

HB 2095 -- Animal Ecological Terrorism Act

Sponsor: Smith (150)

This bill establishes the Animal Ecological Terrorism Act. In its main provisions, the bill:

(1) Specifies that a person, animal, or ecological terrorist organization will be guilty of the crime of depriving the owner of an animal or natural resource from participating in an animal or natural resource activity if he or she:

(a) Obstructs the lawful use of an animal, natural resource, or other property from the owner permanently or for a period of time that a significant portion of the value or enjoyment of the animal, natural resource, or property is lost to the owner by way of coercion, fear, intimidation, or property damage;

(b) Takes or detains the animal, natural resource, or other property and agrees to restore it only upon reward or other compensation; or

(c) Disposes of an animal, natural resource, or other property or so alters its condition or usefulness that the value of the animal, natural resource, or other property is substantially reduced; and

(d) Is politically motivated to commit the prohibited activity;

(2) Specifies that a person who commits the crime of depriving the owner of an animal or natural resource is guilty of a class A misdemeanor unless he or she causes more than \$500 in physical damage or destruction of property in which case he or she will be guilty of a class D felony;

(3) Specifies that a person, animal, or ecological terrorist organization will be guilty of the crime of obstructing or impeding the use of an animal facility or the use of a natural resource without the effective consent of the owner if he or she damages or destroys an animal or research facility or other property in or on the premises, enters a facility that is closed to the public, remains concealed in a facility to commit a prohibited act, enters a facility and commits or attempts to commit a prohibited act, enters a facility to take pictures with the intent to commit criminal activities or defame the facility or its owner, or enters or remains on the premises of the facility if he or she had notice that entry was forbidden or was asked to leave but failed to do so, and is politically motivated to commit the prohibited activity;

(4) Specifies that a person who commits the crime of obstructing or impeding the use of an animal facility or the use of a natural resource without the effective consent of the owner will be guilty of a class A misdemeanor unless he or she causes more than \$500 in physical damage or destruction of property in which case he or she will be guilty of a class D felony;

(5) Specifies that any person, animal, or ecological terrorist organization will be guilty of the crime of participating in or supporting animal or ecological terrorism if he or she raises, solicits, collects, or provides any person with material, financial support, or other resources that will be used to encourage, plan, prepare, carry out, publicize, promote, or aid an act of animal or ecological terrorism or the concealment of or an escape from an act of animal or ecological terrorism;

(6) Specifies that a person who commits the crime of participating in or supporting animal or ecological terrorism will be guilty of a class A misdemeanor unless he or she causes more than \$500 in physical damage or destruction of property in which case he or she will be guilty of a class D felony;

(7) Excludes any government agency or its employees carrying out their responsibilities under the law, lawful activities of a financial institution or other secured party, or a humane animal treatment shelter or its employees when acting within the scope of their employment from the provisions of the act;

(8) Specifies that a person who is convicted of or who pleads guilty to a violation of the act and as a result of the violation intentionally or negligently commits bodily harm to any individual will be guilty of a class D felony unless he or she causes more than \$500 in physical damage or destruction of property in which case he or she will be guilty of a class C felony;

(9) Allows any person who has been damaged by a violation of the act to bring an action against the person who caused the damage to recover an amount equal to three times all economic damages as well as court costs and reasonable attorney fees; and

(10) Requires any person who is convicted of or who pleads guilty to a violation of the act to register with the Attorney General. The registry must contain the name, current address, recent photograph, and signature of the offender. The offender must provide the Attorney General with written notice of any change in name or address within 30 days of the change. The Attorney General must maintain a website containing the information for each person required to register. Information about an offender must remain on the website for no less than

three years, after which time a registrant may apply for removal.