

(H. B. 1349)

(No. 235)

(Approved November 3, 2006)

AN ACT

To amend Section 9 of Act No. 67 of May 31, 1973, as amended, known as the “Animal Protection Act,” to include the penalty of community service as a penalty to be imposed upon any person convicted for violating the provisions of said Act.

STATEMENT OF MOTIVES

Section 9 of Act No. 67 of May 31, 1973, as amended, contains the penalties to be imposed upon any person convicted for any offense in relation to any animal under the terms of the cited Act. However, the penalty of community service is not included among the penalties provided in the text of the law in effect for offenders who violate the provisions of Act No. 67, *supra*.

Animals are part of nature, and therefore deserve to be protected with the highest guarantees and resources available in our code of laws. It is our responsibility to enact laws to continue dissuading abusive and negligent conduct towards animals. To do so, it is necessary to continue to enforce the laws in effect in terms of the penalties and sanctions imposed upon those who violate said laws.

This Legislature deems that the imposition of the penalty of community service upon offenders shall be a true dissuasive that shall contribute to discourage abusive or negligent behavior against animals. In this manner, the citizenry shall be aware of the fact that to incur this type of conduct shall entail more than the payment of a fine or an admonishment. With the imposition of the penalty of community service, the person shall be bound to work for the benefit of the community, perhaps in an animal rescue or an animal shelter.

We are convinced that the approval of this legislation shall result in great benefits for all animals, and that it shall offer them greater protection and safety.

BE IT ENACTED BY THE LEGISLATURE OF PUERTO RICO:

Section 1.- Section 9 of Act No. 67 of May 31, 1973, as amended, is hereby amended to read as follows:

“Penalties

Any person who, with negligence, violates the provisions of this Act shall be guilty of a misdemeanor and upon conviction shall be bound to pay a fine that shall not exceed five thousand (5,000) dollars. The judge may also impose a penalty of community service, as provided in Section 54 of Act No. 149 of June 18, 2004. In addition, if the violator is a juridical person, the Court may also impose any of the following penalties: (1) a suspension that shall consist of paralyzing any activity of the entity, except for those of strict conservation, during the time deemed necessary, which shall not exceed six (6) months; (2) cancellation of the certificate of incorporation or the dissolution of any juridical person that incurs in a pattern of conduct consisting of cruelty against the animals they own; and (3) suspension or revocation of the license, permit or authorization of any juridical person who violates the requirements or procedures established by virtue of this Act. When the circumstances under which the violation occurs show a grave disregard for the life and safety of the animal and the intention to cause it serious bodily injury; or when the home of the owner of the animal is broken into and the act of cruelty is committed therein; or when it is committed with a deadly weapon, whether or not the death or mutilation of the animal is caused thereby, the person shall incur a felony in the fourth degree.”

Section 2.- This Act shall take effect immediately after its approval.

CERTIFICATION

I hereby certify to the Secretary of State that the following Act No. 235 (H.B. 1349) of the 4th Session of the 15th Legislature of Puerto Rico:

AN ACT to amend Section 9 of Act No. 67 of May 31, 1973, as amended, known as the “Animal Protection Act,” to include the penalty of community service as a penalty to be imposed upon any person convicted for violating the provisions of said Act,

has been translated from Spanish to English and that the English version is correct.

In San Juan, Puerto Rico, today 13th of February of 2007.

Francisco J. Domenech
Director