

ASSEMBLY BILL NO. 381—ASSEMBLYMEMBERS HARDY,  
HIBBETTS; GONZÁLEZ AND NGUYEN

MARCH 10, 2025

JOINT SPONSOR: SENATOR SCHEIBLE

Referred to Committee on Judiciary

SUMMARY—Revises provisions related to animals.  
(BDR 50-793)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets [omitted material] is material to be omitted.

AN ACT relating to animals; revising provisions governing acts constituting torture or cruelty to animals; revising certain penalties for acts of animal cruelty; revising certain provisions governing the ownership and care of animals treated cruelly; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Under existing law, “torture” of or “cruelty” to an animal includes every act, omission or neglect, whereby unjustifiable physical pain, suffering or death is caused or permitted. (NRS 574.050) **Section 2** of this bill revises the definition of “torture” of or “cruelty” to animals to include every act, omission or neglect whereby unjustifiable physical pain, suffering or death is caused, allowed or permitted. **Section 1** of this bill provides that, for the purposes of determining whether a person committed an act of torture or cruelty to an animal by allowing or permitting the act to occur, the person: (1) allows the torture of or cruelty to occur if the person does nothing to prevent or stop the torture or cruelty; and (2) permits the torture or cruelty to occur if the person unreasonably approves, grants approval or allows an act, omission or neglect to occur and which act, omission, or neglect constitutes the torture of or cruelty to the animal.

Existing law requires certain officers to: (1) take possession of an animal which is being treated cruelly; and (2) give to the owner a notice containing certain information. Upon proof that proper notice has been given, existing law authorizes a court of competent jurisdiction to order the animal sold at auction, humanely destroyed or continued in the care of the officer. (NRS 574.055) **Section 3** of this bill removes the authorization for a court to order the animal sold at auction.



\* A B 3 8 1 \*

Existing law provides that, with certain exceptions, the seizure and disposition of an animal which an officer discovers is being treated cruelly does not apply to any animal which is located on land being employed for an agricultural use. (NRS 574.055) **Section 3** removes this exception.

Existing law provides that a person who engages in certain acts of torture or cruelty to animals is guilty of a misdemeanor for a first offense, except if the person: (1) willfully and maliciously engages in such an act, the person is guilty of a category D felony; or (2) commits the act to threaten, intimidate or terrorize another person, the person is guilty of a category C felony. (NRS 574.100) **Section 4** of this bill provides instead that: (1) a willful and malicious violation is a category B felony if the act causes the death of the animal; (2) committing the act to threaten, intimidate or terrorize another person is a category B felony; and (3) a knowing or reckless violation is a category D violation.

Existing law provides that a person who engages in certain acts of torture or cruelty to a police animal is guilty of: (1) a category D felony if the police animal is not totally disabled or killed; and (2) a category C felony if the police animal is totally disabled or killed. (NRS 574.105) **Section 5** of this bill increases these penalties to a category C felony if the police animal is not totally disabled or killed and a category B felony if the police animal is totally disabled or killed.

Existing law requires that if a person is lawfully arrested for certain crimes against animals and an animal owned or possessed by the person is impounded by the county, city or other local government in connection with the arrest, the person must be notified of his or her right to request a hearing within 5 days. If the person does not request a hearing, or if the owner of the animal has not been identified within 5 days after the arrest, the county, city or other local government which impounded the animal is required to transfer ownership of the animal to an animal rescue organization, animal shelter or another person who is able to provide adequate care and shelter to the animal. (NRS 574.203) **Section 7** of this bill provides instead that, if the arrested and detained person does not request a hearing, or the owner of the animal has not been identified within 5 days after the arrest, the animal must be forfeited to the county, city or other local government which took possession of the animal, who must then transfer ownership of the animal to certain entities which are able to provide adequate care and shelter to the animal.

