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CHAPTER 369

FORMERLY

SENATE BILL NO. 160

AS AMENDED BY SENATE AMENDMENT NOS. 1, 2, 3 AND 4

AN ACT TO AMEND CHAPTER 5, TITLE 11, DELAWARE CODE, AND CHAPTER 9, TITLE 28, DELAWARE CODE, RELATING TO CRUELTY TO ANIMALS AND COCK-FIGHTING.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE (Two-thirds of all members elected to each House thereof concurring therein):

Section 1. Amend §904, Title 28, Delaware Code, by striking said section in its entirety.

Section 2. Amend Subsection VII, Chapter 5, Title 11, Delaware Code, by redesignating §1326 as §1327 and inserting a new §1326 to read as follows:

"§1326. Animals: Fighting and Baiting Prohibited

(a) A person who owns, possesses, keeps, or uses any bull, bear, dog, cock, or other animal, or fowl, for the purpose of fighting or baiting; or a person who is party to or who causes any such fighting or baiting of any bear, dog, cock, or other animal, or fowl; or a person who shall rent or otherwise obtain the use of a building, shed, room, yard, ground, or premises for the purpose of fighting or baiting, any animal or fowl, or shall knowingly suffer or permit the use of any building, shed, room, yard, ground, or premises belonging to him or under his control, for any of the purposes described In this section, shall be guilty of a Class A Misdemeanor punishable by a fine of not more than 51,000, or imprisonment for not more than 2 years or both.

(b) A person who is present at a building, shed, room, yard, ground, or premises where preparations are being made for any exhibition prohibited by this section, knowing that such exhibition Is taking place or about to take place is guilty of a Class C Misdemeanor punishable by a fine of not more than \$500, or Imprisonment for not more than 3 months or both.

(0 All animals, equipment, devices, and money Involved in a violation of this section shall be forfeited to the State. Animals so forfeited shall be disposed of in a humane manner.

(d) No prosecution for any offense under this section shaft be commenced after one year from the commission of such offense,"

Approved July 14, 1988.

