

## ANIMAL PROTECTION LAWS OF NEVADA



## Animal Protection Laws of Nevada

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*This chapter contains Nevada’s general animal protection and related statutes with an effective date on or before September 1, 2019. It begins with a detailed overview of the provisions contained in these laws, followed by the full text of the statutes themselves. The various provisions are organized into categories with the relevant part of each statute italicized.*

*Nevada may employ similar provisions within other non-animal-specific criminal and civil statutes; may have other more specific statutes in addition to those included; and may have a variety of animal-related regulations in effect. Because the law is continually evolving, always review an official source for the most current language of any statute.*

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<p><b>1. <u>DEFINITION OF "ANIMAL"</u></b></p>	<p>“Animal” does not include the human race, but includes every other living creature.”  <b>NEV. REV. STAT. § 574.050</b></p>
<p><b>2. <u>GENERAL CRUELTY *</u></b></p>	<p>Maiming, poisoning, or killing another person’s animal  <b>NEV. REV. STAT. § 206.150(1)</b>  <i>Class D felony</i></p> <p>Willful and malicious killing of livestock without authority  <b>NEV. REV. STAT. § 206.150(2)</b>  <i>Class C felony</i></p> <p>Beating/killing a service animal  <b>NEV. REV. STAT. § 426.790</b>  <i>Beating: Class E felony</i>  <i>Killing: Class D felony</i></p> <p>Definitions  <b>NEV. REV. STAT. § 574.050</b></p> <p>Willfully and maliciously torture, maim, mutilate or kill companion/pleasure animals or any dog or cat  <b>NEV. REV. STAT. § 574.100(1)(a)</b>  <i>Generally: Class D felony</i>  <i>When done to threaten, intimidate, or terrorize another person: C felony</i></p> <p>Cruelty, neglect and abandonment of animals  <b>NEV. REV. STAT. § 574.100(1)(b)-(e)</b>  <i>1<sup>st</sup> offense: 6 months county jail, 120 hours community service, \$1,000 fine and Restitution</i>  <i>2<sup>nd</sup> offense: 6 months county jail, 200 hours community service, \$1,000 fine, and Restitution</i>  <i>Subsequent offenses: Class C felony and Restitution</i></p>

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	<p>Harming/killing a police dog  NEV. REV. STAT. § 574.105  <i>Harming: Class D felony</i>  <i>Killing or mutilating: Class C felony</i></p> <p>Abandonment of a disabled animal  NEV. REV. STAT. § 574.110(1)  <i>Unclassified misdemeanor</i></p> <p>Failure to provide food and water to impounded animals  NEV. REV. STAT. § 574.120(1)  <i>Unclassified misdemeanor</i></p> <p>Poisoning a horse, mule, or domestic cattle  NEV. REV. STAT. § 574.150(1)  <i>Class C felony</i></p> <p>Poisoning other animals  NEV. REV. STAT. § 574.150(2)  <i>Gross misdemeanor</i></p> <p>Carrying animal in a cruel manner  NEV. REV. STAT. § 574.190  <i>Unclassified misdemeanor</i></p>
<p><b>3. <u>EXEMPTIONS</u></b></p>	<p>Veterinary practice, accepted farm animal husbandry practices, other  NEV. REV. STAT. § 201.455(5)</p> <p>Research animals, wildlife, accepted farm animal husbandry practices, slaughter, other  NEV. REV. STAT. § 202.487(3),(5)</p> <p>Other  NEV. REV. STAT. § 206.150</p> <p>Accepted farm animal husbandry practices  NEV. REV. STAT. § 574.055(6)</p> <p>Accepted farm animal husbandry practices, rodeo, other  NEV. REV. STAT. § 574.100(4),(10)</p>

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	<p>Pest control NEV. REV. STAT. § 574.150(3)</p> <p>Wildlife, accepted farm animal husbandry practices NEV. REV. STAT. § 574.070</p> <p>Research animals, wildlife, accepted farm animal husbandry practices, slaughter, other NEV. REV. STAT. § 574.200(1)</p>
<p><b>4. <u>FIGHTING &amp; RACKETEERING</u></b></p>	<p><b>NOTE:</b> statutes concerning the <u>seizure</u> and <u>forfeiture</u> of animals used in fighting are available in those respective sections of this document.</p> <p>Certain animal fighting offenses NEV. REV. STAT. § 574.060 <i>1<sup>st</sup> offense: Class E felony</i> <i>Subsequent offenses: Class D felony</i></p> <p>Various non-dog animal fighting activities NEV. REV. STAT. § 574.070(1),(2),(4),(4) <i>1<sup>st</sup> offense: Class E felony</i> <i>Subsequent offenses: Class D felony</i></p> <p>Spectatorship at an animal fight (including dogfights) NEV. REV. STAT. § 574.070(3),(6) <i>1<sup>st</sup> offense: Misdemeanor</i> <i>Subsequent offenses: Class E felony</i></p> <p>Various dogfighting activities NEV. REV. STAT. § 574.070 <i>1<sup>st</sup> offense: Class D felony</i> <i>2<sup>nd</sup> offense: Class C felony</i> <i>Subsequent offenses: Class B felony, 1-6 years imprisonment</i></p>
<p><b>5. <u>SEXUAL ASSAULT</u></b></p>	<p>Bestiality NEV. REV. STAT. § 201.455 <i>Gross misdemeanor</i></p>

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	<p>Bestiality that causes the death of or serious bodily injury to an animal involved in the crime or if the person has previously been convicted of a violation of NRS 574.  <b>NEV. REV. STAT. § 201.455</b>  <i>Class D felony</i></p>
<p><b><u>6. MAXIMUM PENALTIES &amp; STATUTE OF LIMITATIONS**</u></b></p>	<p><b>NOTE:</b> Penalties for violations of <b>NEV. REV. STAT. § 574.100(1)(b)-(e)</b> are provided in the substantive statute, available in the <a href="#">General Cruelty</a> section of this document.</p> <p>Unclassified Misdemeanor  <i>6 months county jail and/or \$1,000 fine, or community service</i>  <b>NEV. REV. STAT. § 193.150</b></p> <p>Gross Misdemeanor  <i>1 year county jail and/or \$2,000 fine</i>  <b>NEV. REV. STAT. § 193.140</b></p> <p>Class E felony  <i>4 years prison and \$5,000 fine</i>  <b>NEV. REV. STAT. § 193.130(2)(e)</b>  Class D felony  <i>4 years prison and \$5,000 fine</i>  <b>NEV. REV. STAT. § 193.130(2)(d)</b></p> <p>C felony  <i>5 years prison and \$10,000 fine</i>  <b>NEV. REV. STAT. § 193.130(2)(c)</b></p> <p>Statute of Limitations  <i>Misdemeanor: 1 year</i>  <b>NEV. REV. STAT. ANN. § 171.090</b>  <i>Felony: 3 years</i>  <b>NEV. REV. STAT. ANN. § 171.085</b></p>
<p><b><u>7. CROSS ENFORCEMENT &amp; REPORTING</u></b></p>	<p>Any person who knows or has reasonable cause to believe that an animal has been subjected to cruelty may confidentially so report.  <b>NEV. REV. STAT. § 574.053</b></p>

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<p><b>8. <u>VETERINARIAN REPORTING &amp; IMMUNITY</u></b></p>	<p>Any person who knows or has reasonable cause to believe that an animal has been subjected to cruelty may confidentially so report.  NEV. REV. STAT. § 574.053</p>
<p><b>9. <u>LAW ENFORCEMENT POLICIES</u></b></p>	<p>All specially authorized humane society members, agents, and officers may make arrests.  NEV. REV. STAT. § 574.040</p>
<p><b>10. <u>SEIZURE</u></b></p>	<p>Authorized agents shall seize cruelly treated animals and give notice of such seizure.  NEV. REV. STAT. § 574.055(1),(2)</p> <p>An officer who seizes a cruelly treated animal is not liable for any action arising out of the taking or humane destruction of the animal.  NEV. REV. STAT. § 574.055(5)</p> <p>Special seizure procedure for animals on agricultural lands  NEV. REV. STAT. § 574.055(6)</p> <p>Magistrate shall issue search warrant upon just and reasonable cause to suspect any provision of law affecting animals is being or about to be violated.  NEV. REV. STAT. § 574.060</p> <p>Officer may take possession of animals and implements used in animal fights.  NEV. REV. STAT. §§ 574.080; 574.090</p> <p>Peace officers or authorized agents may take charge of an animal who is in the charge of an arrested person.  NEV. REV. STAT. § 574.110(3)</p>
<p><b>11. <u>COURTROOM ANIMAL ADVOCATE PROGRAM</u></b></p>	<p>-----</p>
<p><b>12. <u>PROTECTION ORDERS†</u></b></p>	<p>NEV. REV. STAT. § 33.018(1)(e)(7)  NEV. REV. STAT. § 33.030(1)(f), (2)(b)</p>

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<p><b>13. <u>RESTITUTION †</u></b></p>	<p>If a person is convicted of a crime, the county may recover the reasonable cost of care, and may impose a lien on the animal.  <b>Nev. Rev. Stat. § 171.1539</b></p> <p>Upon conviction of bestiality, court may order the defendant to pay the costs of care and medical expenses for the animal.  <b>NEV. REV. STAT. § 201.455</b></p> <p>A person convicted of beating or killing a service animal must pay restitution to owner.  <b>NEV. REV. STAT. § 426.790</b></p> <p>Costs of care is a lien upon the animal.  <b>NEV. REV. STAT. § 574.055(3),(7)</b></p> <p>Upon conviction for cruelty, neglect or abandonment of animals, improper restraint of a dog, or keeping a dog in an improperly-sized pen, the court shall order restitution for costs of care and impoundment.  <b>NEV. REV. STAT. § 574.100(8)</b></p> <p>Expenses incurred in taking care of an animal who was in the charge of an arrested person shall be charged to the defendant.  <b>NEV. REV. STAT. § 574.110(3)</b></p> <p>Upon conviction for neglecting impounded or confined animal, defendant shall be ordered to pay restitution for all costs of care and impoundment of mistreated animal.  <b>NEV. REV. STAT. § 574.120(3)</b></p> <p>Person who aids impounded animals may collect costs of care.  <b>NEV. REV. STAT. § 574.120(4)</b></p> <p>Court shall order restitution upon conviction for poisoning animals.  <b>NEV. REV. STAT. § 574.150(1)</b></p>
<p><b>14. <u>FORFEITURE &amp; POSSESSION BANS †</u></b></p>	<p>Upon conviction of bestiality, the court shall order forfeiture of all animals in the household of defendant and prohibit ownership for a period of time determined by the court.  <b>NEV. REV. STAT. § 201.455</b></p>

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	<p>Upon conviction for animal fighting, seized animals, implements and other property shall be forfeited. NEV. REV. STAT. § 574.090</p> <p>Upon conviction, the court may order forfeiture of a mistreated animal. NEV. REV. STAT. § 574.100(9)</p>
<b>15. <u>COURT-ORDERED TREATMENT†</u></b>	<p>Court may order defendant convicted of animal cruelty or bestiality to undergo a psychiatric evaluation or counseling. NEV. REV. STAT. § 176A.416 NEV. REV. STAT. § 201.455</p>
<b>16. <u>HOT CARS</u></b>	<p>Civil immunity for certain persons removing unattended pet from vehicle. NEV. REV. STAT. § 202.487</p>
<b>17. <u>CIVIL NUISANCE ABATEMENT</u></b>	-----
<b>18. <u>AG-GAG LAWS</u></b>	-----
<b>19. <u>BREED SPECIFIC LEGISLATION</u></b>	<p>A local ordinance or regulation cannot deem a dog vicious solely based on the dog's breed. NEV. REV. STAT. § 202.500(6)</p>

\* States may have other more specific statutes in addition to the general animal protection statutes referenced in this table.

