

**§711-1109.3 Cruelty to animals by fighting dogs in the first degree.**

(1) A person commits the offense of cruelty to animals by fighting dogs in the first degree if the person:

(a) Knowingly:

- (i) Causes, sponsors, arranges, or holds a dogfight for entertainment or financial gain; or
- (ii) Owns, trains, transports, possesses, sells, transfers, or equips any dog with the intent that the dog shall be engaged in a dogfight; or

(b) Recklessly:

- (i) Allows a dogfight to occur on any property owned or controlled by the person; or
- (ii) Allows any dog intended to be used for a dogfight to be kept, trained on, or transported in, any property owned or controlled by the person.

(2) Nothing in this section shall prohibit any of the following:

- (a) The use of dogs in the management of livestock by the owner of the livestock or the owner's employees or agents or other persons in lawful custody thereof;
- (b) The use of dogs in hunting wildlife including game; or
- (c) The training of dogs or the use of equipment in the training of dogs for any purpose not prohibited by law.

(3) As used in this section, "dogfight" means a dog or dogs pitted against another dog or dogs with the intent that the encounter will result in injury to one or more of the dogs.

(4) Violation of this section shall be a class B felony.

(5) If there is any conflict between this section and section 711-1109, or any other provision of law, this section shall apply. [L 1983, c 129, §1; am L 1987, c 230, §5; am L 2011, c 149, §4]

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