

§3972. Unlawful use of animals

1. Unlawful use of animals. It is unlawful for any person to:

A. Sell, display, raffle, give away or offer for sale within the State any live animals that have been dyed or otherwise artificially colored; [PL 1997, c. 690, §39 (AMD).]

B. Sell, display, raffle, give away or offer for sale to the public any live fowl, turtles or rabbits under 8 weeks of age in lots of less than 2; [PL 2017, c. 131, §1 (AMD).]

C. Use any live animal as a premium, fund-raising device, prize or award or use any live animal in a raffle, contest, game or promotion except as authorized by law or rule; [PL 1997, c. 690, §39 (AMD).]

D. Use any live animal as bait in any racing contest or in the training of animals for racing contests; [PL 1995, c. 144, §1 (AMD).]

E. Tie, tether or restrain any animal in a manner that is inhumane or detrimental to its welfare; [PL 2015, c. 223, §12 (AMD).]

F. Intentionally cause an equine to fall or lose its balance by any means whatsoever. For the purposes of this paragraph, the term "equine" means, but is not limited to, a horse, mare, pony, ass, donkey, burro, mule or hinny. This paragraph does not apply to the lawful laying down of an equine for medical or identification purposes; or [PL 2015, c. 223, §13 (AMD).]

G. Abandon, dump or dispose of any deceased domesticated animal on public property or on private property without the permission of the property owner. [PL 2015, c. 223, §14 (NEW).]
[PL 2017, c. 131, §1 (AMD).]

2. Violation. Any person who makes unlawful use of animals contrary to this section commits a civil violation for which a forfeiture not to exceed \$100 may be adjudged. For the purposes of this section, "animal" does not include lobsters or shellfish.
[PL 1989, c. 342, §2 (AMD).]

3. Construction. Nothing in this section may be construed to apply to any animal to be used or raised for agriculture, aquaculture or fishing, to any dog to be used or raised for hunting or exhibition purposes, by persons with proper facilities otherwise authorized by law, or to games using animals in which the participating animal is not caused, directly or indirectly, to perform any act that deviates from the animal's natural behavior provided that the game is conducted by an educational or cultural institution or other nonprofit service organization.
[PL 1989, c. 342, §2 (AMD).]

4. Exception. Notwithstanding subsection 1, paragraph C, livestock may be raffled by charitable organizations in accordance with Title 17, section 1837-A for fund-raising purposes. For the purposes of this section, "charitable organization" has the same meaning as defined in Title 9, section 5003, subsection 1. Proceeds from a raffle under this subsection must be used for charitable purposes.

The animal must be awarded in freezer-ready form.

[PL 2017, c. 284, Pt. KKKKK, §1 (AMD).]

SECTION HISTORY

PL 1987, c. 383, §3 (NEW). PL 1989, c. 154, §1 (AMD). PL 1989, c. 342, §2 (AMD). PL 1995, c. 144, §§1,2 (AMD). PL 1997, c. 690, §§39-41 (AMD). PL 2009, c. 487, Pt. B, §1 (AMD). PL 2015, c. 223, §§12-14 (AMD). PL 2017, c. 131, §1 (AMD). PL 2017, c. 284, Pt. KKKKK, §1 (AMD).

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