\*\* Despite statutory maximums, states often employ sentencing guidelines that may significantly alter the allowable sentence.

† This table generally references only those provisions that are within each state's animal protection statutes. States may employ similar provisions within other non-animal-specific criminal and civil statutes, and may also have a variety of animal-related regulations in effect.



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### 1. DEFINITION OF “ANIMAL”

#### NEV. REV. STAT. § 574.050. Definitions.

As used in NRS 574.050 to 574.200, inclusive, and sections 3 to 9, inclusive, of this act:

1. *“Animal” does not include the human race, but includes every other living creature.*
2. *“First responder” means a person who has successfully completed the national standard course for first responders.*
3. *“Police animal” means an animal which is owned or used by a state or local governmental agency and which is used by a peace officer in performing his duties as a peace officer.*
  - (a)
4. *“Torture” or “cruelty” includes every act, omission or neglect, whereby unjustifiable physical pain, suffering or death is caused or permitted.*

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### 2. GENERAL CRUELTY

#### **NEV. REV. STAT. § 206.150. Killing, maiming, disfiguring or poisoning animal of another person; killing stray or livestock.**

1. *Except as otherwise provided in subsections 2 and 3, any person who willfully and maliciously kills, maims or disfigures any animal belonging to another, or exposes any poison or noxious substance with intent that it should be taken by the animal is guilty of a category D felony and shall be punished as provided in NRS 193.130, and may be further punished by a fine of not more than \$10,000.*
2. *Except as otherwise provided in NRS 205.220, a person who willfully and maliciously kills an stray or one or more head of livestock, without the authority to do so, is guilty of a category C felony and shall be punished as provided in NRS 193.130.*
3. The provisions of subsection 1 do not apply to any person who kills a dog pursuant to NRS 575.020.

#### **NEV. REV. STAT. § 426.790. Unlawfully interfering with or allowing dog or other animal to interfere with use of service animal or service animal in training; unlawfully beating or killing service animal or service animal in training; penalties.**

1. *A person shall not:*
  - (a) *Without legal justification, interfere with, or allow a dog or other animal the person owns, harbors or controls to interfere with, the use of a service animal or service animal in training by obstructing, intimidating or otherwise jeopardizing the safety of the service animal or service animal in training or the person using the service animal or service animal in training.*
  - (b) *Willfully and maliciously beat a service animal or service animal in training.*
  - (c) *Willfully and maliciously kill a service animal or service animal in training.*
2. *Unless a greater penalty is provided in NRS 206.150, a person who violates:*
  - (a) *Paragraph (a) of subsection 1 is guilty of a gross misdemeanor.*
  - (b) *Paragraph (b) of subsection 1 is guilty of a category E felony and shall be punished as provided in NRS 193.130.*
  - (c) *Paragraph (c) of subsection 1 is guilty of a category D felony and shall be punished as provided in NRS 193.130.*
3. A person who violates paragraph (a), (b) or (c) of subsection 1 is, in addition to any criminal penalty that may be imposed, civilly liable to the person against whom the violation was committed as provided in NRS 426.820.
4. In addition to any other penalty, the court shall order a person convicted of a violation of paragraph (a), (b) or (c) of subsection 1 to pay restitution to the person who has the disability or the person who has custody or ownership of the service animal or service animal in training for any veterinary bills, and for the replacement cost of the service

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animal or service animal in training if it was killed or disabled or has become mentally or physically unable to perform its duties. The restitution must cover all costs for aides, assistance, transportation and other hardships incurred during the absence, and until the replacement, of the service animal or service animal in training.

### NEV. REV. STAT. § 574.050. Definitions.

As used in NRS 574.050 to 574.200, inclusive, and sections 3 to 9, inclusive of this act:

1. "Animal" does not include the human race, but includes every other living creature.
2. "First responder" means a person who has successfully completed the national standard course for first responders.
3. "Police animal" means an animal which is owned or used by a state or local governmental agency and which is used by a peace officer in performing his duties as a peace officer.
4. "Torture" or "cruelty" includes every act, omission or neglect, whereby unjustifiable physical pain, suffering or death is caused or permitted.

### NEV. REV. STAT. § 574.100. Overdriving, torturing, injuring or abandoning animals; failure to provide proper sustenance; penalty.

1. A person shall not:
  - (a) Torture or unjustifiably maim, mutilate or kill:
    - (1) An animal kept for companionship or pleasure, whether belonging to the person or to another; or
    - (2) Any cat or dog;
  - (b) Except as otherwise provided in paragraph (a), overdrive, overload, torture, cruelly beat or unjustifiably injure, maim, mutilate or kill an animal, whether belonging to the person or to another;
  - (c) Deprive an animal of necessary sustenance, food or drink, or neglect or refuse to furnish it such sustenance or drink;
  - (d) Cause, procure or allow an animal to be overdriven, overloaded, tortured, cruelly beaten, or unjustifiably injured, maimed, mutilated or killed or to be deprived of necessary food or drink;
  - (e) Instigate, engage in, or in any way further an act of cruelty to any animal, or any act tending to produce such cruelty; or
  - (f) Abandon an animal in circumstances other than those prohibited in NRS 574.110. The provisions of this paragraph do not apply to a feral cat that has been caught to provide vaccination, spaying or neutering and released back to the location where the feral cat was caught after providing the vaccination, spaying or neutering. As used in this paragraph, "feral cat" means a cat that has no

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- apparent owner or identification and appears to be unsocialized to humans and unmanageable or otherwise demonstrates characteristics normally associated with a wild or undomesticated animal.
2. *Except as otherwise provided in subsections 3 and 4 and NRS 574.210 to 574.510, inclusive, a person shall not restrain a dog:*
    - (a) *Using a tether, chain, tie, trolley or pulley system or other device that:*
      - (1) *Is less than 12 feet in length;*
      - (2) *Fails to allow the dog to move at least 12 feet or, if the device is a pulley system, fails to allow the dog to move a total of 12 feet; or*
      - (3) *Allows the dog to reach a fence or other object that may cause the dog to become injured or die by strangulation after jumping the fence or object or otherwise becoming entangled in the fence or object;*
    - (b) *Using a prong, pinch or choke collar or similar restraint; or*
    - (c) *For more than 14 hours during a 24-hour period.*
  3. *Any pen or other outdoor enclosure that is used to maintain a dog must be appropriate for the size and breed of the dog. If any property that is used by a person to maintain a dog is of insufficient size to ensure compliance by the person with the provisions of paragraph (a) of subsection 2, the person may maintain the dog unrestrained in a pen or other outdoor enclosure that complies with the provisions of this subsection.*
  4. The provisions of subsections 2 and 3 do not apply to a dog that is:
    - (a) Tethered, chained, tied, restrained or placed in a pen or enclosure by a veterinarian, as defined in NRS 574.330, during the course of the veterinarian's practice;
    - (b) Being used lawfully to hunt a species of wildlife in this State during the hunting season for that species;
    - (c) Receiving training to hunt a species of wildlife in this State;
    - (d) In attendance at and participating in an exhibition, show, contest or other event in which the skill, breeding or stamina of the dog is judged or examined;
    - (e) Being kept in a shelter or boarding facility or temporarily in a camping area;
    - (f) Temporarily being cared for as part of a rescue operation or in any other manner in conjunction with a bona fide nonprofit organization formed for animal welfare purposes;
    - (g) Living on land that is directly related to an active agricultural operation, if the restraint is reasonably necessary to ensure the safety of the dog. As used in this paragraph, "agricultural operation" means any activity that is necessary for the commercial growing and harvesting of crops or the raising of livestock or poultry; or
    - (h) With a person having custody or control of the dog, if the person is engaged in a temporary task or activity with the dog for not more than 1 hour.
  5. *A person shall not:*
    - (a) *Intentionally engage in horse tripping for sport, entertainment, competition or practice; or*

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- (b) *Knowingly organize, sponsor, promote, oversee or receive money for the admission of any person to a charreada or rodeo that includes horse tripping.*
6. *A person who willfully and maliciously violates paragraph (a) of subsection 1:*
- (a) *Except as otherwise provided in paragraph (b), is guilty of a category D felony and shall be punished as provided in NRS 193.130.*
- (b) *If the act is committed in order to threaten, intimidate or terrorize another person, is guilty of a category C felony and shall be punished as provided in NRS 193.130.*
7. *Except as otherwise provided in subsection 6, a person who violates subsection 1, 2, 3 or 5:*
- (a) *For the first offense within the immediately preceding 7 years, is guilty of a misdemeanor and shall be sentenced to:*
- (1) Imprisonment in the city or county jail or detention facility for not less than 2 days, but not more than 6 months; and
  - (2) Perform not less than 48 hours, but not more than 120 hours, of community service. The person shall be further punished by a fine of not less than \$200, but not more than \$1,000. A term of imprisonment imposed pursuant to this paragraph may be served intermittently at the discretion of the judge or justice of the peace, except that each period of confinement must be not less than 4 consecutive hours and must occur either at a time when the person is not required to be at the person's place of employment or on a weekend.
- (b) *For the second offense within the immediately preceding 7 years, is guilty of a misdemeanor and shall be sentenced to:*
- (1) Imprisonment in the city or county jail or detention facility for not less than 10 days, but not more than 6 months; and
  - (2) Perform not less than 100 hours, but not more than 200 hours, of community service. The person shall be further punished by a fine of not less than \$500, but not more than \$1,000.
- (c) *For the third and any subsequent offense within the immediately preceding 7 years, is guilty of a category C felony and shall be punished as provided in NRS 193.130.*
8. In addition to any other fine or penalty provided in subsection 6 or 7, a court shall order a person convicted of violating subsection 1, 2, 3 or 5 to pay restitution for all costs associated with the care and impoundment of any mistreated animal under subsection 1, 2, 3 or 5 including, without limitation, money expended for veterinary treatment, feed and housing.
9. The court may order the person convicted of violating subsection 1, 2, 3 or 5 to surrender ownership or possession of the mistreated animal.
10. The provisions of this section do not apply with respect to an injury to or the death of an animal that occurs accidentally in the normal course of:
- (a) Carrying out the activities of a rodeo or livestock show; or

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- (b) Operating a ranch.
11. As used in this section, “horse tripping” means the roping of the legs of or otherwise using a wire, pole, stick, rope or other object to intentionally trip or intentionally cause a horse, mule, burro, ass or other animal of the equine species to fall. The term does not include:
- (a) Tripping such an animal to provide medical or other health care for the animal; or
  - (b) Catching such an animal by the legs and then releasing it as part of a horse roping event for which a permit has been issued by the local government where the event is conducted.

### NEV. REV. STAT. § 574.105. Mistreatment of police animal and interference with duties of police animal or handler unlawful; penalties; exception.

