

## HB0217S01 compared with HB0217

~~text~~ shows text that was in HB0217 but was deleted in HB0217S01.

Inserted text shows text that was not in HB0217 but was inserted into HB0217S01.

**DISCLAIMER:** This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Representative Scott H. Chew proposes the following substitute bill:

### LIVESTOCK HARASSMENT

2017 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Scott H. Chew**

Senate Sponsor: \_\_\_\_\_

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#### LONG TITLE

##### General Description:

This bill prohibits the harassment of livestock.

##### Highlighted Provisions:

This bill:

- ▶ prohibits a person from intentionally, knowingly, or recklessly chasing ~~or otherwise~~, actively disturbing ~~the peace of~~, 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:

## HB0217S01 compared with HB0217

None

### Other Special Clauses:

None

### Utah Code Sections Affected:

ENACTS:

**76-9-308**, Utah Code Annotated 1953

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

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

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

(1) As used in this section:

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

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

(2) ~~{A}~~ Except as provided in Subsection (3), a person is guilty of harassment of livestock if the person intentionally, knowingly, or recklessly chases ~~{or otherwise}~~, actively disturbs ~~{the peace of}~~, 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 person is not guilty of harassment of livestock if:

(a) the person 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 Department of Natural Resources and acting in the employee or agent's official capacity; and

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

~~{3}~~ 4) A person who violates ~~{Subsection (2)}~~ this section is guilty of:

## HB0217S01 compared with HB0217

(a) a class B misdemeanor if:

(i) the violation is a first offense; and

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

(b) a class A misdemeanor if:

(i) the person has previously been convicted of harassment of livestock under this

section;

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

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

(iv) the person's actions cause the livestock to be displaced onto property that is not owned by the livestock's owner.

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**Legislative Review Note**

**Office of Legislative Research and General Counsel†**