

# H.B. 130

## ANIMAL FIGHTING PENALTIES

Representative **Marsha Judkins** proposes the following amendments:

1. Page 2, Lines 48 through 50:

48           (3) (a) A violation of Subsection (2)(a), (b), (c), (d), (e), or (f) is a third degree felony.  
49            ~~{ (b) A violation of Subsection (2)(g) is a class A misdemeanor. }~~  
50           ~~{ (c) }~~    (b)    A violation of Subsection   ~~{ (2)(h) }~~    (2)(g) or (h)   is a class B misdemeanor.

2. Page 3, Lines 75 through 80:

75           (1) (a) As used in this section:  
76           ~~[(a)] (i) "Game fowl" means a fowl reared or used for fighting other fowl.~~  
77           ~~{~~           (ii) "Game fowl fighting paraphernalia" means gaffs, slashers, heels, or other sharp  
78           implement designed to be attached in place of the natural spur of a game fowl. }  
79           ~~[(b)]~~   ~~{ (iii) }~~    (ii)    "Promote" means to engage in promoting, producing, or staging ~~[events or~~  
80           ~~activities]~~ an event or activity that involve game fowl fighting.

3. Page 4, Lines 102 through 115:

102           (3) (a) ~~[A person who violates Subsection (2) is, upon conviction, guilty of] A~~  
103           violation of Subsection (2)(a), (b), (c), (d), (e), (f), or (g) is:  
104           ~~[(a)] (i)~~ a class B misdemeanor for the first violation;  
105           ~~[(b)] (ii)~~ a class A misdemeanor for the second violation; or  
106           ~~[(c)] (iii)~~ a third degree felony for a third or subsequent violation.  
107            ~~{ (b) A violation of Subsection (2)(h) is a class A misdemeanor. }~~  
108           ~~{ (c) }~~    (b)    A violation of Subsection   ~~{ (2)(f) }~~    (2)(h) or (i)   is a class B  
                  misdemeanor    .  
109            ~~{ (4) An actor's possession of game fowl fighting paraphernalia is prima facie evidence~~  
110            of a violation of Subsections (2)(c), (d), or (e) if:  
111            ~~\_\_\_\_\_ (a) the actor possesses a game fowl; and~~  
112            ~~\_\_\_\_\_ (b) evidence exists that the game fowl fighting paraphernalia is being used or is~~  
113            intended for use in the training of the game fowl to fight with another game fowl. }  
114            ~~{ (5) }~~    (4)    This section does not prohibit the lawful use of livestock by the livestock owner, an  
115            employee or agent of the livestock owner, or a person ~~[in the]~~ with lawful custody of livestock.