1. *A person shall not willfully and maliciously:*
  - (a) *Taunt, torment, tease, beat, strike or administer a desensitizing drug, chemical or substance to a police animal;*
  - (b) *Interfere with a police animal or a handler thereof in the performance of duties assigned to the police animal or handler; or*
  - (c) *Torture, mutilate, injure, poison, disable or kill a police animal.*
2. A person who violates:
  - (a) Paragraph (a) or (b) of subsection 1 is guilty of a category D felony and shall be punished as provided in NRS 193.130.
  - (b) Paragraph (c) of subsection 1 is guilty of:
    - (1) If the police animal is not totally disabled or killed, a category D felony and shall be punished as provided in NRS 193.130, and may be further punished by a fine of not more than \$10,000.
    - (2) If the police animal is totally disabled or killed, a category C felony and shall be punished as provided in NRS 193.130. In addition to the punishment imposed pursuant to this subparagraph, the court may require a person who is punished pursuant to this subparagraph to pay restitution to the agency that owns the police animal, including, without limitation, payment for veterinary services and the cost of replacing the police animal.
3. The provisions of this section do not prohibit a euthanasia technician licensed pursuant to chapter 638 of NRS, a peace officer or a veterinarian from euthanizing a police animal in an emergency if the police animal is critically wounded and would otherwise endure undue suffering and pain.

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### NEV. REV. STAT. § 574.110. Abandonment of disabled animal unlawful; penalty.

1. *A person being the owner or possessor, or having charge or custody, of a maimed, diseased, disabled or infirm animal, who abandons such animal or leaves it to die in a public street, road or public place, or who allows it to lie in a public street, road or public place more than 3 hours after he receives notice that it is left disabled, is guilty of a misdemeanor.*
2. Any agent or officer of any society for the prevention of cruelty to animals, or of any society duly incorporated for that purpose, or any police officer, may lawfully destroy or cause to be destroyed any animal found abandoned and not properly cared for, appearing, in the judgment of two reputable citizens called by him to view the same in his presence, to be glandered, injured or diseased past recovery for any useful purpose, or after such agent or officer has obtained in writing from the owner of such animal his consent to such destruction.
3. When any person arrested is, at the time of such arrest, in charge of any animal or of any vehicle drawn by or containing any animal, any agent or officer of such society or societies or any police officer may take charge of such animal and of such vehicle and its contents and deposit the same in a safe place of custody, or deliver the same into the possession of the police or sheriff of the county or place wherein such arrest was made, who shall thereupon assume the custody thereof. All necessary expenses incurred in taking charge of such property shall be a charge thereon.

### NEV. REV. STAT. § 574.120. Failure to provide proper air, food, shelter or water to impounded animal unlawful; penalties.

1. *A person who has impounded or confined any animal shall not refuse or neglect to supply to the animal during its confinement a sufficient supply of good and wholesome air, food, shelter and water.*
2. A person who violates subsection 1:
  - (a) For the first offense within the immediately preceding 7 years, is guilty of a misdemeanor and shall be sentenced to:
    - (1) Imprisonment in the city or county jail or detention facility for not less than 2 days, but not more than 6 months; and
    - (2) Perform not less than 48 hours, but not more than 120 hours, of community service.

The person shall be further punished by a fine of not less than \$200, but not more than \$1,000. A term of imprisonment imposed pursuant to this paragraph may be served intermittently at the discretion of the judge or justice of the peace, except that each period of confinement must be not less than 4 consecutive hours and must occur at a time when the person is not required to

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be at his place of employment or on a weekend.

(b) For the second offense within the immediately preceding 7 years, is guilty of a misdemeanor and shall be sentenced to:

- (1) Imprisonment in the city or county jail or detention facility for not less than 10 days, but not more than 6 months; and
- (2) Perform not less than 100 hours, but not more than 200 hours, of community service.

The person shall be further punished by a fine of not less than \$500, but not more than \$1,000.

(c) For the third and any subsequent offense within the immediately preceding 7 years, is guilty of a category C felony and shall be punished as provided in NRS 193.130.

3. In addition to any other fine or penalty provided in subsection 2, a court shall order a person convicted of violating subsection 1 to pay restitution for all costs associated with the care and impoundment of any mistreated animal under subsection 1, including, without limitation, money expended for veterinary treatment, feed and housing.
4. If any animal is at any time impounded as provided in subsection 1, and continues to be without necessary food and water for more than 12 successive hours, any person may, as often as it is necessary, enter into and upon any pound in which the animal is so confined and supply it with necessary food and water, so long as it remains so confined. Such a person is not liable to any action for such entry, and the reasonable cost of such food and water may be collected by him from the owner of the animal, and the animal is not exempt from levy and sale upon execution issued upon a judgment therefor.

### NEV. REV. STAT. § 574.150. Poisoning or attempting to poison animals unlawful; penalties.

1. *A person who unjustifiably administers any poisonous or noxious drug or substance to a horse, mule or domestic cattle, or unjustifiably exposes any such drug or substance with the intent that it be taken by a horse, mule or domestic cattle, whether the horse, mule or domestic cattle are the property of himself or another, is guilty of a category C felony and shall be punished as provided in NRS 193.130. In addition to any other penalty, the court shall order the person to pay restitution.*
2. *A person who unjustifiably administers any poisonous or noxious drug or substance to any animal other than a horse, mule or domestic cattle, or unjustifiably exposes any such drug or substance with the intent that it be taken by an animal other than a horse, mule or domestic cattle, whether the animal is the property of himself or another, is guilty of a gross misdemeanor. In addition to any other penalty, the court shall order the person to pay restitution.*
3. This section does not prohibit the destruction of noxious animals.



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### **NEV. REV. STAT. § 574.190. Carrying animal in cruel manner; penalty.**

*A person who carries or causes to be carried in or upon any vessel or vehicle or otherwise any animal in a cruel or inhuman manner, or so as to produce torture, is guilty of a misdemeanor.*

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### 3. EXEMPTIONS

#### NEV. REV. STAT. § 201.455. Bestiality.

1. A person commits the crime of bestiality if the person knowingly and intentionally:
  - (a) Engages in sexual conduct with an animal;
  - (b) Causes another person to engage in sexual conduct with an animal or aids or abets another person in engaging in sexual conduct with an animal;
  - (c) Permits any sexual conduct with an animal to be conducted on any premises under the control of the person;
  - (d) Engages in, organizes, promotes, conducts, advertises, aids, abets, participates in and is physically present as an observer, or performs any service in the furtherance of an act involving any sexual conduct with an animal; or
  - (e) Photographs or films, for purposes of his or her sexual gratification or the sexual gratification of another person, a person engaged in sexual conduct with an animal.
2. A person who commits the crime of bestiality is guilty of:
  - (a) If the crime does not cause the death of or serious bodily injury to an animal involved in the crime and the person has not previously been convicted of a violation of NRS 574.100 punishable as a felony, a gross misdemeanor.
  - (b) If the crime causes the death of or serious bodily injury to an animal involved in the crime or if the person has previously been convicted of a violation of NRS 574.100 punishable as a felony, a category D felony and shall be punished as provided in NRS 193.130.
3. In addition to any other penalty imposed by the court, the court shall order a person convicted of the crime of bestiality to comply with the following:
  - (a) Relinquishing and permanently forfeiting ownership or possession of all animals which are in the same household as the person to an animal shelter, an organization that takes into custody animals which have been abused or neglected, or a society for the prevention of cruelty to animals established pursuant to NRS 574.010.
  - (b) Not harboring, owning, possessing, keeping or exercising control over any animal, not residing in any household where an animal is present and not working at or volunteering for a business, animal shelter or other place where the person may access an animal, for a period determined by the court.
4. In addition to any other penalty imposed by the court, the court may order a person convicted of the crime of bestiality to comply with any or all of the following:
  - (a) Undergoing a psychological evaluation and any recommended counseling, including, without limitation, any counseling for the treatment of substance abuse, and to pay the expenses for the psychological evaluation and any recommended counseling.
  - (b) Paying all reasonable costs incurred for the care and maintenance of the animal

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involved in the crime and any other animal relinquished by the person to an animal shelter, an organization that takes into custody animals which have been abused or neglected, or a society for the prevention of cruelty to animals established pursuant to NRS 574.010.

- (c) If the person convicted of the crime of bestiality is not the owner of the animal involved in the crime, reimbursing the owner of the animal for all medical expenses incurred for treating the animal.

5. As used in this section:

- (a) "Animal" means every living creature other than a human being.  
 (b) "Animal shelter" has the meaning ascribed to it in NRS 574.240.  
 (c) "Licensed veterinarian" has the meaning ascribed to it in NRS 638.007.  
 (d) "*Sexual conduct*":

(1) Means any sexual act involving:

- (I) The genitalia of a person and the genitalia, anus or mouth of an animal;  
 (II) The genitalia of an animal and the genitalia, anus or mouth of a person;  
 (III) Any insertion, however slight, of any part of the body of a person or of a foreign object into the genitalia or anus of an animal; or  
 (IV) Any touching or fondling by a person, directly or indirectly through clothing, of the genitalia or anus of an animal.

(2) *Does not include:*

- (I) *Any accepted practice of animal husbandry which provides care for an animal;*  
 (II) *Any accepted method of insemination of an animal for the purpose of procreation;*  
 (III) *Any accepted practice relating to conformation judging; or*  
 (IV) *Any accepted medical procedure performed by a licensed veterinarian while engaging in the practice of veterinary medicine or by his or her employee while acting under his or her supervision.*

### NEV. REV. STAT. § 202.487. Leaving pet unattended in motor vehicle; exceptions; penalty

1. Except as otherwise provided in subsection 3, a person shall not allow a pet to remain unattended in a parked or standing motor vehicle if conditions, including, without limitation, extreme heat or cold, present a significant risk to the health and safety of the pet.
2. Any:
  - (a) Peace officer;

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- (b) Animal control officer;
  - (c) Governmental officer or employee whose primary duty is to ensure public safety;
  - (d) Employee or volunteer of any organized fire department; or
  - (e) Member of a search and rescue organization in this State that is under the direct supervision of a sheriff,
- who reasonably believes that a violation of this section has occurred may, without incurring civil liability, use any reasonable means necessary to protect the pet and to remove the pet from the motor vehicle.
3. *The provisions of subsection 1 do not apply to:*
    - (a) *A police animal or an animal that is used by:*
      - (1) *A federal law enforcement agency to assist the agency in carrying out the duties of the agency; or*
      - (2) *A search and rescue organization in this State that is under the direction of a sheriff to assist the organization in carrying out the activities of the organization; or*
    - (b) *A dog that is under the possession or control of:*
      - (1) *An animal control officer; or*
      - (2) *A first responder during an emergency.*
  4. A pet that is removed from a motor vehicle pursuant to subsection 2 shall be deemed to be an animal being treated cruelly for the purposes of NRS 574.055. A person required by NRS 574.055 to take possession of a pet removed pursuant to this section may take any action relating to the pet specified in NRS 574.055 and is entitled to any lien or immunity from liability that is applicable pursuant to that section.
  5. *The provisions of this section do not:*
    - (a) *Interfere with or prohibit any activity, law or right specified in NRS 574.200; or*
    - (b) *Apply to a person who unintentionally locks a motor vehicle with a pet in the motor vehicle.*
  6. A person who violates a provision of subsection 1 is guilty of a misdemeanor.
  7. As used in this section:
    - (a) "Animal" has the meaning ascribed to it in NRS 574.050.
    - (b) "First responder" has the meaning ascribed to it in NRS 574.050.
    - (c) "Pet" means a domesticated animal owned or possessed by a person for the purpose of pleasure or companionship and includes, without limitation, a cat or dog.
    - (d) "Police animal" has the meaning ascribed to it in NRS 574.050.

