is a class B misdemeanor.

Renumbered and Amended by Chapter 173, 2025 General Session

76-13-209 Endangering, injuring, or killing a public safety animal.

- (1)
 - (a) As used in this section:
 - (i) "Handler" means an individual who uses a public safety animal to assist with duties of a public safety organization.
 - (ii) "Public safety animal" means an animal that a public safety organization:
 - (A) owns or uses under contract; and
 - (B) uses, or allows another public safety organization to use, to assist with duties of a public safety organization.
 - (iii) "Public safety organization" means a government entity that provides a law enforcement, firefighting, search and rescue, military, or other public safety service.
 - (b) Terms defined in Sections 76-1-101.5, 76-13-101, and 76-13-201 apply to this section.
- (2) An actor commits endangering, injuring, or killing a public safety animal if the actor intentionally or knowingly:
 - (a) causes the death of a public safety animal;
 - (b) causes bodily injury to a public safety animal;
 - (c) engages in conduct likely to cause bodily injury or death to a public safety animal; or
 - (d) lays out, places, or administers any poison, trap, substance, or object that is likely to produce bodily injury or death to a public safety animal.
- (3)
 - (a) A violation of Subsection (2)(a) is a second degree felony.
 - (b) A violation of Subsection (2)(b), (c), or (d) is a third degree felony.
- (4)
 - (a) A public safety animal is exempt from quarantine or other animal control ordinances if the public safety animal bites an individual while under proper supervision by a public safety organization or during routine veterinary care.
 - (b) The public safety organization and the public safety animal's handler shall make the public safety animal available for examination at a reasonable time and shall notify the local health officer if the public safety animal exhibits any abnormal behavior.
- (5) In addition to any other penalty, an actor convicted of a violation of this section is liable for restitution to the owning or employing public safety organization or individual owner of the public safety animal for the replacement, training, and veterinary costs incurred as a result of the violation of this section.

Renumbered and Amended by Chapter 173, 2025 General Session

76-13-210 Interference with a public safety animal.

- (1)
 - (a) As used in this section:
 - (i) "Handler" means the same as that term is defined in Section 76-13-209.
 - (ii) "Public safety animal" means the same as that term is defined in Section 76-13-209.
 - (iii) "Public safety organization" means the same as that term is defined in Section 76-13-209.
 - (b) Terms defined in Sections 76-1-101.5, 76-13-101, and 76-13-201 apply to this section.
- (2) An actor commits interference with a public safety animal if the actor intentionally or knowingly:
 - (a) taunts, torments, strikes, or otherwise assaults a public safety animal;
 - (b) throws an object or substance at, or in the path of, a public safety animal;
 - (c) interferes with or obstructs a public safety animal, or attempts to, or interferes with the handler of the public safety animal in a manner that inhibits, restricts, or deprives the handler of control of the public safety animal;
 - (d) releases a public safety animal from the public safety animal's area of control, including a vehicle, kennel, or pen, or trespasses in that area; or
 - (e) places any food, object, or substance into a public safety animal's area of control without the permission of the handler.
- (3) A violation of Subsection (2) is a class A misdemeanor.
- (4) In addition to any other penalty, an actor convicted of a violation of this section is liable for restitution to the owning or employing public safety organization or individual owner of the public safety animal for the replacement, training, and veterinary costs incurred as a result of the violation of this section.

Enacted by Chapter 173, 2025 General Session

76-13-211 Injuring, harassing, or endangering a service animal.

- (1)
 - (a) As used in this section:
 - (i) "Disability" means the same as that term is defined in Section 26B-6-801.
 - (ii) "Search and rescue dog" means a dog:
 - (A) with documented training to locate individuals who are:
 - (I) lost, missing, or injured; or
 - (II) trapped under debris as the result of a natural or man-made event; and
 - (B) affiliated with an established search and rescue dog organization.
 - (iii) "Service animal" means:
 - (A) a service animal as that term is defined in Section 26B-6-801; or
 - (B) a search and rescue dog.
 - (b) Terms defined in Sections 76-1-101.5, 76-13-101, and 76-13-201 apply to this section.
- (2) An actor commits injuring, harassing, or endangering a service animal if the actor:
 - (a) knowingly, intentionally, or recklessly causes substantial bodily injury or death to a service animal;
 - (b) owns, keeps, harbors, or exercises control over an animal and knowingly, intentionally, or recklessly fails to exercise sufficient control over the animal to prevent the animal from:
 - (i) causing substantial bodily injury to or the death of a service animal;
 - (ii) causing a service animal's subsequent inability to function as a service animal as a result of the animal's attacking, chasing, or harassing the service animal; or

