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Crimes; cruelty to animals-sale of impounded animals

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Similarly, Chapter 858 adds a penalty equal to and in addition to that provided for the primary offense if these substance abuse laws are violated: (1) at, or within 1000 feet of, a public or private school, a playground,⁷ a recreational center for youths,⁸ a video arcade,⁹ or a public swimming pool; (2) on, or within 1000 feet of, any University of Nevada campus; or (3) within 1000 feet of a school bus¹⁰ stop on school days.¹¹ Chapter 858 also mandates an additional sentence equal to that of the primary offense when a person commits a felony on a school bus while the bus is in official use.¹²

The additional sentences prescribed by Chapters 857 and 858 run consecutively with the sentence prescribed for the primary offense.¹³ Further, Chapters 857 and 858 do not create separate offenses, but merely provide an added penalty for the primary offense.¹⁴

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7. See *id.* ch. 858, sec. 2, at 2066 (enacting NEV. REV. STAT. § 453.____) (definition of a playground).

8. See *id.* (definition of a recreational center for youths).

9. See *id.* (definition of a video arcade).

10. See NEV. REV. STAT. § 483.160 (1987) (definition of a school bus).

11. 1989 Nev. Stat. ch. 858, sec. 2, at 2066 (enacting NEV. REV. STAT. § 453.____). This enhanced sentence is imposed unless a greater penalty is provided in Nevada Revised Statutes sections 453.333 or 453.334. *Id.* Also, the enhanced sentence is imposed only if the violation occurs at or near a school bus stop during the time period beginning one hour before school starts until one hour after school ends. *Id.*

12. *Id.* sec. 1, at 2065 (enacting NEV. REV. STAT. § 193.____).

13. *Id.* ch. 857, sec. 1, at 2065; ch. 858, secs. 1, 2, at 2065-66.

14. *Id.* ch. 857, sec. 1, at 2065; ch. 858, secs. 1, 2, at 2065-66.

Crimes; cruelty to animals—sale of impounded animals

NEV. REV. STAT. §§ 561.344, 574.055, 574.200 (amended).
AB 245 (Gaston); 1989 STAT. Ch. 117

Existing law permits a society for the prevention of cruelty to animals (society) to impound mistreated animals.¹ Chapter 117 pro-

1. NEV. REV. STAT. § 574.055 (1987) (amended by 1989 Nev. Stat. ch. 117, sec. 2, at 272-73) (the owner may give written permission for the humane destruction of the animal).

vides that any tortured, injured or abandoned animal² will be impounded within forty-eight hours of being discovered by either a peace officer or an officer of the society.³ To regain possession, the animal's owner must pay the costs of the impounding and the animal's maintenance.⁴ If the owner refuses to pay, or is unable to pay, the State Department of Agriculture will sell the animal.⁵ After covering the impoundment and maintenance cost, any proceeds from the sale will be deposited in the livestock inspection fund.⁶

KRI

2. See *id.* § 574.100 (1987) (a person who tortures, overworks, abandons, or starves an animal is guilty of a misdemeanor).

3. 1989 Nev. Stat. ch. 117, sec. 2, at 272-73 (amending NEV. REV. STAT. § 574.055). A veterinarian must determine that the animal was treated improperly.

4. *Id.* (the charges must be approved by the sheriff).

5. *Id.*

6. *Id.* sec. 1, at 272 (amending NEV. REV. STAT. § 561.344) (creates the livestock inspection fund).

Crimes; depriving another of custody of or visitation with a child

NEV. REV. STAT. § 200.359 (amended).

SB 388 (Committee on Judiciary); 1989 STAT. Ch. 727

Depriving another of lawful custody of, or visitation rights with a child is a crime under existing law.¹ Under Chapter 727, when a court has not determined custody, it is a crime for one person to willfully attempt to deprive another of custody or visitation with a

1. NEV. REV. STAT. § 200.359 (1981) (amended by 1989 Nev. Stat. ch. 727, sec. 1, at 678-79). The statute covers those defendants who have limited custody, or those who are the child's parent but have no custody rights. *Id.*