

I Mina'trentai Singko Na Liheslaturan Guåhan
BILL STATUS

| BILL NO. | SPONSOR | TITLE | DATE INTRODUCED | DATE REFERRED | CMTE REFERRED | PUBLIC HEARING DATE | DATE COMMITTEE REPORT FILED | FISCAL NOTES | NOTES |
|-------------|---|--|----------------------|---------------|---------------|---------------------|-----------------------------|--------------|-------|
| 49-35 (COR) | Sabina Flores Perez James C. Moylan Joe S. San Agustin Amanda S. Shelton | AN ACT TO AMEND §70.10.1(a)(1) OF CHAPTER 70, TITLE 9, GUAM CODE ANNOTATED RELATIVE TO CLARIFYING THAT ANIMAL ABUSE IN THE FIRST DEGREE INCLUDES THE ACT OF CRUELLY OR MALICIOUSLY CAUSING THE DEATH OF AN ANIMAL. | 2/20/19 9:09 a.m. | | | | | | |

I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN
2019 (FIRST) Regular Session

Bill No. 49-35(COR)

Introduced by:

Sabina Flores Perez *SFP*
James C. Moylan *JCM*
Joe S. San Agustin *JSA*
Amanda L. Shelton *AS*

2019 FEB 20 AM 9:09 Jm

**AN ACT TO AMEND §70.10.1(a)(1) OF CHAPTER 70,
TITLE 9, GUAM CODE ANNOTATED RELATIVE TO
CLARIFYING THAT ANIMAL ABUSE IN THE FIRST
DEGREE INCLUDES THE ACT OF CRUELLY OR
MALICIOUSLY CAUSING THE DEATH OF AN
ANIMAL.**

1 **BE IT ENACTED BY THE PEOPLE OF GUAM:**

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that it is, and always has been, the intent of the Government of Guam to protect
4 animals from senseless violence. Egregious examples of such animal abuse, which
5 result in serious harm, injury or death, shall constitute a felony regardless of the
6 manner or speed with which the violence was inflicted. As such, *I Liheslatura*
7 intends to clarify that it is a felony to cruelly or maliciously cause the death of an
8 animal.

9 **Section 2.** §70.10.1(a)(1) of Chapter 70, Title 9, is hereby *amended* to read
10 as follows:

11 **“§ 70.10.1. Animal Abuse in the First Degree.**

12 (a) A person commits the crime of animal abuse in the first degree
13 if the person intentionally, knowingly or recklessly, except as otherwise
14 authorized by law:

1 (1) causes serious physical injury to the animal(s), cruelly or
2 maliciously causes the death of the animal(s) or tortures the animal(s);
3 or

4 (2) fails to provide minimum care for the animal(s) in the
5 person's custody or control, and the failure to provide care results in
6 serious physical injury or death to the animal(s).

7 (b) Animal abuse in the first degree is a third-degree felony.

8 (c) Subsection (a) of this Section shall not be applicable to:

9 (1) accepted veterinary practices and activities carried on for
10 scientific research by public or private schools or universities or
11 medical institutions;

12 (2) the shooting or taking of game in such manner and at such
13 times as is allowed or provided by the laws of Guam;

14 (3) cockfighting in a manner and at such times and places as
15 are authorized by law;

16 (4) measures necessary to avert harm by an animal that poses
17 a present and immediate danger to the safety of people or other animals;

18 (5) the killing of animals for food; or

19 (6) the proper disinfestation of rodents, insects and arachnids.

20 (a) The building permit application accompanied by at least three (3)
21 complete sets of plans and specifications must be submitted to the
22 Building Permits Division, Department of Public Works by the owner
23 or his licensed contractor.”

24 **Section 3. Severability.** If any provision of this Act or its application to any
25 person or circumstance is found to be invalid or contrary to law, such invalidity *shall*
26 *not* affect other provisions or applications of this Act that can be given effect without
27 the invalid provision or application, and to this end the provisions of this Act are
28 severable.