- (iii) chasing or harassing a service animal while the service animal is carrying out the service animal's functions as a service animal, to the extent that the animal temporarily interferes with the service animal's ability to carry out the service animal's functions; or
- (c) chases or harasses a service animal.
- (3)
 - (a) A violation of Subsection (2)(a), (2)(b)(i), or (2)(b)(ii) is a class A misdemeanor.
 - (b) A violation of Subsection (2)(b)(iii) or (2)(c) is a class B misdemeanor.
- (4)
 - (a) A service animal is exempt from quarantine or other animal control ordinances if the service animal bites an individual while the service animal is subject to an offense under Subsection (2).
 - (b) The owner of the service animal or the individual with a disability whom the service animal serves shall make the service animal available for examination at a reasonable time and shall notify the local health officer if the service animal exhibits any abnormal behavior.
- (5) In addition to any other penalty, an actor convicted of a violation of this section is liable for restitution to the owner of the service animal or the individual with a disability whom the service animal serves for the replacement, training, and veterinary costs incurred as a result of the violation of this section.
- (6) If the act committed under this section amounts to an offense subject to a greater penalty under another provision of Title 76, Utah Criminal Code, than is provided under this section, this section does not prohibit prosecution and sentencing for the more serious offense.

Renumbered and Amended by Chapter 173, 2025 General Session

76-13-212 Allowing a vicious animal to go at large.

- (1) Terms defined in Sections 76-1-101.5, 76-13-101, and 76-13-201 apply to this section.
- (2) An actor commits allowing a vicious animal to go at large if:
 - (a) the actor is an owner of a vicious animal, knowing the animal's propensities, and:
 - (i) willfully allows the animal to go at large; or
 - (ii) keeps the animal without ordinary care; and
 - (b) the animal, while at large, or while not kept with ordinary care, causes injury to or the death of another animal or a human being who has taken reasonable precautions under the circumstances.
- (3)
 - (a) Except as provided in Subsection (3)(b), a violation of Subsection (2) is a class B misdemeanor.
 - (b) A violation of Subsection (2) is a third degree felony if the animal causes the death of a human being.

Renumbered and Amended by Chapter 173, 2025 General Session

76-13-213 Bestiality.

- (1)
 - (a) For purposes of this section:
 - (i) "Animal" means any live, nonhuman vertebrate creature, including fowl.
 - (ii) "Sexual activity" means physical sexual contact:
 - (A) between the actor and the animal involving the genitals of the actor and the genitals of the animal;

(B) the genitals of the actor or the animal and the mouth or anus of the actor or the animal; or

(C) through the actor's use of an object in contact with the genitals or anus of the animal.

(b) Terms defined in Sections 76-1-101.5, 76-13-101, and 76-13-201 apply to this section.

(2) An actor commits bestiality if the actor engages in sexual activity with an animal with the intent to sexually gratify the actor.

(3) A violation of Subsection (2) is a class B misdemeanor.

Renumbered and Amended by Chapter 173, 2025 General Session

76-13-214 Harassment of livestock.

(1)

(a) As used in this section:

(i) "Livestock" means the same as that term is defined in Section 76-13-202.

(ii) "Unmanned aircraft system" means the same as that term is defined in Section 72-10-102.

(b) Terms defined in Sections 76-1-101.5, 76-13-101, and 76-13-201 apply to this section.

(2) Except as provided in Subsection (4), an actor commits harassment of livestock if the actor intentionally, knowingly, or recklessly chases, with the intent of causing distress, or harms livestock through the use of:

(a) a motorized vehicle or all-terrain vehicle;

(b) a dog; or

(c) an unmanned aircraft system.

