

Assembly Bill No. 199–Assemblymen Gansert, Hardy; Aizley, Arberry, Claborn, Cobb, Gustavson, Horne, Kihuen, Leslie, Manendo, McClain, Munford, Settlemeyer, Stewart and Woodbury

Joint Sponsors: Senators Townsend; Cegavske, Hardy, McGinness, Raggio and Washington

CHAPTER.....

AN ACT relating to animals; prohibiting a person from owning, possessing, keeping, training, promoting or purchasing an animal with the intent to use it to fight another animal or from selling an animal knowing that it is intended to be used to fight another animal; revising the provisions regarding witnesses to such fights; providing a penalty; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law prohibits a person from instigating, promoting or in any way engaging in the furtherance of any fight between animals in an exhibition or for amusement or gain which is premeditated by a person who owns or has custody of the animals. (NRS 574.070) This bill prohibits a person from owning, possessing, keeping, training, promoting or purchasing an animal with the intent to use it to fight another animal or from selling an animal knowing that it is intended to be used to fight another animal. If a person commits such a violation, he is guilty of a gross misdemeanor for a first offense, a category E felony for a second offense and a category D felony for a third or subsequent offense.

Under existing law, a person is prohibited from witnessing any fight between animals in an exhibition or for amusement or gain. This bill requires a person to knowingly witness such a fight in order to be guilty of a violation.

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

Section 1. NRS 574.070 is hereby amended to read as follows:

574.070 1. Except as otherwise provided in this section, a person shall not ~~[set on foot,]~~ *begin, cause*, instigate, promote, carry on or do any act as an assistant, umpire or principal, or in any way aid in or engage in the furtherance of any fight between ~~[cocks or other birds, or bulls, bears or other]~~ animals in an exhibition or for amusement or gain ~~[.]~~ *which is* premeditated by a person owning or having custody of ~~[such birds or]~~ *the* animals.

2. *A person shall not:*

(a) Own, possess, keep, train, promote or purchase an animal with the intent to use it to fight another animal; or



(b) Sell an animal knowing that it is intended to be used to fight another animal.

3. A person shall not **knowingly** witness any fight between ~~cocks or other birds, or bulls, bears or other~~ animals in an exhibition or for amusement or gain. ~~[which is premeditated by a person having custody of such birds or animals.]~~

~~3.]~~ 4. Except as otherwise provided in subsection ~~[5.]~~ 7, a person who violates any provision of subsection 1 is guilty of:

(a) For a first offense, a gross misdemeanor.

(b) For a second offense, a category E felony and shall be punished as provided in NRS 193.130.

(c) For a third or subsequent offense, a category D felony and shall be punished as provided in NRS 193.130.

~~[4.]~~ 5. *A person who violates any provision of subsection 2 is guilty of:*

(a) For a first offense, a gross misdemeanor.

(b) For a second offense, a category E felony and shall be punished as provided in NRS 193.130.

(c) For a third or subsequent offense, a category D felony and shall be punished as provided in NRS 193.130.

6. A person who violates any provision of subsection ~~[2]~~ 3 is guilty of:

(a) For a first offense, a misdemeanor.

(b) For a second offense, a gross misdemeanor.

(c) For a third or subsequent offense, a category E felony and shall be punished as provided in NRS 193.130.

~~[5.]~~ 7. If a violation of subsection 1 involves a dog, a person who commits such a violation is guilty of:

(a) For a first offense, a category D felony and shall be punished as provided in NRS 193.130.

(b) For a second offense, a category C felony and shall be punished as provided in NRS 193.130.

(c) For a third or subsequent offense, a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years.

~~[6.]~~ 8. If a person who violates this section is not a natural person, he shall be punished by a fine of not more than \$10,000.

~~[7.]~~ 9. This section does not prohibit the use of dogs or birds for:



- (a) The management of livestock by the owner thereof, his employees or agents or any other person in the lawful custody of the livestock; or
- (b) Hunting as permitted by law.

