

REFERENCE TITLE: animal fighting; prohibition

State of Arizona
Senate
Forty-eighth Legislature
First Regular Session
2007

SB 1229

Introduced by
Senator Waring

AN ACT

AMENDING SECTIONS 13-1802, 13-2910.01 AND 13-2910.02, ARIZONA REVISED
STATUTES; RELATING TO ANIMAL CRUELTY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 13-1802, Arizona Revised Statutes, is amended to
3 read:

4 13-1802. Theft; classification

5 A. A person commits theft if, without lawful authority, the person
6 knowingly:

7 1. Controls property of another with the intent to deprive the other
8 person of such property; or

9 2. Converts for an unauthorized term or use services or property of
10 another entrusted to the defendant or placed in the defendant's possession
11 for a limited, authorized term or use; or

12 3. Obtains services or property of another by means of any material
13 misrepresentation with intent to deprive the other person of such property or
14 services; or

15 4. Comes into control of lost, mislaid or misdelivered property of
16 another under circumstances providing means of inquiry as to the true owner
17 and appropriates such property to the person's own or another's use without
18 reasonable efforts to notify the true owner; or

19 5. Controls property of another knowing or having reason to know that
20 the property was stolen; or

21 6. Obtains services known to the defendant to be available only for
22 compensation without paying or an agreement to pay the compensation or
23 diverts another's services to the person's own or another's benefit without
24 authority to do so.

25 B. A person commits theft if the person knowingly takes control,
26 title, use or management of an incapacitated or vulnerable adult's assets or
27 property through intimidation or deception, as defined in section 46-456,
28 while acting in a position of trust and confidence and with the intent to
29 deprive the incapacitated or vulnerable adult of the asset or property.

30 C. The inferences set forth in section 13-2305 apply to any
31 prosecution under subsection A, paragraph 5 of this section.

32 D. At the conclusion of any grand jury proceeding, hearing or trial,
33 the court shall preserve any trade secret that is admitted in evidence or any
34 portion of a transcript that contains information relating to the trade
35 secret pursuant to section 44-405.

36 E. Theft of property or services with a value of twenty-five thousand
37 dollars or more is a class 2 felony. Theft of property or services with a
38 value of four thousand dollars or more but less than twenty-five thousand
39 dollars is a class 3 felony. Theft of property or services with a value of
40 three thousand dollars or more but less than four thousand dollars is a class
41 4 felony, except that theft of any vehicle engine or transmission is a class
42 4 felony regardless of value. Theft of property or services with a value of
43 two thousand dollars or more but less than three thousand dollars is a class
44 5 felony. Theft of property or services with a value of one thousand dollars
45 or more but less than two thousand dollars is a class 6 felony. Theft of any

1 property or services valued at less than one thousand dollars is a class 1
2 misdemeanor, unless the property is taken from the person of another, is a
3 firearm or is ~~a dog~~ AN ANIMAL taken for the purpose of ~~dog~~ ANIMAL fighting in
4 violation of section 13-2910.01, in which case the theft is a class 6 felony.

5 F. A person who is convicted of a violation of subsection A, paragraph
6 1 or 3 of this section that involved property with a value of one hundred
7 thousand dollars or more is not eligible for suspension of sentence,
8 probation, pardon or release from confinement on any basis except pursuant to
9 section 31-233, subsection A or B until the sentence imposed by the court has
10 been served, the person is eligible for release pursuant to section
11 41-1604.07 or the sentence is commuted.

12 Sec. 2. Section 13-2910.01, Arizona Revised Statutes, is amended to
13 read:

14 13-2910.01. Animal fighting; classification; definition

15 A. A person commits ~~dog~~ ANIMAL fighting by knowingly:

16 1. Owning, possessing, keeping or training any ~~dog~~ ANIMAL with the
17 intent that such ~~dog~~ ANIMAL engage in an exhibition of fighting with another
18 ~~dog~~ ANIMAL.

19 2. For amusement or gain, causing any ~~dog~~ ANIMAL to fight with another
20 ~~dog~~ ANIMAL, or causing any ~~dogs~~ ANIMALS to injure each other.

21 3. Permitting any act in violation of paragraph 1 or 2 to be done on
22 any premises under ~~his~~ THE PERSON'S charge or control.

23 B. ~~Dog~~ ANIMAL fighting is a class 5 felony.

24 C. FOR THE PURPOSES OF THIS SECTION, "TRAINING" MEANS GENERALLY
25 ACCEPTED STANDARD TRAINING TECHNIQUES.

26 Sec. 3. Section 13-2910.02, Arizona Revised Statutes, is amended to
27 read:

28 13-2910.02. Presence at animal fight; classification

29 Any person who is knowingly present at any place or building where
30 preparations are being made for an exhibition of the fighting of ~~dogs,~~
31 ANIMALS or WHO is present at such AN exhibition, ~~is~~ is guilty of a class 6
32 felony.