

**H.B. 242**  
**CRIMINAL PENALTY FOR ANIMAL CRUELTY**

Representative **Wayne Harper** proposes the following amendments:

1. *Page 1, Lines 11 through 12*

*House Committee Amendments*

*2-11-2005:*

11 certain definitions. { ~~This bill also increases the penalty by one degree if cruelty to an~~  
12 ~~animal is committed in the presence of a juvenile.~~ }

2. *Page 1, Line 26 through Page 2, Line 28*

*House Committee Amendments*

*2-11-2005:*

26 contendere { ~~;~~ ~~and~~  
27 ~~—————>—————provides that an animal cruelty penalty is increased by one degree if the offense is~~  
28 ~~committed in the presence of a person younger than 18 years of age~~ } .

3. *Page 8, Lines 220 through 224:*

220 Subsection {+} (3) {+} {~~(4)~~} .

221 {~~(3) A person who commits any violation of Section 76-9-301, or Subsection~~

222 ~~76-9-301.1 (1) or (4) in the immediate presence of a person younger than 18 years of age,~~

223 ~~regardless of where the act occurs, is subject to an enhanced penalty under Subsection (4).~~ }

224 {+} (3) {+} {~~(4)~~} The enhanced degree of offense for offenses committed under this section are:

4. *Page 8, Line 229:*

229 {+} (4) {+} {~~(5)~~} (a) The prosecuting attorney, or grand jury if an indictment is returned, shall