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THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

**Section 1.** Chapter 574 of NRS is hereby amended by adding thereto a new section to read as follows:

*For the purposes of NRS 574.050 to 574.200, inclusive, a person:*

*1. Allows the torture of or cruelty to an animal to occur if the person does nothing to prevent or stop the torture of or cruelty to an animal in circumstances in which the person knows or has reason to know that the torture or cruelty is occurring.*

*2. Permits the torture of or cruelty to an animal to occur if the person approves, grants approval or allows an act, omission or neglect to occur in circumstances in which a reasonable person would not approve, grant approval or allow such an act, omission*



*or neglect to occur and which act, omission, or neglect constitutes the torture of or cruelty to an animal.*

**Sec. 2.** NRS 574.050 is hereby amended to read as follows:

574.050 As used in NRS 574.050 to 574.200, inclusive ~~§~~ , *and section 1 of this act:*

1. "Animal" does not include the human race, but includes every other living creature.

2. "First responder" means a person who has successfully completed the national standard course for first responders.

3. "Police animal" means an animal which is owned or used by a state or local governmental agency and which is used by a peace officer in performing his or her duties as a peace officer.

4. "Torture" or "cruelty" includes every act, omission or neglect, whereby unjustifiable physical pain, suffering or death is caused, *allowed* or permitted.

**Sec. 3.** NRS 574.055 is hereby amended to read as follows:

574.055 Except as otherwise provided in NRS 574.201 to 574.204, inclusive:

1. Any peace officer or animal control officer shall, upon discovering any animal which is being treated cruelly, take possession of it and provide it with shelter and care or, upon obtaining written permission from the owner of the animal, may destroy it in a humane manner.

2. If an officer takes possession of an animal, the officer shall give to the owner, if the owner can be found, a notice containing a written statement of the reasons for the taking, the location where the animal will be cared for and sheltered, the fact that there is a limited lien on the animal for the cost of shelter and care and, *if applicable*, notice of the right of the owner to request a hearing pursuant to NRS 574.203 within 5 days after receipt of the notice. If the owner is not present at the taking and the officer cannot find the owner after a reasonable search, the officer shall post the notice on the property from which the officer takes the animal. If the identity and address of the owner are later determined, the notice must be mailed to the owner immediately after the determination is made.

3. An officer who takes possession of an animal pursuant to this section has a lien on the animal for the reasonable cost of care and shelter furnished to the animal and, if applicable, for its humane destruction. The lien does not extend to the cost of care and shelter for more than 2 weeks.

4. Upon proof that the owner has been notified in accordance with the provisions of subsection 2 or, if the owner has not been found or identified, that the required notice has been posted on the property where the animal was found, a court of competent jurisdiction may, after providing an opportunity for a hearing, order



1 the animal ~~[sold at auction,]~~ humanely destroyed or ~~[continued in~~  
2 ~~the care of]~~ *forfeited to* the officer for such disposition as the officer  
3 sees fit.

4 5. An officer who seizes an animal pursuant to this section is  
5 not liable for any action arising out of the taking or humane  
6 destruction of the animal.

7 ~~[6. The provisions of this section do not apply to any animal~~  
8 ~~which is located on land being employed for an agricultural use as~~  
9 ~~defined in NRS 361A.030 unless the owner of the animal or the~~  
10 ~~person charged with the care of the animal is in violation of~~  
11 ~~paragraph (c) of subsection 1 of NRS 574.100 and the impoundment~~  
12 ~~is accomplished with the concurrence and supervision of the sheriff~~  
13 ~~or the sheriff's designee, a licensed veterinarian and the district~~  
14 ~~brand inspector or the district brand inspector's designee. In such a~~  
15 ~~case, the sheriff shall direct that the impoundment occur not later~~  
16 ~~than 48 hours after the veterinarian determines that a violation of~~  
17 ~~paragraph (c) of subsection 1 of NRS 574.100 exists.~~

18 ~~— 7. The owner of an animal impounded in accordance with the~~  
19 ~~provisions of subsection 6 must, before the animal is released to the~~  
20 ~~owner's custody, pay the charges approved by the sheriff as~~  
21 ~~reasonably related to the impoundment, including the charges for~~  
22 ~~the animal's food and water. If the owner is unable or refuses to pay~~  
23 ~~the charges, the State Department of Agriculture shall sell the~~  
24 ~~animal. The Department shall pay to the owner the proceeds of the~~  
25 ~~sale remaining after deducting the charges reasonably related to~~  
26 ~~the impoundment.]~~

27 **Sec. 4.** NRS 574.100 is hereby amended to read as follows:

28 574.100 1. A person shall not:

29 (a) Torture or unjustifiably maim, mutilate or kill:

