

GENERAL ASSEMBLY OF NORTH CAROLINA
1989 SESSION

CHAPTER 670
HOUSE BILL 1296

AN ACT TO INCREASE THE MAXIMUM FINES IMPOSED FOR CRUELTY TO ANIMALS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 14-360 reads as rewritten:

"§ 14-360. Cruelty to animals; construction of section.

If any person shall willfully overdrive, overload, wound, injure, torture, torment, deprive of necessary sustenance, cruelly beat, needlessly mutilate or kill or cause or procure to be overdriven, overloaded, wounded, injured, tortured, tormented, deprived of necessary sustenance, cruelly beaten, needlessly mutilated or killed as aforesaid, any useful beast, fowl or animal, every such offender shall for every such offense be guilty of a misdemeanor punishable by a fine of up to ~~one thousand dollars (\$1,000)~~ one thousand five hundred dollars (\$1,500) and imprisonment for up to one year. In this section, and in every law which may be enacted relating to animals, the words 'animal' and 'dumb animal' shall be held to include every living creature; the words 'torture,' 'torment' or 'cruelty' shall be held to include every act, omission or neglect whereby unjustifiable physical pain, suffering or death is caused or permitted. Such terms shall not be construed to prohibit the lawful taking of animals under the jurisdiction and regulation of the Wildlife Resources Commission."

Sec. 2. G.S. 14-361 reads as rewritten:

"§ 14-361. Instigating or promoting cruelty to animals.

If any person shall willfully set on foot, or instigate, or move to, carry on, or promote, or engage in, or do any act towards the furtherance of any act of cruelty to any animal, he shall be guilty of a misdemeanor punishable by a fine of up to ~~one thousand dollars (\$1,000)~~ one thousand five hundred dollars (\$1,500) and imprisonment for up to one year."

Sec. 3. G.S. 14-361.1 reads as rewritten:

"§ 14-361.1. Abandonment of animals.

Any person being the owner or possessor, or having charge or custody of an animal, who willfully and without justifiable excuse abandons the animal is guilty of a misdemeanor punishable by a fine of up to ~~five hundred dollars (\$500.00)~~ one thousand dollars (\$1,000) and imprisonment for up to six months."

Sec. 4. G.S. 14-363 reads as rewritten:

"§ 14-363. Conveying animals in a cruel manner.

If any person shall carry or cause to be carried in or upon any vehicle or other conveyance, any animal in a cruel or inhuman manner, he shall be guilty of a

misdemeanor punishable by a fine of up to ~~one thousand dollars (\$1,000)~~ one thousand five hundred dollars (\$1,500) and imprisonment for up to one year. Whenever an offender shall be taken into custody therefor by any officer, the officer may take charge of such vehicle or other conveyance and its contents, and deposit the same in some safe place of custody. The necessary expenses which may be incurred for taking charge of and keeping and sustaining the vehicle or other conveyance shall be a lien thereon, to be paid before the same can be lawfully reclaimed; or the said expenses, or any part thereof remaining unpaid, may be recovered by the person incurring the same of the owner of such animal in an action therefor."

Sec. 5. This act shall become effective October 1, 1989, and shall apply to all violations occurring on or after that date. Prosecutions for offenses occurring before the effective date of this act are not abated or affected by this act, and the statutes that would be applicable but for this act remain applicable to those prosecutions.

In the General Assembly read three times and ratified this the 24th day of July, 1989.