

Miss. Code Ann. § 97-41-19

MISSISSIPPI CODE of 1972

*** Current through the 2016 Regular and 1st and 2nd Extraordinary Sessions of the Legislature ***

TITLE 97. CRIMES
CHAPTER 41. CRUELTY TO ANIMALS

Miss. Code Ann. § 97-41-19 (2016)

§ 97-41-19. Dog fights

(1) If any person (a) shall sponsor, promote, stage or conduct a fight or fighting match between dogs, or (b) shall wager or bet, promote or encourage the wager or other valuable thing upon any such fight or upon the result thereof, or (c) shall own a dog with the intent to wilfully enter it or to participate in any such fight or transport a dog for the purposes of participation in any such fight, he shall be guilty of a felony and, upon conviction, shall be punished by a fine of not less than Five Hundred Dollars (\$ 500.00) nor more than Five Thousand Dollars (\$ 5,000.00), or by imprisonment in the State Penitentiary for a term of not less than one (1) nor more than two (2) years, or by both such fine and imprisonment, in the discretion of the court.

(2) If any person shall be present, as a spectator, at any location where preparations are being made for an exhibition of a fight between dogs with the intent to stage such a fight, or if any person shall be present at an exhibition of a fight between dogs with the intent to be present at such exhibition, he shall be guilty of a felony and shall be punished by a fine of not less than Five Hundred Dollars (\$ 500.00) nor more than Five Thousand Dollars (\$ 5,000.00), or by imprisonment in the State Penitentiary for a term of not more than one (1) year, or by both such fine and imprisonment, in the discretion of the court.

(3) Any law enforcement officer making an arrest under subsection (1) of this section may lawfully take possession of all dogs and all paraphernalia, implements, equipment, or other property used in violation of subsection (1) of this section. Such officer shall file with the circuit court of the county within which the alleged violation occurred an affidavit (a) the name of the person charged, (b) a description of the property taken, (c) the time and place of the taking, (d) the name of the person who claims to own such property, and (e) that the affiant has reason to believe, stating the ground of such belief, that the property taken was used in such violation. He shall thereupon deliver the property taken, which shall, by order in writing, place such dogs, paraphernalia, implements, equipment, or other property in the custody of a licensed veterinarian, the local humane society, animal welfare agency, or other suitable custodian, to be kept by such custodian until the conviction or final discharge of the accused, and shall send a copy of such order to the district attorney of the county. The custodian named and designated in such order shall immediately assume the custody of such property and shall retain same until such property is returned to the owner or the court.

Upon the certification of a licensed veterinarian or officer of the humane society or animal welfare agency that, in his professional judgment, a dog which has been