

HOUSE BILL NO. HB0275

Treatment of animals.

Sponsored by: Representative(s) Byron, Schmid, Singh and
Williams and Senator(s) Barlow, Hutchings,
Landen, Nethercott and Olsen

A BILL

for

1 AN ACT relating to crimes and offenses; providing a
2 misdemeanor offense and amending the offense of felony
3 animal cruelty to address actions where wildlife is reduced
4 to possession; prohibiting the torture of wildlife as
5 specified; specifying the required treatment of certain
6 wildlife; specifying penalties; providing for license
7 revocation and suspension and forfeiture of devices and
8 equipment for specified convictions; clarifying trapping
9 requirements; removing a reporting requirement; providing
10 definitions; making conforming amendments; and providing
11 for an effective date.

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13 *Be It Enacted by the Legislature of the State of Wyoming:*

14

1 **Section 1.** W.S. 6-3-1001(a) by creating new
2 paragraphs (iv) through (vi), 6-3-1004 by creating a new
3 subsection (c), 6-3-1005(a)(intro), (i), (ii), by creating
4 a new paragraph (iii) and by creating a new subsection (c),
5 23-3-103(a) and by creating new subsections (d) and (e),
6 23-3-306 by creating a new subsection (j),
7 23-6-206(a)(intro) and (iii) and 23-6-208 are amended to
8 read:

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10 **6-3-1001. Definitions.**

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12 (a) As used in this article:

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14 (iv) "Predacious bird" means as defined in W.S.
15 23-1-101(a)(vii);

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17 (v) "Predatory animal" means as defined in W.S.
18 23-1-101(a)(viii);

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20 (vi) "Wildlife" means as defined in W.S.
21 23-1-101(a)(xiii). "Wildlife" shall not include amphibians,
22 crustaceans, fish, mollusks and reptiles.

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1 **6-3-1004. Penalties; misdemeanor offenses.**

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3 (c) A first offense of cruelty to animals under W.S.
4 6-3-1005(a)(iii) and 23-3-103(d) is a misdemeanor
5 punishable by imprisonment for not more than six (6)
6 months, a fine of not more than five thousand dollars
7 (\$5,000.00), or both. The person shall also be subject to
8 revocation and suspension of licenses and privileges as
9 provided in W.S. 6-3-1005(c) and 23-3-103(d).

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11 **6-3-1005. Felony cruelty to animals; penalty.**

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13 (a) Except as provided in W.S. 6-3-1004(c) and
14 paragraph (a)(iii) of this section a person commits felony
15 cruelty to animals if the person:

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17 (i) Commits cruelty to animals as defined in
18 W.S. 6-3-1002(a)(v) through (ix), that results in the death
19 or required euthanasia of the animal; ~~or~~

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21 (ii) Knowingly, and with intent to cause death
22 or undue suffering, beats with cruelty, tortures, torments
23 or mutilates an animal; or

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(iii) Knowingly, and with intent to cause undue suffering, tortures, torments or mutilates living wildlife, including predatory animals and predacious birds, after reducing the living wildlife to possession. For purposes of this paragraph:

(A) The immediate killing of living wildlife reduced to possession shall not be a violation of this paragraph;

(B) Nothing in this paragraph shall be construed to require an owner of a trap or snare to check the trap or snare before the time required in title 23 of the Wyoming statutes and rules promulgated by the game and fish commission. Wildlife discovered in a snare or trap shall be considered within the possession of the owner of the snare or trap upon discovery by the owner;

(C) A first offense of cruelty to animals under this paragraph and W.S. 23-3-103(d) is a misdemeanor punishable as provided in W.S. 6-3-1004(c). A second or subsequent offense under this paragraph or W.S. 23-3-103(d)

1 is punishable as provided by subsections (b) and (c) of
2 this section.

3
4 (c) Upon a conviction of a first or subsequent
5 violation of paragraph (a)(iii) of this section and W.S.
6 23-3-103(d) and in addition to any penalty specified in
7 subsection (b) of this section, the court may revoke any
8 license issued under title 23 of the Wyoming statutes and
9 suspend a person's privilege to purchase or receive any
10 other license as specified in title 23 of the Wyoming
11 statutes or to take any wildlife under W.S.
12 23-6-206(a)(iii).