### **NEV. REV. STAT. § 206.150. Killing, maiming, disfiguring or poisoning animal of another person; killing stray or livestock.**

1. Except as otherwise provided in subsections 2 and 3, any person who willfully and

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maliciously kills, maims or disfigures any animal belonging to another, or exposes any poison or noxious substance with intent that it should be taken by the animal is guilty of a category D felony and shall be punished as provided in NRS 193.130, and may be further punished by a fine of not more than \$10,000.

2. *Except as otherwise provided in NRS 205.220*, a person who willfully and maliciously kills an estray or one or more head of livestock, *without the authority to do so*, is guilty of a category C felony and shall be punished as provided in NRS 193.130.
3. *The provisions of subsection 1 do not apply to any person who kills a dog pursuant to NRS 575.020.*

### **NEV. REV. STAT. § 574.055. Taking possession of animal being treated cruelly; notice to owner; lien for cost of care; disposition of animal; liability of officer; limitations and procedure when animal on agricultural land.**

**Note:** *The following language is effective October 1, 2019.*

Except as otherwise provided in sections 3 to 9, inclusive, of this act:

1. Any peace officer or animal control officer shall, upon discovering any animal which is being treated cruelly, take possession of it and provide it with shelter and care or, upon obtaining written permission from the owner of the animal, may destroy it in a humane manner.
2. If an officer takes possession of an animal, he shall give to the owner, if the owner can be found, a notice containing a written statement of the reasons for the taking, the location where the animal will be cared for and sheltered, the fact that there is a limited lien on the animal for the cost of shelter and care, and notice of the right of the owner to request a hearing pursuant to section 7 of this act within 5 days after receipt of the notice. If the owner is not present at the taking and the officer cannot find the owner after a reasonable search, he shall post the notice on the property from which he takes the animal. If the identity and address of the owner are later determined, the notice must be mailed to the owner immediately after the determination is made.
3. An officer who takes possession of an animal pursuant to this section has a lien on the animal for the reasonable cost of care and shelter furnished to the animal and, if applicable, for its humane destruction. The lien does not extend to the cost of care and shelter for more than 2 weeks.
4. Upon proof that the owner has been notified in accordance with the provisions of subsection 2 or, if he has not been found or identified, that the required notice has been posted on the property where the animal was found, a court of competent jurisdiction may, after providing an opportunity for a hearing, order the animal sold at auction, humanely destroyed or continued in the care of the officer for such disposition as the officer sees fit.
5. An officer who seizes an animal pursuant to this section is not liable for any action arising out of the taking or humane destruction of the animal.

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6. *The provisions of this section do not apply to any animal which is located on land being employed for an agricultural use as defined in NRS 361A.030 unless the owner of the animal or the person charged with the care of the animal is in violation of paragraph (c) of subsection 1 of NRS 574.100 and the impoundment is accomplished with the concurrence and supervision of the sheriff or his designee, a licensed veterinarian and the district brand inspector or his designee. In such a case, the sheriff shall direct that the impoundment occur not later than 48 hours after the veterinarian determines that a violation of paragraph (c) of subsection 1 of NRS 574.100 exists.*
7. The owner of an animal impounded in accordance with the provisions of subsection 6 must, before the animal is released to his custody, pay the charges approved by the sheriff as reasonably related to the impoundment, including the charges for the animal's food and water. If the owner is unable or refuses to pay the charges, the state department of agriculture shall sell the animal. The department shall pay to the owner the proceeds of the sale remaining after deducting the charges reasonably related to the impoundment.

### **NEV. REV. STAT. § 574.100. Overdriving, torturing, injuring or abandoning animals; failure to provide proper sustenance; penalty.**

1. A person shall not:
  - (a) Torture or unjustifiably maim, mutilate or kill:
    - (1) An animal kept for companionship or pleasure, whether belonging to the person or to another; or
    - (2) Any cat or dog;
  - (b) Except as otherwise provided in paragraph (a), overdrive, overload, torture, cruelly beat or unjustifiably injure, maim, mutilate or kill an animal, whether belonging to the person or to another;
  - (c) Deprive an animal of necessary sustenance, food or drink, or neglect or refuse to furnish it such sustenance or drink;
  - (d) Cause, procure or allow an animal to be overdriven, overloaded, tortured, cruelly beaten, or unjustifiably injured, maimed, mutilated or killed or to be deprived of necessary food or drink;
  - (e) Instigate, engage in, or in any way further an act of cruelty to any animal, or any act tending to produce such cruelty; or
  - (f) Abandon an animal in circumstances other than those prohibited in NRS 574.110. The provisions of this paragraph do not apply to a feral cat that has been caught to provide vaccination, spaying or neutering and released back to the location where the feral cat was caught after providing the vaccination, spaying or neutering. As used in this paragraph, "feral cat" means a cat that has no apparent owner or identification and appears to be unsocialized to humans and unmanageable or otherwise demonstrates characteristics normally

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- associated with a wild or undomesticated animal.
2. Except as otherwise provided in subsections 3 and 4 and NRS 574.210 to 574.510, inclusive, a person shall not restrain a dog:
    - (a) Using a tether, chain, tie, trolley or pulley system or other device that:
      - (1) Is less than 12 feet in length;
      - (2) Fails to allow the dog to move at least 12 feet or, if the device is a pulley system, fails to allow the dog to move a total of 12 feet; or
      - (3) Allows the dog to reach a fence or other object that may cause the dog to become injured or die by strangulation after jumping the fence or object or otherwise becoming entangled in the fence or object;
    - (b) Using a prong, pinch or choke collar or similar restraint; or
    - (c) For more than 14 hours during a 24-hour period.
  3. Any pen or other outdoor enclosure that is used to maintain a dog must be appropriate for the size and breed of the dog. If any property that is used by a person to maintain a dog is of insufficient size to ensure compliance by the person with the provisions of paragraph (a) of subsection 2, the person may maintain the dog unrestrained in a pen or other outdoor enclosure that complies with the provisions of this subsection.
  4. *The provisions of subsections 2 and 3 do not apply to a dog that is:*
    - (a) *Tethered, chained, tied, restrained or placed in a pen or enclosure by a veterinarian, as defined in NRS 574.330, during the course of the veterinarian's practice;*
    - (b) *Being used lawfully to hunt a species of wildlife in this State during the hunting season for that species;*
    - (c) *Receiving training to hunt a species of wildlife in this State;*
    - (d) *In attendance at and participating in an exhibition, show, contest or other event in which the skill, breeding or stamina of the dog is judged or examined;*
    - (e) *Being kept in a shelter or boarding facility or temporarily in a camping area;*
    - (f) *Temporarily being cared for as part of a rescue operation or in any other manner in conjunction with a bona fide nonprofit organization formed for animal welfare purposes;*
    - (g) *Living on land that is directly related to an active agricultural operation, if the restraint is reasonably necessary to ensure the safety of the dog. As used in this paragraph, "agricultural operation" means any activity that is necessary for the commercial growing and harvesting of crops or the raising of livestock or poultry; or*
    - (h) *With a person having custody or control of the dog, if the person is engaged in a temporary task or activity with the dog for not more than 1 hour.*
  5. A person shall not:
    - (a) Intentionally engage in horse tripping for sport, entertainment, competition or practice; or
    - (b) Knowingly organize, sponsor, promote, oversee or receive money for the admission of any person to a charreada or rodeo that includes horse tripping.

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6. A person who willfully and maliciously violates paragraph (a) of subsection 1:
  - (a) Except as otherwise provided in paragraph (b), is guilty of a category D felony and shall be punished as provided in NRS 193.130.
  - (b) If the act is committed in order to threaten, intimidate or terrorize another person, is guilty of a category C felony and shall be punished as provided in NRS 193.130.
7. Except as otherwise provided in subsection 6, a person who violates subsection 1, 2, 3 or 5:
  - (a) For the first offense within the immediately preceding 7 years, is guilty of a misdemeanor and shall be sentenced to:
    - (1) Imprisonment in the city or county jail or detention facility for not less than 2 days, but not more than 6 months; and
    - (2) Perform not less than 48 hours, but not more than 120 hours, of community service.

The person shall be further punished by a fine of not less than \$200, but not more than \$1,000. A term of imprisonment imposed pursuant to this paragraph may be served intermittently at the discretion of the judge or justice of the peace, except that each period of confinement must be not less than 4 consecutive hours and must occur either at a time when the person is not required to be at the person's place of employment or on a weekend.
  - (b) For the second offense within the immediately preceding 7 years, is guilty of a misdemeanor and shall be sentenced to:
    - (1) Imprisonment in the city or county jail or detention facility for not less than 10 days, but not more than 6 months; and
    - (2) Perform not less than 100 hours, but not more than 200 hours, of community service. The person shall be further punished by a fine of not less than \$500, but not more than \$1,000.
  - (c) For the third and any subsequent offense within the immediately preceding 7 years, is guilty of a category C felony and shall be punished as provided in NRS 193.130.
8. In addition to any other fine or penalty provided in subsection 6 or 7, a court shall order a person convicted of violating subsection 1, 2, 3 or 5 to pay restitution for all costs associated with the care and impoundment of any mistreated animal under subsection 1, 2, 3 or 5 including, without limitation, money expended for veterinary treatment, feed and housing.
9. The court may order the person convicted of violating subsection 1, 2, 3 or 5 to surrender ownership or possession of the mistreated animal.
10. *The provisions of this section do not apply with respect to an injury to or the death of an animal that occurs accidentally in the normal course of:*
  - (a) *Carrying out the activities of a rodeo or livestock show; or*
  - (b) *Operating a ranch.*
11. As used in this section, "horse tripping" means the roping of the legs of or otherwise



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using a wire, pole, stick, rope or other object to intentionally trip or intentionally cause a horse, mule, burro, ass or other animal of the equine species to fall. The term does not include:

- (a) Tripping such an animal to provide medical or other health care for the animal; or
- (b) Catching such an animal by the legs and then releasing it as part of a horse roping event for which a permit has been issued by the local government where the event is conducted.

### NEV. REV. STAT. § 574.150. Poisoning or attempting to poison animals unlawful; penalties.

1. A person who unjustifiably administers any poisonous or noxious drug or substance to a horse, mule or domestic cattle, or unjustifiably exposes any such drug or substance with the intent that it be taken by a horse, mule or domestic cattle, whether the horse, mule or domestic cattle are the property of himself or another, is guilty of a category C felony and shall be punished as provided in NRS 193.130. In addition to any other penalty, the court shall order the person to pay restitution.
2. A person who unjustifiably administers any poisonous or noxious drug or substance to any animal other than a horse, mule or domestic cattle, or unjustifiably exposes any such drug or substance with the intent that it be taken by an animal other than a horse, mule or domestic cattle, whether the animal is the property of himself or another, is guilty of a gross misdemeanor. In addition to any other penalty, the court shall order the person to pay restitution.
3. *This section does not prohibit the destruction of noxious animals.*

### NEV. REV. STAT. § 574.070. Instigating or witnessing fights between birds or other animals unlawful; penalties; exceptions.

