

Representative Scott H. Chew proposes the following substitute bill:

LIVESTOCK HARASSMENT

2017 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Scott H. Chew

Senate Sponsor: Don L. Ipson

LONG TITLE

General Description:

This bill prohibits the harassment of livestock.

Highlighted Provisions:

This bill:

▶ prohibits a person from intentionally, knowingly, or recklessly chasing, actively disturbing, or harming livestock through the use of:

- a motorized vehicle or all-terrain vehicle;
- a dog; or
- an unmanned aircraft system; and

▶ describes the penalties for violating the prohibition on harassment of livestock.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

76-9-308, Utah Code Annotated 1953

3rd Sub. H.B. 217



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

27 Section 1. Section **76-9-308** is enacted to read:

28 **76-9-308. Harassment of livestock.**

29 (1) As used in this section:

30 (a) "Livestock" has the same meaning as that term is defined in Subsection
31 76-9-301(1).

32 (b) "Unmanned aircraft system" has the same meaning as that term is defined in
33 Subsection 63G-18-102(5)(a).

34 (2) Except as provided in Subsection (3), a person is guilty of harassment of livestock
35 if the person intentionally, knowingly, or recklessly chases, ~~Œ→~~ **[actively disturbs]** **with the intent**
35a **of causing distress** ~~←Œ~~ , or harms
36 livestock through the use of:

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

38 (b) a dog; or

39 (c) an unmanned aircraft system.

40 (3) A person is not guilty of harassment of livestock if:

41 (a) the person is:

42 (i) the owner of the livestock;

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

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

46 (iv) an employee or agent of the state or a political subdivision and acting in the

47 employee or agent's official capacity; ~~H→~~ **[and]** **or** ~~←H~~

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

49 (4) A person who violates this section is guilty of:

50 (a) a class B misdemeanor if the violation is a first offense and:

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

52 (ii) the person's actions cause the livestock to be displaced onto property where the
53 livestock is not legally entitled to be; and

54 (b) a class A misdemeanor if:

55 (i) the person has previously been convicted of harassment of livestock under this
56 section;

57 (ii) livestock is seriously injured or killed as a result of the person's actions; or
58 (iii) livestock or property suffered damage in excess of \$1,000, including money spent
59 in recovering the livestock, as a result of the person's actions.