(3)

(a) Except as provided in Subsection (3)(b), a violation of Subsection (2) is a class B misdemeanor if:

(i) no livestock is seriously injured or killed as a result of the actor's actions; or

(ii) the actor's actions cause the livestock to be displaced onto property where the livestock is not legally entitled to be.

(b) A violation of Subsection (2) is a class A misdemeanor if:

(i) the offense is the actor's second or subsequent offense;

(ii) livestock is seriously injured or killed as a result of the actor's actions; or

(iii) livestock or property suffered damage in excess of \$1,000, including money spent in recovering the livestock, as a result of the actor's actions.

(4) An actor does not commit a violation of Subsection (2) if:

(a) the actor is:

(i) the owner of the livestock;

(ii) an employee or agent of the owner, or otherwise acting under the owner's general direction or with the owner's permission;

(iii) acting in an emergency situation to prevent damage to the livestock or property; or

(iv) an employee or agent of the state or a political subdivision and acting in the employee or agent's official capacity; or

(b) the action is in line with generally accepted animal husbandry practices.

Renumbered and Amended by Chapter 173, 2025 General Session

76-13-215 Failure of an animal care facility to maintain required standards.

(1)

(a) As used in this section:

(i) "Animal care facility" means an animal rescue, animal sanctuary, or animal shelter.

- (ii) "Animal rescue" means a person that:
 - (A) accepts companion animals for the purpose of finding a permanent home for each companion animal;
 - (B) does not maintain a central facility for keeping companion animals; and
 - (C) uses a system of temporarily fostering the companion animals in a private residence or boarding facility.
 - (iii) "Animal sanctuary" means a nonprofit entity, other than a government entity, that:
 - (A) harbors companion animals; and
 - (B) is used exclusively for the purpose of indefinitely caring for, rehabilitating, or housing companion animals.
 - (iv)
 - (A) "Animal shelter" means the same as that term is defined in Section 11-46-102.
 - (B) "Animal shelter" does not include an animal rescue.
 - (v) "Boarding facility" means a facility where a companion animal is kept for the purpose of caring for the companion animal.
 - (vi) "Companion animal" means an animal that is a domestic dog or a domestic cat.
 - (vii) "Facility" means a location other than a private residence.
- (2) An actor commits failure of an animal care facility to maintain required standards if the actor:
- (a) is an animal care facility; and
 - (b) fails to:
 - (i) ensure that:
 - (A) a female dog does not produce more than one litter in any twelve-month period, unless a licensed veterinarian has examined the female dog and has determined that it is safe for the dog to produce more than one litter in a twelve-month period; or
 - (B) a dog under eight weeks old or a dog not properly weaned is not sold; or
 - (ii) keep records:
 - (A) identifying, to the best of the animal care facility's knowledge, an animal's owner at the time the animal care facility acquires the animal; or
 - (B) documenting dangerous behaviors, if any, health conditions, and medical care for an animal in the animal care facility's possession.
- (3) A violation of Subsection (2) is an infraction subject to a fine of \$750.
- (4) A prosecution under this section does not preclude a prosecution for any other criminal offense.
- (5) It is a defense to a prosecution under this section that the conduct of the actor toward the animal was:
- (a) performed by a licensed veterinarian using accepted veterinary practice;
 - (b) directly related to bona fide experimentation for scientific research, provided that if the animal is to be destroyed, the manner employed will not be unnecessarily cruel unless directly necessary to the veterinary purpose or scientific research involved;
 - (c) permitted under Section 18-1-3;
 - (d) performed by a person who humanely destroys an animal found suffering past recovery for any useful purpose; or
 - (e) performed by a person who humanely destroys an apparently abandoned animal found on the person's property.
- (6) This section does not prohibit the use of animals in lawful training.
- (7) A veterinarian who, acting in good faith, reports a violation of this section to law enforcement or the Department of Agriculture and Food in accordance with Section 4-2-903 may not be held civilly liable for making the report.

Renumbered and Amended by Chapter 173, 2025 General Session