

SENATE BILL NO. 26—SENATOR TITUS

PREFILED JANUARY 22, 1999

Referred to Committee on Natural Resources

SUMMARY—Prohibits horse tripping and increases penalty for killing wild horse. (BDR 45-32)

FISCAL NOTE: Effect on Local Government: Yes.
 Effect on the State or on Industrial Insurance: Yes.

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to horses; increasing the penalty for killing a wild horse; making it unlawful to trip or fell a horse for entertainment or sport under certain circumstances; providing a penalty; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND
 ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 **Section 1.** NRS 504.490 is hereby amended to read as follows:
- 2 504.490 **1.** Any person, not authorized to do so, who:
- 3 ~~{1.}~~ **(a)** Removes or attempts to remove a wild horse from the public
- 4 lands;
- 5 ~~{2.}~~ **(b)** Converts a wild horse to private use;
- 6 ~~{3.}~~ **(c)** Harasses a wild horse ~~{or kills a wild horse;~~
- 7 ~~—4.}~~;
- 8 **(d)** Uses an aircraft or a motor vehicle to hunt any wild horse;
- 9 ~~{5.}~~ **(e)** Pollutes or causes the pollution of a watering hole on public
- 10 land to trap, wound ~~{, kill}~~ or maim a wild horse;
- 11 ~~{6.}~~ **(f)** Makes or causes the remains of a wild horse to be made into
- 12 any commercial product;
- 13 ~~{7.}~~ **(g)** Sells a wild horse which strays onto private property; or
- 14 ~~{8.}~~ **(h)** Willfully violates a regulation adopted by the commission for
- 15 the preservation of wild horses,
- 16 is guilty of a gross misdemeanor.
- 17 **2. Any person, not legally authorized to do so, who intentionally kills**
- 18 **a wild horse, is guilty of a category E felony and shall be punished as**
- 19 **provided in NRS 193.130.**

1 **Sec. 2.** Chapter 574 of NRS is hereby amended by adding thereto a
2 new section to read as follows:

3 **1. It is unlawful for a person who:**

4 **(a) Participates in a public exhibition to intentionally trip or fell a**
5 **horse by the legs, by any means, for the purpose of entertainment or**
6 **sport.**

7 **(b) Presents a public exhibition to permit a participant to engage in the**
8 **conduct prohibited by paragraph (a).**

9 **2. As used in this section:**

10 **(a) "Horse" means an animal of the equine species.**

11 **(b) "Trip or fell" means to cause a horse to fall or lose its balance with**
12 **the use of a wire, pole, stick, rope or other object. The term does not**
13 **include the lawful laying down of a horse for medical purposes or for the**
14 **purposes of identification.**

15 **Sec. 3.** NRS 574.050 is hereby amended to read as follows:

16 574.050 As used in NRS 574.050 to 574.200, inclusive ~~[-]~~, **and section**
17 **2 of this act, unless the context otherwise requires:**

18 1. "Animal" does not include the human race, but includes every other
19 living creature.

20 2. "Torture" or "cruelty" includes every act, omission or neglect ~~[-]~~
21 whereby unjustifiable physical pain, suffering or death is caused or
22 permitted.

23 **Sec. 4.** NRS 574.100 is hereby amended to read as follows:

24 574.100 ~~[-]~~ **Unless a greater penalty is provided by NRS 206.150 ~~[-]~~ or 504.490,**
25 **a person who:**

26 1. Overdrives, overloads, tortures or cruelly beats or unjustifiably
27 injures, maims, mutilates or kills any animal, whether belonging to himself
28 or to another;

29 2. Deprives any animal of necessary sustenance, food or drink, or
30 neglects or refuses to furnish it such sustenance or drink;

31 3. Causes, procures or permits any animal to be overdriven, overloaded,
32 tortured, cruelly beaten, or unjustifiably injured, maimed, mutilated or
33 killed, or to be deprived of necessary food or drink;

34 4. Willfully sets on foot, instigates, engages in, or in any way furthers
35 an act of cruelty to any animal, or any act tending to produce such cruelty;
36 or
37

38 5. Abandons an animal in circumstances other than those prohibited in
39 NRS 574.110,
40 is guilty of a misdemeanor.

41 **Sec. 5.** NRS 574.200 is hereby amended to read as follows:

42 574.200 The provisions of NRS 574.050 to 574.190, inclusive, and
43 574.210 to 574.510, inclusive, **and section 2 of this act** do not:

- 1 1. Interfere with any of the fish and game laws contained in Title 45 of
2 NRS or any laws for the destruction of certain birds.
- 3 2. Interfere with the right to destroy any venomous reptiles or animals,
4 or any animal known as dangerous to life, limb or property.
- 5 3. Interfere with the right to kill all animals and fowl used for food.
- 6 4. Prohibit or interfere with any properly conducted scientific
7 experiments or investigations which are performed under the authority of
8 the faculty of some regularly incorporated medical college or university of
9 this state.
- 10 5. Interfere with any scientific or physiological experiments conducted
11 or prosecuted for the advancement of science or medicine.
- 12 6. Prohibit or interfere with established methods of animal husbandry,
13 including the raising, handling, feeding, housing and transporting of
14 livestock or farm animals.
- 15 **Sec. 6.** The provisions of section 2 of this act do not apply to offenses
16 that are committed before October 1, 1999.

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