1. Except as otherwise provided in this section, a person shall not begin, cause, instigate, promote, carry on or do any act as an assistant, umpire or principal, or in any way aid in or engage in the furtherance of any fight between animals in an exhibition or for amusement or gain which is premeditated by a person owning or having custody of the animals.
2. A person shall not:
  - (a) Own, possess, keep, train, promote or purchase an animal with the intent to use it to fight another animal; or
  - (b) Sell an animal knowing that it is intended to be used to fight another animal.
3. A person shall not:
  - (a) Knowingly attend any fight between animals in an exhibition or for amusement or gain; or

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- (b) Manufacture, own, possess, purchase, sell, barter or exchange, or advertise for sale, barter or exchange, any gaff, spur or other sharp implement designed for attachment to a cock or other bird with the intent that the implement be used in fighting another cock or other bird.
- 4. Except as otherwise provided in subsection 7, a person who violates any provision of subsection 1 is guilty of:
  - (a) For a first offense, a category E felony and shall be punished as provided in NRS 193.130.
  - (b) For a second or subsequent offense, a category D felony and shall be punished as provided in NRS 193.130.
- 5. A person who violates any provision of subsection 2 is guilty of:
  - (a) For a first offense, a category E felony and shall be punished as provided in NRS 193.130.
  - (b) For a second or subsequent offense, a category D felony and shall be punished as provided in NRS 193.130.
- 6. A person who violates any provision of subsection 3 is guilty of:
  - (a) For a first offense, a misdemeanor.
  - (b) For a second or subsequent offense, a category E felony and shall be punished as provided in NRS 193.130.
- 7. If a violation of subsection 1 involves a dog, a person who commits such a violation is guilty of:
  - (a) For a first offense, a category D felony and shall be punished as provided in NRS 193.130.
  - (b) For a second offense, a category C felony and shall be punished as provided in NRS 193.130.
  - (c) For a third or subsequent offense, a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years.
- 8. If a person who violates this section is not a natural person, the person shall be punished by a fine of not more than \$ 10,000.
- 9. *This section does not prohibit the use of dogs or birds for:*
  - (a) *The management of livestock by the owner thereof, the owner's employees or agents or any other person in the lawful custody of the livestock; or*
  - (b) *Hunting as permitted by law.*

### NEV. REV. STAT. § 574.200. Intended applicability of provisions.

- 1. *The provisions of NRS 574.050 to 574.510, inclusive, and section 1 of this act do not:*
  - (a) *Interfere with any of the fish and game laws contained in Title 45 of NRS or any laws for the destruction of certain birds.*
  - (b) *Interfere with the right to destroy any venomous reptiles or animals, or any*

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- animal known as dangerous to life, limb or property.*
- (c) *Interfere with the right to kill all animals and fowl used for food.*
  - (d) *Prohibit or interfere with any properly conducted scientific experiments or investigations which are performed under the authority of the faculty of some regularly incorporated medical college or university of this state.*
  - (e) *Interfere with any scientific or physiological experiments conducted or prosecuted for the advancement of science or medicine.*
  - (f) *Prohibit or interfere with established methods of animal husbandry, including the raising, handling, feeding, housing and transporting of livestock or farm animals.*
2. Nothing contained in subsection 1 shall be deemed to exclude a research facility from the provisions of NRS 574.205.

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### 4. FIGHTING AND RACKETEERING

**NOTE:** Statutes concerning the [seizure](#) and [forfeiture](#) of animals used in fighting are available in those respective sections of this document.

#### **NEV. REV. STAT. § 574.060. Commission of certain acts concerning place kept or used for baiting or fighting birds or other animals unlawful; penalties.**

1. *A person shall not knowingly keep or use, or in any manner be connected with, or be interested in the management of, or receive money for the admission of any person to, a house, apartment, pit or place kept or used for baiting or fighting any bird or animal, or be an owner or occupant of a house, apartment, pit or place who willfully procures or permits the same to be used or occupied for such baiting or fighting.*
2. *A person who violates any provision of subsection 1 is guilty of:*
  - (a) *For a first offense, a category E felony and shall be punished as provided in NRS 193.130.*
  - (b) *For a second or subsequent offense, a category D felony and shall be punished as provided in NRS 193.130.*
3. Upon complaint under oath or affirmation to any magistrate authorized to issue warrants in criminal cases that the complainant has just and reasonable cause to suspect that any provision of law relating to or in any way affecting animals is being or is about to be violated in any particular building or place, the magistrate shall immediately issue and deliver a warrant to any person authorized by law to make arrests for such offenses, authorizing him to enter and search the building or place, to arrest any person there present found violating any such law and to bring the person before the nearest magistrate of competent jurisdiction to be dealt with according to law.

#### **NEV. REV. STAT. § 574.070. Instigating or witnessing fights between birds or other animals unlawful; penalties; exceptions.**

1. *Except as otherwise provided in this section, a person shall not begin, cause, instigate, promote, carry on or do any act as an assistant, umpire or principal, or in any way aid in or engage in the furtherance of any fight between animals in an exhibition or for amusement or gain which is premeditated by a person owning or having custody of the animals.*
2. *A person shall not:*
  - (a) *Own, possess, keep, train, promote or purchase an animal with the intent to use it to fight another animal; or*
  - (b) *Sell an animal knowing that it is intended to be used to fight another animal.*
3. *A person shall not:*
  - (a) *Knowingly attend any fight between animals in an exhibition or for amusement*

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*or gain; or*

- (b) Manufacture, own, possess, purchase, sell, barter or exchange, or advertise for sale, barter or exchange, any gaff, spur or other sharp implement designed for attachment to a cock or other bird with the intent that the implement be used in fighting another cock or other bird.*
- 4. *Except as otherwise provided in subsection 7, a person who violates any provision of subsection 1 is guilty of:*

  - (a) For a first offense, a category E felony and shall be punished as provided in NRS 193.130.*
  - (b) For a second or subsequent offense, a category D felony and shall be punished as provided in NRS 193.130.*
- 5. *A person who violates any provision of subsection 2 is guilty of:*

  - (a) For a first offense, a category E felony and shall be punished as provided in NRS 193.130.*
  - (b) For a second or subsequent offense, a category D felony and shall be punished as provided in NRS 193.130.*
- 6. *A person who violates any provision of subsection 3 is guilty of:*

  - (a) For a first offense, a misdemeanor.*
  - (b) For a second or subsequent offense, a category E felony and shall be punished as provided in NRS 193.130.*
- 7. *If a violation of subsection 1 involves a dog, a person who commits such a violation is guilty of:*

  - (a) For a first offense, a category D felony and shall be punished as provided in NRS 193.130.*
  - (b) For a second offense, a category C felony and shall be punished as provided in NRS 193.130.*
  - (c) For a third or subsequent offense, a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years.*
- 8. *If a person who violates this section is not a natural person, the person shall be punished by a fine of not more than \$ 10,000.*
- 9. *This section does not prohibit the use of dogs or birds for:*

  - (a) The management of livestock by the owner thereof, the owner's employees or agents or any other person in the lawful custody of the livestock; or*
  - (b) Hunting as permitted by law.*

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## 5. SEXUAL ASSAULT

## NEV. REV. STAT. § 201.455. Bestiality.

1. *A person commits the crime of bestiality if the person knowingly and intentionally:*
  - (a) *Engages in sexual conduct with an animal;*
  - (b) *Causes another person to engage in sexual conduct with an animal or aids or abets another person in engaging in sexual conduct with an animal;*
  - (c) *Permits any sexual conduct with an animal to be conducted on any premises under the control of the person;*
  - (d) *Engages in, organizes, promotes, conducts, advertises, aids, abets, participates in and is physically present as an observer, or performs any service in the furtherance of an act involving any sexual conduct with an animal; or*
  - (e) *Photographs or films, for purposes of his or her sexual gratification or the sexual gratification of another person, a person engaged in sexual conduct with an animal.*
2. *A person who commits the crime of bestiality is guilty of:*
  - (a) *If the crime does not cause the death of or serious bodily injury to an animal involved in the crime and the person has not previously been convicted of a violation of NRS 574.100 punishable as a felony, a gross misdemeanor.*
  - (b) *If the crime causes the death of or serious bodily injury to an animal involved in the crime or if the person has previously been convicted of a violation of NRS 574.100 punishable as a felony, a category D felony and shall be punished as provided in NRS 193.130.*
3. In addition to any other penalty imposed by the court, the court shall order a person convicted of the crime of bestiality to comply with the following:
  - (a) Relinquishing and permanently forfeiting ownership or possession of all animals which are in the same household as the person to an animal shelter, an organization that takes into custody animals which have been abused or neglected, or a society for the prevention of cruelty to animals established pursuant to NRS 574.010.
  - (b) Not harboring, owning, possessing, keeping or exercising control over any animal, not residing in any household where an animal is present and not working at or volunteering for a business, animal shelter or other place where the person may access an animal, for a period determined by the court.
4. In addition to any other penalty imposed by the court, the court may order a person convicted of the crime of bestiality to comply with any or all of the following:
  - (a) Undergoing a psychological evaluation and any recommended counseling, including, without limitation, any counseling for the treatment of substance abuse, and to pay the expenses for the psychological evaluation and any recommended counseling.
  - (b) Paying all reasonable costs incurred for the care and maintenance of the animal

## ANIMAL PROTECTION LAWS OF NEVADA

involved in the crime and any other animal relinquished by the person to an animal shelter, an organization that takes into custody animals which have been abused or neglected, or a society for the prevention of cruelty to animals established pursuant to NRS 574.010.

- (c) If the person convicted of the crime of bestiality is not the owner of the animal involved in the crime, reimbursing the owner of the animal for all medical expenses incurred for treating the animal.

5. As used in this section:

- (a) "Animal" means every living creature other than a human being.  
 (b) "Animal shelter" has the meaning ascribed to it in NRS 574.240.  
 (c) "Licensed veterinarian" has the meaning ascribed to it in NRS 638.007.  
 (d) "Sexual conduct":

(1) *Means any sexual act involving:*

- (I) *The genitalia of a person and the genitalia, anus or mouth of an animal;*  
 (II) *The genitalia of an animal and the genitalia, anus or mouth of a person;*  
 (III) *Any insertion, however slight, of any part of the body of a person or of a foreign object into the genitalia or anus of an animal; or*  
 (IV) *Any touching or fondling by a person, directly or indirectly through clothing, of the genitalia or anus of an animal.*

(2) Does not include:

- (I) Any accepted practice of animal husbandry which provides care for an animal;  
 (II) Any accepted method of insemination of an animal for the purpose of procreation;  
 (III) Any accepted practice relating to conformation judging; or  
 (IV) Any accepted medical procedure performed by a licensed veterinarian while engaging in the practice of veterinary medicine or by his or her employee while acting under his or her supervision.

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### 6. MAXIMUM PENALTIES & STATUTES OF LIMITATIONS

**NOTE:** Penalties for violations of [NEV. REV. STAT. § 574.100\(1\)\(b\)-\(e\)](#) are provided in the substantive statute, available in the [General Cruelty](#) section of this document.