30 (1) An animal kept for companionship or pleasure, whether  
31 belonging to the person or to another; or

32 (2) Any cat or dog;

33 (b) Except as otherwise provided in paragraph (a), overdrive,  
34 overload, torture, cruelly beat or unjustifiably injure, maim, mutilate  
35 or kill an animal, whether belonging to the person or to another;

36 (c) Deprive an animal of necessary sustenance, food or drink, or  
37 neglect or refuse to furnish it such sustenance or drink;

38 (d) Cause, procure or allow an animal to be overdriven,  
39 overloaded, tortured, cruelly beaten, or unjustifiably injured,  
40 maimed, mutilated or killed or to be deprived of necessary food or  
41 drink;

42 (e) Instigate, engage in, or in any way further an act of cruelty to  
43 any animal, or any act tending to produce such cruelty; or

44 (f) Abandon an animal in circumstances other than those  
45 prohibited in NRS 574.110. The provisions of this paragraph do not



1 apply to a feral cat that has been caught to provide vaccination,  
2 spaying or neutering and released back to the location where the  
3 feral cat was caught after providing the vaccination, spaying or  
4 neutering. As used in this paragraph, "feral cat" means a cat that has  
5 no apparent owner or identification and appears to be unsocialized  
6 to humans and unmanageable or otherwise demonstrates  
7 characteristics normally associated with a wild or undomesticated  
8 animal.

9 2. Except as otherwise provided in subsections 3 and 4 and  
10 NRS 574.210 to 574.510, inclusive, a person shall not restrain a  
11 dog:

12 (a) Using a tether, chain, tie, trolley or pulley system or other  
13 device that:

14 (1) Is less than 12 feet in length;

15 (2) Fails to allow the dog to move at least 12 feet or, if the  
16 device is a pulley system, fails to allow the dog to move a total of 12  
17 feet; or

18 (3) Allows the dog to reach a fence or other object that may  
19 cause the dog to become injured or die by strangulation after  
20 jumping the fence or object or otherwise becoming entangled in the  
21 fence or object;

22 (b) Using a prong, pinch or choke collar or similar restraint; or

23 (c) For more than 10 hours during a 24-hour period.

24 3. Any pen or other outdoor enclosure that is used to maintain  
25 a dog must be appropriate for the size and breed of the dog. If any  
26 property that is used by a person to maintain a dog is of insufficient  
27 size to ensure compliance by the person with the provisions of  
28 paragraph (a) of subsection 2, the person may maintain the dog  
29 unrestrained in a pen or other outdoor enclosure that complies with  
30 the provisions of this subsection.

31 4. The provisions of subsections 2 and 3 do not apply to a dog  
32 that is:

33 (a) Tethered, chained, tied, restrained or placed in a pen or  
34 enclosure by a veterinarian, as defined in NRS 574.330, during the  
35 course of the veterinarian's practice;

36 (b) Being used lawfully to hunt a species of wildlife in this State  
37 during the hunting season for that species;

38 (c) Receiving training to hunt a species of wildlife in this State;

39 (d) In attendance at and participating in an exhibition, show,  
40 contest or other event in which the skill, breeding or stamina of the  
41 dog is judged or examined;

42 (e) Being processed into an animal shelter;

43 (f) Temporarily for a period of less than 1 month:

44 (1) Being cared for as part of a rescue operation in  
45 conjunction with an animal rescue organization; or



1 (2) Staying in a camping area;

2 (g) Living on land that is directly related to an active agricultural  
3 operation, if the restraint is reasonably necessary to ensure the safety  
4 of the dog. As used in this paragraph, “agricultural operation”  
5 means any activity that is necessary for the commercial growing and  
6 harvesting of crops or the raising of livestock or poultry;

7 (h) Under the direct custody or control of a person, if the person  
8 is engaged in a temporary task or activity with the dog for not more  
9 than 1 hour; or

10 (i) Being walked by a person using a leash.

11 5. A person shall not:

12 (a) Intentionally engage in horse tripping for sport,  
13 entertainment, competition or practice; or

14 (b) Knowingly organize, sponsor, promote, oversee or receive  
15 money for the admission of any person to a charreada or rodeo that  
16 includes horse tripping.

