

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Strengthen the Laws against Illegal "Puppy Mill" Operators

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 17 MRSA §1031, sub-§1-F is enacted to read:

1-F. Animal cruelty involving 25 or more animals. A person who commits a violation that is described in subsection 1 as a Class D crime commits a Class C crime if the violation involves 25 or more animals in one course of conduct.

Sec. 2. 17 MRSA §1031, sub-§3-B, ¶A, as amended by PL 2007, c. 439, §37, is further amended to read:

A. In addition to any other penalty authorized by law, the court shall impose a fine of not less than \$500 for each violation of this section. The court may order the defendant to pay the costs of the care, housing and veterinary medical treatment for the animal including the costs of relocating the animal.

Sec. 3. 17-A MRSA §1201, sub-§1, ¶A-1, as amended by PL 2007, c. 577, §4, is further amended to read:

A-1. The conviction is for a Class D or Class E crime other than:

(1) A Class D or Class E crime relative to which, based upon both the written agreement of the parties and a court finding, the facts and circumstances of the underlying criminal episode giving rise to the conviction generated probable cause to believe the defendant had committed a Class A, Class B or Class C crime in the course of that criminal episode and, as agreed upon in writing by the parties and found by the court, the defendant has no prior conviction for murder or for a Class A, Class B or Class C crime and has not been placed on probation pursuant to this subparagraph on any prior occasion;

(2) A Class D crime that the State pleads and proves was committed against a family or household member or a dating partner under chapter 9 or 13 or section 554, 555 or 758. As used in this subparagraph, "family or household member" has the same meaning as in Title 19-A, section 4002, subsection 4; "dating partner" has the same meaning as in Title 19-A, section 4002, subsection 3-A;

(2-A) A Class D crime under Title 5, section 4659, subsection 1, Title 15, section 321, subsection 6 or Title 19-A, section 4011, subsection 1;

(3) A Class D or Class E crime in chapter 11 or 12;

(4) A Class D crime under section 210-A;

(4-A) A Class E crime under section 552;

(5) A Class D or Class E crime under section 556, section 854, excluding subsection 1, paragraph A, subparagraph (1), or section 855;

(6) A Class D crime in chapter 45 relating to a schedule W drug; or

(7) A Class D or Class E crime under Title 29-A, section 2411, subsection 1-A, paragraph B; or

(8) A Class D crime under Title 17, section 1031.

SUMMARY

This bill strengthens the laws against animal cruelty by increasing the class of certain crimes from Class D crimes to Class C crimes when 25 or more animals are involved, authorizes the State to recover the cost of relocating animals as part of an animal cruelty case and adds probation as a sentencing option for Class D animal cruelty violations.