#### **NEV. REV. STAT. ANN. § 171.085. Limitations for felonies.**

Except as otherwise provided in NRS 171.080, 171.083, 171.084 and 171.095, an indictment for:

1. Theft, robbery, burglary, forgery, arson, sex trafficking, a violation of NRS 90.570, a violation punishable pursuant to paragraph (c) of subsection 3 of NRS 598.0999 or a violation of NRS 205.377 must be found, or an information or complaint filed, within 4 years after the commission of the offense.
2. Sexual assault must be found, or an information or complaint filed, within 20 years after the commission of the offense.
3. *Any felony other than the felonies listed in subsections 1 and 2 must be found, or an information or complaint filed, within 3 years after the commission of the offense.*

#### **NEV. REV. STAT. ANN. § 171.090. Limitations for gross and simple misdemeanors.**

Except as otherwise provided in NRS 171.095, 202.885 and 624.800, an indictment for:

1. A gross misdemeanor must be found, or an information or complaint filed, within 2 years after the commission of the offense.
2. *Any other misdemeanor must be found, or an information or complaint filed, within 1 year after the commission of the offense.*

#### **NEV. REV. STAT. § 193.130. Categories and punishment of felonies.**

1. Except when a person is convicted of a category A felony, and except as otherwise provided by specific statute, a person convicted of a felony shall be sentenced to a minimum term and a maximum term of imprisonment which must be within the limits prescribed by the applicable statute, unless the statute in force at the time of commission of the felony prescribed a different penalty. The minimum term of imprisonment that may be imposed must not exceed 40 percent of the maximum term imposed.
2. *Except as otherwise provided by specific statute, for each felony committed on or after July 1, 1995:*
  - (a) A category A felony is a felony for which a sentence of death or imprisonment in the state prison for life with or without the possibility of parole may be imposed, as provided by specific statute.
  - (b) A category B felony is a felony for which the minimum term of imprisonment in



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the state prison that may be imposed is not less than 1 year and the maximum term of imprisonment that may be imposed is not more than 20 years, as provided by specific statute.

- (c) *A category C felony is a felony for which a court shall sentence a convicted person to imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 5 years. In addition to any other penalty, the court may impose a fine of not more than \$10,000, unless a greater fine is authorized or required by statute.*
- (d) *A category D felony is a felony for which a court shall sentence a convicted person to imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 4 years. In addition to any other penalty, the court may impose a fine of not more than \$5,000, unless a greater fine is authorized or required by statute.*
- (e) *A category E felony is a felony for which a court shall sentence a convicted person to imprisonment in the state prison for a minimum term of 1 year and a maximum term of 4 years. Except as otherwise provided in paragraph (b) of subsection 1 of NRS 176A.100, upon sentencing a person who is found guilty of a category E felony, the court shall suspend the execution of the sentence and grant probation to the person upon such conditions as the court deems appropriate. In addition to any other penalty, the court may impose a fine of not more than \$5,000, unless a greater penalty is authorized or required by statute.*

### NEV. REV. STAT. § 193.140. Punishment of gross misdemeanors.

*Every person convicted of a gross misdemeanor shall be punished by imprisonment in the county jail for not more than 364 days, or by a fine of not more than \$2,000, or by both fine and imprisonment, unless the statute in force at the time of commission of such gross misdemeanor prescribed a different penalty.*

### NEV. REV. STAT. § 193.150. Punishment of misdemeanors.

1. *Every person convicted of a misdemeanor shall be punished by imprisonment in the county jail for not more than 6 months, or by a fine of not more than \$1,000, or by both fine and imprisonment, unless the statute in force at the time of commission of such misdemeanor prescribed a different penalty.*
2. *In lieu of all or a part of the punishment which may be imposed pursuant to subsection 1, the convicted person may be sentenced to perform a fixed period of community service pursuant to the conditions prescribed in NRS 176.087.*

## ANIMAL PROTECTION LAWS OF NEVADA

### 7. CROSS ENFORCEMENT & REPORTING

#### NEV. REV. STAT. § 574.053. Reporting acts of cruelty.

1. *Any person who knows or has reasonable cause to believe that an animal has been subjected to an act of cruelty in violation of NRS 574.100 may report the act of cruelty to any:*
  - (a) *Peace officer;*
  - (b) *Officer of a society for the prevention of cruelty to animals who is authorized to make arrests pursuant to NRS 574.040; or*
  - (c) *Animal control officer.*
2. *Any person, law enforcement agency, society for the prevention of cruelty to animals or animal control agency that willfully releases data or information concerning the identity of a person who made a report pursuant to subsection 1, except for the purposes of a criminal investigation or prosecution, is guilty of a misdemeanor.*

## ANIMAL PROTECTION LAWS OF NEVADA

### 8. VETERINARY REPORTING & IMMUNITY

#### NEV. REV. STAT. § 574.053. Reporting acts of cruelty.

1. *Any person who knows or has reasonable cause to believe that an animal has been subjected to an act of cruelty in violation of NRS 574.100 may report the act of cruelty to any:*
  - (a) *Peace officer;*
  - (b) *Officer of a society for the prevention of cruelty to animals who is authorized to make arrests pursuant to NRS 574.040; or*
  - (c) *Animal control officer.*
2. *Any person, law enforcement agency, society for the prevention of cruelty to animals or animal control agency that willfully releases data or information concerning the identity of a person who made a report pursuant to subsection 1, except for the purposes of a criminal investigation or prosecution, is guilty of a misdemeanor.*

## ANIMAL PROTECTION LAWS OF NEVADA

### 9. LAW ENFORCEMENT POLICIES

#### **NEV. REV. STAT. § 574.040. Arrests by members, agents and officers of certain societies: Application; submission of fingerprints; exhibition of badge; resistance to officers unlawful.**

1. *Except as otherwise provided in this subsection and NRS 574.350, a member, agent or local or district officer of a society so incorporating, if authorized in writing by the trustees of the society, approved by the district judge of the county, and sworn in the same manner as peace officers are sworn, may make arrests for a violation of the provisions of this chapter in the same manner as is provided for other officers. The provisions of this subsection apply only to a society that, on the date the society submits an application to the district judge for approval for a member, agent or local or district officer of the society to make arrests pursuant to this subsection:*
  - (a) Has at least 25 members; and
  - (b) Has been incorporated in accordance with NRS 574.010 for not less than 5 years immediately preceding the submission of the application.
2. Before submitting an application specified in subsection 1, the society shall require that each member, agent or local or district officer of the society to whom the application relates submit to the society a complete set of his fingerprints which the society shall submit to the sheriff of the county.
3. The sheriff shall:
  - (a) Upon receipt of the fingerprints, forward the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for a report concerning the criminal history of the member, agent or local or district officer of the society.
  - (b) Upon receipt of the report, forward the report to the society. The society shall include the report in the application submitted pursuant to subsection 1.
4. A member, agent or local or district officer who is authorized to make arrests pursuant to subsection 1 shall, when making those arrests, exhibit and expose a suitable badge, to be adopted by the society.
5. A person who resists such a specially appointed officer shall be punished for that resistance in the same manner as is provided for the punishment of resistance to other officers.

## ANIMAL PROTECTION LAWS OF NEVADA

### 10. SEIZURE

**NEV. REV. STAT. § 574.055. Taking possession of animal being treated cruelly; notice to owner; lien for cost of care; disposition of animal; liability of officer; limitations and procedure when animal on agricultural land.**

**Note:** *The following language is effective October 1, 2019.*

Except as otherwise provided in sections 3 to 9, inclusive, of this act:

1. *Any peace officer or animal control officer shall, upon discovering any animal which is being treated cruelly, take possession of it and provide it with shelter and care or, upon obtaining written permission from the owner of the animal, may destroy it in a humane manner.*
2. *If an officer takes possession of an animal, he shall give to the owner, if the owner can be found, a notice containing a written statement of the reasons for the taking, the location where the animal will be cared for and sheltered, the fact that there is a limited lien on the animal for the cost of shelter and care, and notice of the right of the owner to request a hearing pursuant to section 7 of this act within 5 days after receipt of the notice. If the owner is not present at the taking and the officer cannot find the owner after a reasonable search, he shall post the notice on the property from which he takes the animal. If the identity and address of the owner are later determined, the notice must be mailed to the owner immediately after the determination is made.*
3. *An officer who takes possession of an animal pursuant to this section has a lien on the animal for the reasonable cost of care and shelter furnished to the animal and, if applicable, for its humane destruction. The lien does not extend to the cost of care and shelter for more than 2 weeks.*
4. *Upon proof that the owner has been notified in accordance with the provisions of subsection 2 or, if he has not been found or identified, that the required notice has been posted on the property where the animal was found, a court of competent jurisdiction may, after providing an opportunity for a hearing, order the animal sold at auction, humanely destroyed or continued in the care of the officer for such disposition as the officer sees fit.*
5. *An officer who seizes an animal pursuant to this section is not liable for any action arising out of the taking or humane destruction of the animal.*
6. *The provisions of this section do not apply to any animal which is located on land being employed for an agricultural use as defined in NRS 361A.030 unless the owner of the animal or the person charged with the care of the animal is in violation of paragraph (c) of subsection 1 of NRS 574.100 and the impoundment is accomplished with the concurrence and supervision of the sheriff or his designee, a licensed veterinarian and the district brand inspector or his designee. In such a case, the sheriff shall direct that the impoundment occur not later than 48 hours after the veterinarian determines that a violation of paragraph (c) of subsection 1 of NRS 574.100 exists.*

## ANIMAL PROTECTION LAWS OF NEVADA

7. The owner of an animal impounded in accordance with the provisions of subsection 6 must, before the animal is released to his custody, pay the charges approved by the sheriff as reasonably related to the impoundment, including the charges for the animal's food and water. If the owner is unable or refuses to pay the charges, the state department of agriculture shall sell the animal. The department shall pay to the owner the proceeds of the sale remaining after deducting the charges reasonably related to the impoundment.

### NEV. REV. STAT. § 574.060. Commission of certain acts concerning place kept or used for baiting or fighting birds or other animals unlawful; penalties.

1. A person shall not knowingly keep or use, or in any manner be connected with, or be interested in the management of, or receive money for the admission of any person to, a house, apartment, pit or place kept or used for baiting or fighting any bird or animal, or be an owner or occupant of a house, apartment, pit or place who willfully procures or permits the same to be used or occupied for such baiting or fighting.
2. A person who violates any provision of subsection 1 is guilty of:
  - (a) For a first offense, a category E felony and shall be punished as provided in NRS 193.130.
  - (b) For a second or subsequent offense, a category D felony and shall be punished as provided in NRS 193.130.
3. *Upon complaint under oath or affirmation to any magistrate authorized to issue warrants in criminal cases that the complainant has just and reasonable cause to suspect that any provision of law relating to or in any way affecting animals is being or is about to be violated in any particular building or place, the magistrate shall immediately issue and deliver a warrant to any person authorized by law to make arrests for such offenses, authorizing him to enter and search the building or place, to arrest any person there present found violating any such law and to bring the person before the nearest magistrate of competent jurisdiction to be dealt with according to law.*

### NEV. REV. STAT. § 574.080. Officer may take possession of animals and implements used in fights among animals.

1. *Any peace officer or animal control officer authorized by law to make arrests may lawfully take possession of any animals, or implements, or other property used or employed, or about to be used or employed, in the violation of any provision of law relating to fights among animals.*
2. *He shall state to the person in charge thereof, at the time of such taking, his name and residence, and also the time and place at which the application provided for by NRS 574.090 will be made.*

## ANIMAL PROTECTION LAWS OF NEVADA

### NEV. REV. STAT. § 574.090. Disposition of animals or implements used in fights among animals.

1. *The officer, after taking possession of such animals, or implements or other property, pursuant to NRS 574.080, shall apply to the magistrate, before whom the complaint is made against the offender violating such provision of law, for the order mentioned in subsection 2, and shall make and file an affidavit with such magistrate, stating therein:*
  - (a) *The name of the offender charged in such complaint.*
  - (b) *The time, place and description of the animals, implements or other property so taken, together with the name of the person who claims the same, if known.*
  - (c) *That the affiant has reason to believe and does believe, stating the grounds of such belief, that the same were used or employed, or were about to be used or employed, in such violation, and will establish the truth thereof upon the trial of such offender.*
2. *He shall then deliver such animals, implements or other property to such magistrate, who shall thereupon, by order in writing, place the same in the custody of an officer or other proper person in such order named and designated, to be kept by him until the trial or final discharge of the offender, and shall send a copy of such order, without delay, to the district attorney of the county.*
3. *The officer or person so named and designated in the order shall immediately thereupon assume custody, and shall retain the same for the purpose of evidence upon the trial, subject to the order of the court before which the offender may be required to appear, until his final discharge or conviction.*
4. Upon the conviction of the offender, the animals, implements or other property shall be adjudged by the court to be forfeited.
5. In the event of the acquittal or final discharge, without conviction, of the offender, the court shall, on demand, direct the delivery of the property so held in custody to the owner thereof.