17 6. A person who ~~[willfully]~~ :

18 (a) *Willfully* and maliciously violates paragraph (a) of  
19 subsection 1:

20 ~~[(a)]~~ (1) Except as otherwise provided in ~~[paragraph (b),]~~  
21 *subparagraph (2)*, is guilty of a category D felony and shall be  
22 punished as provided in NRS 193.130.

23 *(2) If the act caused the death of the animal, is guilty of a*  
24 *category B felony and shall be punished by imprisonment in the*  
25 *state prison for a minimum term of not less than 1 year and a*  
26 *maximum term of not more than 10 years, and may be further*  
27 *punished by a fine of not more than \$10,000.*

28 (b) ~~[(b)]~~ *Violates paragraph (a) of subsection 1 and commits* the  
29 act ~~[is committed]~~ in order to threaten, intimidate or terrorize  
30 another person, is guilty of a category ~~[(c)]~~ B felony and shall be  
31 punished *by imprisonment in the state prison for a minimum term*  
32 *of not less than 1 year and a maximum term of not more than 10*  
33 *years, and may be further punished by a fine of not more than*  
34 *\$10,000.*

35 (c) *Knowingly or recklessly violates paragraph (a) of*  
36 *subsection 1 is guilty of a category D felony and shall be punished*  
37 *as provided in NRS 193.130.*

38 7. Except as otherwise provided in subsection 6, a person who  
39 violates subsection 1, 2, 3 or 5:

40 (a) For the first offense within the immediately preceding 7  
41 years, is guilty of a misdemeanor and shall be sentenced to:

42 (1) Imprisonment in the city or county jail or detention  
43 facility for not less than 2 days, but not more than 6 months; and

44 (2) Perform not less than 48 hours, but not more than 120  
45 hours, of community service.



1   ↪ The person shall be further punished by a fine of not less than  
2   \$200, but not more than \$1,000. A term of imprisonment imposed  
3   pursuant to this paragraph may be served intermittently at the  
4   discretion of the judge or justice of the peace, except that each  
5   period of confinement must be not less than 4 consecutive hours and  
6   must occur either at a time when the person is not required to be at  
7   the person's place of employment or on a weekend.

8   (b) For the second offense within the immediately preceding 7  
9   years, is guilty of a misdemeanor and shall be sentenced to:

10   (1) Imprisonment in the city or county jail or detention  
11   facility for not less than 10 days, but not more than 6 months; and

12   (2) Perform not less than 100 hours, but not more than 200  
13   hours, of community service.

14   ↪ The person shall be further punished by a fine of not less than  
15   \$500, but not more than \$1,000.

16   (c) For the third and any subsequent offense within the  
17   immediately preceding 7 years, is guilty of a category C felony and  
18   shall be punished as provided in NRS 193.130.

19   8. In addition to any other fine or penalty provided in  
20   subsection 6 or 7, a court shall order a person convicted of violating  
21   subsection 1, 2, 3 or 5 to pay restitution for all costs associated with  
22   the care and impoundment of any mistreated animal under  
23   subsection 1, 2, 3 or 5 including, without limitation, money  
24   expended for veterinary treatment, feed and housing.

25   9. The court may order the person convicted of violating  
26   subsection 1, 2, 3 or 5 to surrender ownership or possession of the  
27   mistreated animal.

28   10. The provisions of this section do not apply with respect to  
29   an injury to or the death of an animal that occurs accidentally in the  
30   normal course of:

31   (a) Carrying out the activities of a rodeo or livestock show; or

32   (b) Operating a ranch.

33   11. As used in this section, "horse tripping" means the roping  
34   of the legs of or otherwise using a wire, pole, stick, rope or other  
35   object to intentionally trip or intentionally cause a horse, mule,  
36   burro, ass or other animal of the equine species to fall. The term  
37   does not include:

38   (a) Tripping such an animal to provide medical or other health  
39   care for the animal; or

40   (b) Catching such an animal by the legs and then releasing it as  
41   part of a horse roping event for which a permit has been issued by  
42   the local government where the event is conducted.

43   **Sec. 5.** NRS 574.105 is hereby amended to read as follows:

44   574.105   1. A person shall not willfully and maliciously:



(a) Taunt, torment, tease, beat, strike or administer a desensitizing drug, chemical or substance to a police animal;

(b) Interfere with a police animal or a handler thereof in the performance of duties assigned to the police animal or handler; or

(c) Torture, mutilate, injure, poison, disable or kill a police animal.

