

HOUSE BILL NO. 378

INTRODUCED BY T. RICHMOND, D. KARY, J. WINDY BOY

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A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT A PERSON 18 YEARS OF AGE OR OLDER WHO KNOWINGLY ATTENDS ANY EXHIBITION IN WHICH ANIMALS ARE FIGHTING FOR THE PURPOSE OF SPORT, AMUSEMENT, OR GAIN IS GUILTY OF A MISDEMEANOR; PROVIDING PENALTIES; AMENDING SECTION 45-8-210, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 45-8-210, MCA, is amended to read:

"45-8-210. Causing animals to fight -- owners, trainers, and spectators -- penalties -- exception

-- definition. (1) A person commits the offense of causing animals to fight if the person:

(a) owns, possesses, keeps, or trains any animal with the intent that the animal fight or be engaged in an exhibition of fighting with another animal;

(b) allows or causes any animal to fight with another animal or causes any animal to menace or injure another animal for the purpose of sport, amusement, or gain;

(c) knowingly permits any act in violation of subsection (1)(a) or (1)(b) to take place on any premises under the person's charge or control or aids or abets any act described in subsection (1)(a) or (1)(b);

(d) participates in any exhibition in which animals are fighting for the purpose of sport, amusement, or gain.

(2) A person convicted of violating ~~this section~~ subsection (1) is guilty of a felony and shall be fined an amount not to exceed \$5,000 or be imprisoned in the state prison for a term of not less than 1 year or more than 5 years, or both.

(3) A person 18 years of age or older who knowingly attends any exhibition in which animals are fighting for the purpose of sport, amusement, or gain is guilty of a misdemeanor and shall MAY be fined an amount not exceeding \$1,500 \$500.

~~(3)~~(4) Nothing in this section prohibits the following:

(a) accepted husbandry practices used in the raising of livestock or poultry;

1 (b) the use of animals in the normal and usual course of rodeo events; or

2 (c) the use of animals in hunting and training as permitted by law.

3 ~~(4)~~(5) For purposes of this section, "animal" means any cock, bird, dog, or mammal except a human."

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5 NEW SECTION. **Section 2. Effective date.** [This act] is effective on passage and approval.

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7 NEW SECTION. **Section 3. Applicability.** [This act] applies to offenses committed on or after [the

8 effective date of this act].

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