### NEV. REV. STAT. § 574.110. Abandonment of disabled animal unlawful; penalty.

1. A person being the owner or possessor, or having charge or custody, of a maimed, diseased, disabled or infirm animal, who abandons such animal or leaves it to die in a public street, road or public place, or who allows it to lie in a public street, road or public place more than 3 hours after he receives notice that it is left disabled, is guilty of a misdemeanor.
2. Any agent or officer of any society for the prevention of cruelty to animals, or of any society duly incorporated for that purpose, or any police officer, may lawfully destroy or cause to be destroyed any animal found abandoned and not properly cared for, appearing, in the judgment of two reputable citizens called by him to view the same in his presence, to be glandered, injured or diseased past recovery for any useful purpose,

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## ANIMAL PROTECTION LAWS OF NEVADA

or after such agent or officer has obtained in writing from the owner of such animal his consent to such destruction.

3. *When any person arrested is, at the time of such arrest, in charge of any animal or of any vehicle drawn by or containing any animal, any agent or officer of such society or societies or any police officer may take charge of such animal and of such vehicle and its contents and deposit the same in a safe place of custody, or deliver the same into the possession of the police or sheriff of the county or place wherein such arrest was made, who shall thereupon assume the custody thereof. All necessary expenses incurred in taking charge of such property shall be a charge thereon.*



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**ANIMAL PROTECTION LAWS OF NEVADA**

**11. COURTROOM ANIMAL ADVOCATE PROGRAM**

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## ANIMAL PROTECTION LAWS OF NEVADA

## 12. PROTECTION ORDERS

**NEV. REV. STAT. § 33.018. Acts which constitute domestic violence.**

1. *Domestic violence occurs when a person commits one of the following acts against or upon his spouse, former spouse, any other person to whom he is related by blood or marriage, any other person with whom he has had or is having a dating relationship, a person with whom he has a child in common, the minor child of any of those persons, his minor child or any person who has been appointed the custodian or legal guardian for his minor child:*
  - (a) A battery.
  - (b) An assault.
  - (c) Compelling the other by force or threat of force to perform an act from which he has the right to refrain or to refrain from an act which he has the right to perform.
  - (d) A sexual assault.
  - (e) *A knowing, purposeful or reckless course of conduct intended to harass the other. Such conduct may include, but is not limited to:*
    - (1) Stalking.
    - (2) Arson.
    - (3) Trespassing.
    - (4) Larceny.
    - (5) Destruction of private property.
    - (6) Carrying a concealed weapon without a permit.
    - (7) *Injuring or killing an animal.*
  - (f) A false imprisonment.
  - (g) Unlawful entry of the other's residence, or forcible entry against the other's will if there is a reasonably foreseeable risk of harm to the other from the entry.
2. As used in this section, "dating relationship" means frequent, intimate associations primarily characterized by the expectation of affectional or sexual involvement. The term does not include a casual relationship or an ordinary association between persons in a business or social context.

**NEV. REV. STAT. § 33.030. Contents of order; interlocutory appeal.**

1. The court by a temporary order may:
  - (a) Enjoin the adverse party from threatening, physically injuring or harassing the applicant or minor child, either directly or through an agent;
  - (b) Exclude the adverse party from the applicant's place of residence;
  - (c) Prohibit the adverse party from entering the residence, school or place of employment of the applicant or minor child and order the adverse party to stay

## ANIMAL PROTECTION LAWS OF NEVADA

- away from any specified place frequented regularly by them;
- (d) If it has jurisdiction under chapter 125A of NRS, grant temporary custody of the minor child to the applicant;
  - (e) Enjoin the adverse party from physically injuring, threatening to injure or taking possession of any animal that is owned or kept by the applicant or minor child, either directly or through an agent;
  - (f) *Enjoin the adverse party from physically injuring or threatening to injure any animal that is owned or kept by the adverse party, either directly or through an agent; and*
  - (g) Order such other relief as it deems necessary in an emergency situation.
2. The court by an extended order may grant any relief enumerated in subsection 1 and:
    - (a) Specify arrangements for visitation of the minor child by the adverse party and require supervision of that visitation by a third party if necessary;
    - (b) *Specify arrangements for the possession and care of any animal owned or kept by the adverse party, applicant or minor child; and*
    - (c) Order the adverse party to:
      - (1) Avoid or limit communication with the applicant or minor child;
      - (2) Pay rent or make payments on a mortgage on the applicant's place of residence;
      - (3) Pay for the support of the applicant or minor child, including, without limitation, support of a minor child for whom a guardian has been appointed pursuant to sections 2 to 157, inclusive, of this act or a minor child who has been placed in protective custody pursuant to chapter 432B of NRS, if the adverse party is found to have a duty to support the applicant or minor child;
      - (4) Pay all costs and fees incurred by the applicant in bringing the action; and
      - (5) Pay monetary compensation to the applicant for lost earnings and expenses incurred as a result of the applicant attending any hearing concerning an application for an extended order.
  3. If an extended order is issued by a justice court, an interlocutory appeal lies to the district court, which may affirm, modify or vacate the order in question. The appeal may be taken without bond, but its taking does not stay the effect or enforcement of the order.
  4. A temporary or extended order must specify, as applicable, the county and city, if any, in which the residence, school, child care facility or other provider of child care, and place of employment of the applicant or minor child are located.
  5. A temporary or extended order must provide notice that a person who is arrested for violating the order will not be admitted to bail sooner than 12 hours after the person's arrest if:
    - (a) The arresting officer determines that such a violation is accompanied by a direct or indirect threat of harm;

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## ANIMAL PROTECTION LAWS OF NEVADA

- (b) The person has previously violated a temporary or extended order for protection; or
- (c) At the time of the violation or within 2 hours after the violation, the person has:
  - (1) A concentration of alcohol of 0.08 or more in the person's blood or breath; or
  - (2) An amount of a prohibited substance in the person's blood or urine, as applicable, that is equal to or greater than the amount set forth in subsection 3 or 4 of NRS 484C.110.

## ANIMAL PROTECTION LAWS OF NEVADA

### 13. RESTITUTION

#### **Nev. Rev. Stat. § 171.1539. Transfer of impounded animal owned or possessed by arrested and detained person: Recovery for cost of care; lien.**

1. If a person is lawfully arrested and detained in a county for more than 7 days, and if any animal owned or possessed by the person is impounded by the county after the arrest, the county must notify the person of the impoundment of the animal and request that the person provide to the county the name of any person who is authorized to care for the animal. The county must transfer the animal to such a person if the county determines that the person is able to provide adequate care and shelter to the animal. If there is no authorized person who is able to provide adequate care and shelter to the animal, the county may allow another person who is able to provide adequate care and shelter to care for the animal temporarily and, with the consent of the person who is arrested and detained, allow the other person to adopt the animal.
2. *If a person is convicted of the crime for which he or she was lawfully arrested, the county may by appropriate legal action recover the reasonable cost of any care and shelter furnished to the animal by the county, including, without limitation, imposing a lien on the animal for the cost of such care and shelter.*
3. As used in this section, “animal” means any dog, cat, horse or other domesticated animal. The term:
  - (a) Includes any chicken, pig, rabbit or other domesticated animal which is maintained as a pet.
  - (b) Except as otherwise provided in paragraph (a), does not include any cattle, sheep, goats, swine or poultry.

#### **NEV. REV. STAT. § 201.455. Bestiality.**

1. A person commits the crime of bestiality if the person knowingly and intentionally:
  - (a) Engages in sexual conduct with an animal;
  - (b) Causes another person to engage in sexual conduct with an animal or aids or abets another person in engaging in sexual conduct with an animal;
  - (c) Permits any sexual conduct with an animal to be conducted on any premises under the control of the person;
  - (d) Engages in, organizes, promotes, conducts, advertises, aids, abets, participates in and is physically present as an observer, or performs any service in the furtherance of an act involving any sexual conduct with an animal; or
  - (e) Photographs or films, for purposes of his or her sexual gratification or the sexual gratification of another person, a person engaged in sexual conduct with an animal.
2. A person who commits the crime of bestiality is guilty of:

## ANIMAL PROTECTION LAWS OF NEVADA

- (a) If the crime does not cause the death of or serious bodily injury to an animal involved in the crime and the person has not previously been convicted of a violation of NRS 574.100 punishable as a felony, a gross misdemeanor.
  - (b) If the crime causes the death of or serious bodily injury to an animal involved in the crime or if the person has previously been convicted of a violation of NRS 574.100 punishable as a felony, a category D felony and shall be punished as provided in NRS 193.130.
3. In addition to any other penalty imposed by the court, the court shall order a person convicted of the crime of bestiality to comply with the following:
- (a) Relinquishing and permanently forfeiting ownership or possession of all animals which are in the same household as the person to an animal shelter, an organization that takes into custody animals which have been abused or neglected, or a society for the prevention of cruelty to animals established pursuant to NRS 574.010.
  - (b) Not harboring, owning, possessing, keeping or exercising control over any animal, not residing in any household where an animal is present and not working at or volunteering for a business, animal shelter or other place where the person may access an animal, for a period determined by the court.
4. *In addition to any other penalty imposed by the court, the court may order a person convicted of the crime of bestiality to comply with any or all of the following:*
- (a) Undergoing a psychological evaluation and any recommended counseling, including, without limitation, any counseling for the treatment of substance abuse, and to pay the expenses for the psychological evaluation and any recommended counseling.
  - (b) *Paying all reasonable costs incurred for the care and maintenance of the animal involved in the crime and any other animal relinquished by the person to an animal shelter, an organization that takes into custody animals which have been abused or neglected, or a society for the prevention of cruelty to animals established pursuant to NRS 574.010.*
  - (c) *If the person convicted of the crime of bestiality is not the owner of the animal involved in the crime, reimbursing the owner of the animal for all medical expenses incurred for treating the animal.*
5. As used in this section:
- (a) “Animal” means every living creature other than a human being.
  - (b) “Animal shelter” has the meaning ascribed to it in NRS 574.240.
  - (c) “Licensed veterinarian” has the meaning ascribed to it in NRS 638.007.
  - (d) “Sexual conduct”:
    - (1) Means any sexual act involving:
      - (I) The genitalia of a person and the genitalia, anus or mouth of an animal;
      - (II) The genitalia of an animal and the genitalia, anus or mouth of a person;

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- (III) Any insertion, however slight, of any part of the body of a person or of a foreign object into the genitalia or anus of an animal; or
  - (IV) Any touching or fondling by a person, directly or indirectly through clothing, of the genitalia or anus of an animal.
- (2) Does not include:
- (I) Any accepted practice of animal husbandry which provides care for an animal;
  - (II) Any accepted method of insemination of an animal for the purpose of procreation;
  - (III) Any accepted practice relating to conformation judging; or
  - (IV) Any accepted medical procedure performed by a licensed veterinarian while engaging in the practice of veterinary medicine or by his or her employee while acting under his or her supervision