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14 **23-3-103. Taking predatory animals, predacious birds**
15 **and trophy animals; taking furbearing animals and game**
16 **birds without license prohibited.**

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18 (a) Predatory animals and predacious birds may be
19 taken without a license in any manner and at any time
20 except as provided by W.S. 6-3-1005(a)(iii), 23-2-303(d)
21 and (e), 23-3-112, 23-3-304(b), 23-3-305, 23-3-306(b) and
22 23-3-307. ~~The department shall report annually to the~~
23 ~~Wyoming department of agriculture the number of predatory~~

1 ~~animals and predacious birds taken by the department's~~
2 ~~animal damage control agents, and include in the report the~~
3 ~~area where taken and the control method used~~ provided that
4 any predatory animal or predacious bird reduced to
5 possession shall be promptly killed or released subject to
6 subsection (d) of this section.

7
8 (d) No person shall knowingly, and with intent to
9 cause undue suffering, torture, torment or mutilate living
10 wildlife, including predatory animals and predacious birds,
11 after reducing the living wildlife to possession. A person
12 violating this subsection shall be liable under W.S.
13 6-3-1004(c) for a first offense and under W.S.
14 6-3-1005(a)(iii), (b) and (c) for a second or subsequent
15 offense. Upon any conviction of a violation of this
16 subsection the court may revoke any license issued under
17 this act and suspend a person's privilege to purchase or
18 receive any other license under this act or to take any
19 wildlife as provided under W.S. 23-6-206(a)(iii). For
20 purposes of this subsection, "wildlife" means as defined by
21 W.S. 6-3-1001(a)(vi).

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1 (e) Nothing in this section shall be construed to
2 require an owner of a trap or snare to check the trap or
3 snare before the time required in title 23 of the Wyoming
4 statutes and rules promulgated by the game and fish
5 commission. Wildlife discovered in a snare or trap shall be
6 considered within the possession of the owner of the snare
7 or trap upon discovery by the owner.

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9 **23-3-306. Use of aircraft, automobiles, motorized and**
10 **snow vehicles and artificial light for hunting or fishing**
11 **prohibited; exceptions; penalties.**

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13 (j) Any person who pursues a predatory animal or
14 predacious bird by use of any vehicle or other conveyance
15 specified in subsection (a) of this section and injures or
16 incapacitates the predatory animal or predacious bird shall
17 make a reasonable effort to immediately kill the injured or
18 incapacitated animal. As used in this subsection,
19 "incapacitate" means injury or a state of physical
20 exhaustion to the point the animal has ceased to attempt to
21 elude the vehicle or other conveyance.

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1 **23-6-206. Revocation of license; hunting after**
2 **suspended license.**

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4 (a) The court may, in its discretion, revoke any
5 license issued under this act to any person convicted of a
6 violation of this act or W.S. 6-3-1005(a)(iii), for the
7 remainder of the year in which the conviction occurs, and
8 may suspend the person's privilege to purchase or receive
9 any other license under this act, or to take any wildlife
10 for the following time periods provided in paragraphs (i)
11 through (iii) and shall suspend the person's privilege to
12 purchase or receive any other license under this act for
13 the time period provided in paragraph (iv) of this
14 subsection:

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16 (iii) Up to three (3) years for conviction of a
17 low misdemeanor as provided in W.S. 23-6-202(a)(v) or for
18 conviction of a violation of W.S. 6-3-1005(a)(iii) or
19 23-3-103(d);

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21 **23-6-208. Forfeiture of devices and equipment used in**
22 **taking game illegally; procedure.**

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1 Devices and equipment, including any firearm, weapon,
2 ammunition, trap, snare, vessel, motorized vehicle,
3 aircraft, explosive, poisonous substance, electronic device
4 or optical equipment, used in, or in aid of, a violation of
5 W.S. 6-3-1005(a)(iii), 23-3-102(d), 23-3-103(d) or 23-3-107
6 may be seized by any law enforcement officer of the state
7 after hearing and upon order issued by the court of
8 original jurisdiction when the value of the devices or
9 equipment is one thousand dollars (\$1,000.00) or less or by
10 the district court for the county in which the offense was
11 charged when the value of the devices or equipment is more
12 than one thousand dollars (\$1,000.00). Any device or
13 equipment seized under this section shall be forfeited to
14 the state in accordance with W.S. 7-2-105, provided the
15 device or equipment is not subject to forfeiture under this
16 section by reason of any unlawful act committed without the
17 knowledge or consent of the owner. A device or equipment
18 seized under this section shall not be forfeited as
19 provided under this section until after the person has been
20 convicted under W.S. 6-3-1005(a)(iii), 23-3-102(d),
21 23-3-103(d) or 23-3-107 and the time for appeal has
22 expired.

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1 **Section 2.** This act is effective July 1, 2025.

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(END)