2. A person who violates:

(a) Paragraph (a) or (b) of subsection 1 is guilty of a category D felony and shall be punished as provided in NRS 193.130.

(b) Paragraph (c) of subsection 1 is guilty of:

(1) If the police animal is not totally disabled or killed, a category ~~D~~ **C** felony and shall be punished as provided in NRS 193.130, and may be further punished by a fine of not more than \$10,000.

(2) If the police animal is totally disabled or killed, a category ~~C~~ **B** felony and shall be punished ~~as provided in NRS 193.130,~~ **by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 10 years, and may be further punished by a fine of not more than \$10,000.** In addition to the punishment imposed pursuant to this subparagraph, the court may require a person who is punished pursuant to this subparagraph to pay restitution to the agency that owns the police animal, including, without limitation, payment for veterinary services and the cost of replacing the police animal.

3. The provisions of this section do not prohibit a euthanasia technician licensed pursuant to chapter 638 of NRS, a peace officer or a veterinarian from euthanizing a police animal in an emergency if the police animal is critically wounded and would otherwise endure undue suffering and pain.

**Sec. 6.** NRS 574.200 is hereby amended to read as follows:

574.200 1. The provisions of NRS 574.050 to 574.510, inclusive, **and section 1 of this act** do not:

(a) Interfere with any of the fish and game laws contained in title 45 of NRS or any laws for the destruction of certain birds.

(b) Interfere with the right to destroy any venomous reptiles or animals, or any animal known as dangerous to life, limb or property.

(c) Interfere with the right to kill all animals and fowl used for food.

(d) Prohibit or interfere with any properly conducted scientific experiments or investigations which are performed under the authority of the faculty of some regularly incorporated medical college or university of this State.

(e) Interfere with any scientific or physiological experiments conducted or prosecuted for the advancement of science or medicine.





(f) Prohibit or interfere with established methods of animal husbandry, including the raising, handling, feeding, housing and transporting of livestock or farm animals.

2. Nothing contained in subsection 1 shall be deemed to exclude a research facility from the provisions of NRS 574.205.

**Sec. 7.** NRS 574.203 is hereby amended to read as follows:

574.203 1. If a person is lawfully arrested for a violation of NRS 574.070 or 574.100 and if an animal owned or possessed by the person is impounded by the county, city or other local government in connection with the arrest, the person must be notified in accordance with the provisions of subsection 2 of NRS 574.055 and be notified of his or her right to request a hearing within 5 days after receipt of the notice to determine whether the person is the owner of the animal and whether the person is able to provide adequate care and shelter to the animal. The person must request a hearing pursuant to this subsection within 5 days after receipt of the notice pursuant to this subsection.

2. If a person who is lawfully arrested and detained for a violation of NRS 574.070 or 574.100 does not request a hearing pursuant to subsection 1, or an owner of the animal has not been identified within 5 days ~~of~~ *after the* arrest, the *animal must be forfeited to the* county, city or other local government *which took possession of the animal. After the forfeiture, the county, city or other local government* shall transfer ownership of the animal to an animal rescue organization, animal shelter or another person who is able to provide adequate care and shelter to the animal.

3. If the court receives a timely request pursuant to subsection 1, the court shall hold a hearing within 15 judicial days after receipt of the request to determine whether the person is the owner of an animal and whether the person is able and fit to provide adequate care and shelter to the animal.

4. For the purpose of conducting a hearing pursuant to this section, the court may consider:

(a) Testimony of the peace officer or animal control officer who took possession of or impounded the animal or other witnesses concerning the conditions under which the animal was owned or kept;

(b) Testimony and evidence related to veterinary care provided to the animal, including, without limitation, the degree or type of care provided to the animal;

(c) Expert testimony as to community standards for the reasonable care of a similar animal;

(d) Testimony of witnesses concerning the history of treatment of the animal or any other animal owned or possessed by the person;



- 1       (e) Prior arrests or convictions related to subjecting an animal to  
2 an act of cruelty in violation of NRS 574.070 or 574.100; and  
3       (f) Any other evidence which the court determines is relevant.





