

59.

Any person who (1) overdrives, overloads, deprives of necessary sustenance, tortures, torments, cruelly beats, mutilates or cruelly kills; or (2) causes, procures or authorizes these acts; or (3) having the charge or custody of an animal, either as owner or otherwise, inflicts unnecessary suffering or pain upon the animal, or unnecessarily fails to provide the animal with [proper] NUTRITIOUS food IN SUFFICIENT QUANTITY, NECESSARY VETERINARY CARE, PROPER drink, air, space, shelter or protection from the weather, is guilty of a misdemeanor and shall be punishable by a fine not exceeding \$1,000 or by imprisonment not to exceed 90 days, or both. CUSTOMARY AND NORMAL VETERINARY AND AGRICULTURAL HUSBANDRY PRACTICES INCLUDING BUT NOT LIMITED TO DEHORNING, CASTRATION, DOCKING TAILS, AND LIMIT FEEDING, ARE NOT COVERED BY THE PROVISIONS OF THIS SECTION. IN THE CASE OF ACTIVITIES IN WHICH PHYSICAL PAIN MAY UNAVOIDABLY BE CAUSED TO ANIMALS, SUCH AS FOOD PROCESSING, PEST ELIMINATION, ANIMAL TRAINING, AND HUNTING, CRUELTY SHALL MEAN A FAILURE TO EMPLOY THE MOST HUMANE METHOD REASONABLY AVAILABLE. IT IS THE INTENTION OF THE GENERAL ASSEMBLY THAT ALL ANIMALS SHALL BE PROTECTED FROM INTENTIONAL CRUELTY, BUT THAT NO PERSON SHALL BE LIABLE FOR CRIMINAL PROSECUTION FOR NORMAL HUMAN ACTIVITIES TO WHICH THE INFLICTION OF PAIN TO AN ANIMAL IS PURELY INCIDENTAL AND UNAVOIDABLE.

62.

The words "torture," "torment," and "cruelty" [means] MEAN every act, omission, or neglect whereby unnecessary or unjustifiable physical pain or suffering is caused or permitted, and the word "animal" means every living [[VERTEBRATE]] creature except man.

67.

[Whenever] IF the owner or custodian of an animal is convicted of any act of ANIMAL cruelty [thereto], the judge may use his own discretion in ordering the removal of [said] THAT animal or animals for their protection at the time of conviction. [If] WHENEVER [said animals are not removed from the custody of the owner or custodian at the time of conviction, and subsequently] it becomes necessary, in order to protect [said] ANY animal from [further] neglect [and/] or cruelty, any officer of an animal humane society or any police officer OR OTHER PUBLIC OFFICIALS CHARGED WITH THE PROTECTION OF ANIMALS may take possession of it. [When] IF an animal is impounded, yarded or confined and continues without necessary food, water or proper attention [and the owner or custodian thereof cannot be found], OR IS CRUELLY