**NEV. REV. STAT. § 426.790. Unlawfully interfering with or allowing dog or other animal to interfere with use of service animal or service animal in training; unlawfully beating or killing service animal or service animal in training; penalties.**

1. A person shall not:
  - (a) Without legal justification, interfere with, or allow a dog or other animal the person owns, harbors or controls to interfere with, the use of a service animal or service animal in training by obstructing, intimidating or otherwise jeopardizing the safety of the service animal or service animal in training or the person using the service animal or service animal in training.
  - (b) Willfully and maliciously beat a service animal or service animal in training.
  - (c) Willfully and maliciously kill a service animal or service animal in training.
3. Unless a greater penalty is provided in NRS 206.150, a person who violates:
  - (a) Paragraph (a) of subsection 1 is guilty of a gross misdemeanor.
  - (b) Paragraph (b) of subsection 1 is guilty of a category E felony and shall be punished as provided in NRS 193.130.
  - (c) Paragraph (c) of subsection 1 is guilty of a category D felony and shall be punished as provided in NRS 193.130.
4. A person who violates paragraph (a), (b) or (c) of subsection 1 is, in addition to any criminal penalty that may be imposed, civilly liable to the person against whom the violation was committed as provided in NRS 426.820.
5. *In addition to any other penalty, the court shall order a person convicted of a violation of paragraph (a), (b) or (c) of subsection 1 to pay restitution to the person who has the disability or the person who has custody or ownership of the service animal or service animal in training for any veterinary bills, and for the replacement cost of the service*

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*animal or service animal in training if it was killed or disabled or has become mentally or physically unable to perform its duties. The restitution must cover all costs for aides, assistance, transportation and other hardships incurred during the absence, and until the replacement, of the service animal or service animal in training.*

### **NEV. REV. STAT. § 574.055. Taking possession of animal being treated cruelly; notice to owner; lien for cost of care; disposition of animal; liability of officer; limitations and procedure when animal on agricultural land.**

**NOTE:** the following language is effective October 1, 2019.

Except as otherwise provided in sections 3 to 9, inclusive, of this act:

1. Any peace officer or animal control officer shall, upon discovering any animal which is being treated cruelly, take possession of it and provide it with shelter and care or, upon obtaining written permission from the owner of the animal, may destroy it in a humane manner.
2. If an officer takes possession of an animal, he shall give to the owner, if the owner can be found, a notice containing a written statement of the reasons for the taking, the location where the animal will be cared for and sheltered, the fact that there is a limited lien on the animal for the cost of shelter and care, and notice of the right of the owner to request a hearing pursuant to section 7 of this act within 5 days after receipt of the notice. If the owner is not present at the taking and the officer cannot find the owner after a reasonable search, he shall post the notice on the property from which he takes the animal. If the identity and address of the owner are later determined, the notice must be mailed to the owner immediately after the determination is made.
3. *An officer who takes possession of an animal pursuant to this section has a lien on the animal for the reasonable cost of care and shelter furnished to the animal and, if applicable, for its humane destruction. The lien does not extend to the cost of care and shelter for more than 2 weeks.*
4. Upon proof that the owner has been notified in accordance with the provisions of subsection 2 or, if he has not been found or identified, that the required notice has been posted on the property where the animal was found, a court of competent jurisdiction may, after providing an opportunity for a hearing, order the animal sold at auction, humanely destroyed or continued in the care of the officer for such disposition as the officer sees fit.
5. An officer who seizes an animal pursuant to this section is not liable for any action arising out of the taking or humane destruction of the animal.
6. The provisions of this section do not apply to any animal which is located on land being employed for an agricultural use as defined in NRS 361A.030 unless the owner of the animal or the person charged with the care of the animal is in violation of paragraph (c) of subsection 1 of NRS 574.100 and the impoundment is accomplished with the concurrence and supervision of the sheriff or his designee, a licensed veterinarian and



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the district brand inspector or his designee. In such a case, the sheriff shall direct that the impoundment occur not later than 48 hours after the veterinarian determines that a violation of paragraph (c) of subsection 1 of NRS 574.100 exists.

7. *The owner of an animal impounded in accordance with the provisions of subsection 6 must, before the animal is released to his custody, pay the charges approved by the sheriff as reasonably related to the impoundment, including the charges for the animal's food and water. If the owner is unable or refuses to pay the charges, the state department of agriculture shall sell the animal. The department shall pay to the owner the proceeds of the sale remaining after deducting the charges reasonably related to the impoundment.*

### **NEV. REV. STAT. § 574.100. Overdriving, torturing, injuring or abandoning animals; failure to provide proper sustenance; penalty.**

1. A person shall not:
  - (a) Torture or unjustifiably maim, mutilate or kill:
    - (1) An animal kept for companionship or pleasure, whether belonging to the person or to another; or
    - (2) Any cat or dog;
  - (b) Except as otherwise provided in paragraph (a), overdrive, overload, torture, cruelly beat or unjustifiably injure, maim, mutilate or kill an animal, whether belonging to the person or to another;
  - (c) Deprive an animal of necessary sustenance, food or drink, or neglect or refuse to furnish it such sustenance or drink;
  - (d) Cause, procure or allow an animal to be overdriven, overloaded, tortured, cruelly beaten, or unjustifiably injured, maimed, mutilated or killed or to be deprived of necessary food or drink;
  - (e) Instigate, engage in, or in any way further an act of cruelty to any animal, or any act tending to produce such cruelty; or
  - (f) Abandon an animal in circumstances other than those prohibited in NRS 574.110. The provisions of this paragraph do not apply to a feral cat that has been caught to provide vaccination, spaying or neutering and released back to the location where the feral cat was caught after providing the vaccination, spaying or neutering. As used in this paragraph, "feral cat" means a cat that has no apparent owner or identification and appears to be unsocialized to humans and unmanageable or otherwise demonstrates characteristics normally associated with a wild or undomesticated animal.
2. Except as otherwise provided in subsections 3 and 4 and NRS 574.210 to 574.510, inclusive, a person shall not restrain a dog:
  - (a) Using a tether, chain, tie, trolley or pulley system or other device that:
    - (1) Is less than 12 feet in length;

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- (2) Fails to allow the dog to move at least 12 feet or, if the device is a pulley system, fails to allow the dog to move a total of 12 feet; or
  - (3) Allows the dog to reach a fence or other object that may cause the dog to become injured or die by strangulation after jumping the fence or object or otherwise becoming entangled in the fence or object;
  - (b) Using a prong, pinch or choke collar or similar restraint; or
  - (c) For more than 14 hours during a 24-hour period.
- 3. Any pen or other outdoor enclosure that is used to maintain a dog must be appropriate for the size and breed of the dog. If any property that is used by a person to maintain a dog is of insufficient size to ensure compliance by the person with the provisions of paragraph (a) of subsection 2, the person may maintain the dog unrestrained in a pen or other outdoor enclosure that complies with the provisions of this subsection.
- 4. The provisions of subsections 2 and 3 do not apply to a dog that is:
  - (a) Tethered, chained, tied, restrained or placed in a pen or enclosure by a veterinarian, as defined in NRS 574.330, during the course of the veterinarian's practice;
  - (b) Being used lawfully to hunt a species of wildlife in this State during the hunting season for that species;
  - (c) Receiving training to hunt a species of wildlife in this State;
  - (d) In attendance at and participating in an exhibition, show, contest or other event in which the skill, breeding or stamina of the dog is judged or examined;
  - (e) Being kept in a shelter or boarding facility or temporarily in a camping area;
  - (f) Temporarily being cared for as part of a rescue operation or in any other manner in conjunction with a bona fide nonprofit organization formed for animal welfare purposes;
  - (g) Living on land that is directly related to an active agricultural operation, if the restraint is reasonably necessary to ensure the safety of the dog. As used in this paragraph, "agricultural operation" means any activity that is necessary for the commercial growing and harvesting of crops or the raising of livestock or poultry; or
  - (h) With a person having custody or control of the dog, if the person is engaged in a temporary task or activity with the dog for not more than 1 hour.
- 5. A person shall not:
  - (a) Intentionally engage in horse tripping for sport, entertainment, competition or practice; or
  - (b) Knowingly organize, sponsor, promote, oversee or receive money for the admission of any person to a charreada or rodeo that includes horse tripping.
- 6. A person who willfully and maliciously violates paragraph (a) of subsection 1:
  - (a) Except as otherwise provided in paragraph (b), is guilty of a category D felony and shall be punished as provided in NRS 193.130.
  - (b) If the act is committed in order to threaten, intimidate or terrorize another person, is guilty of a category C felony and shall be punished as provided in NRS

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193.130.

7. Except as otherwise provided in subsection 6, a person who violates subsection 1, 2, 3 or 5:
  - (a) For the first offense within the immediately preceding 7 years, is guilty of a misdemeanor and shall be sentenced to:
    - (1) Imprisonment in the city or county jail or detention facility for not less than 2 days, but not more than 6 months; and
    - (2) Perform not less than 48 hours, but not more than 120 hours, of community service. The person shall be further punished by a fine of not less than \$200, but not more than \$1,000. A term of imprisonment imposed pursuant to this paragraph may be served intermittently at the discretion of the judge or justice of the peace, except that each period of confinement must be not less than 4 consecutive hours and must occur either at a time when the person is not required to be at the person's place of employment or on a weekend.
  - (b) For the second offense within the immediately preceding 7 years, is guilty of a misdemeanor and shall be sentenced to:
    - (1) Imprisonment in the city or county jail or detention facility for not less than 10 days, but not more than 6 months; and
    - (2) Perform not less than 100 hours, but not more than 200 hours, of community service. The person shall be further punished by a fine of not less than \$500, but not more than \$1,000.
  - (c) For the third and any subsequent offense within the immediately preceding 7 years, is guilty of a category C felony and shall be punished as provided in NRS 193.130.
8. *In addition to any other fine or penalty provided in subsection 6 or 7, a court shall order a person convicted of violating subsection 1, 2, 3 or 5 to pay restitution for all costs associated with the care and impoundment of any mistreated animal under subsection 1, 2, 3 or 5 including, without limitation, money expended for veterinary treatment, feed and housing.*
9. The court may order the person convicted of violating subsection 1, 2, 3 or 5 to surrender ownership or possession of the mistreated animal.
10. The provisions of this section do not apply with respect to an injury to or the death of an animal that occurs accidentally in the normal course of:
  - (a) Carrying out the activities of a rodeo or livestock show; or
  - (b) Operating a ranch.
11. As used in this section, "horse tripping" means the roping of the legs of or otherwise using a wire, pole, stick, rope or other object to intentionally trip or intentionally cause a horse, mule, burro, ass or other animal of the equine species to fall. The term does not include:
  - (a) Tripping such an animal to provide medical or other health care for the animal;

or

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- (b) Catching such an animal by the legs and then releasing it as part of a horse roping event for which a permit has been issued by the local government where the event is conducted.

### NEV. REV. STAT. § 574.110. Abandonment of disabled animal unlawful; penalty.

1. A person being the owner or possessor, or having charge or custody, of a maimed, diseased, disabled or infirm animal, who abandons such animal or leaves it to die in a public street, road or public place, or who allows it to lie in a public street, road or public place more than 3 hours after he receives notice that it is left disabled, is guilty of a misdemeanor.
2. Any agent or officer of any society for the prevention of cruelty to animals, or of any society duly incorporated for that purpose, or any police officer, may lawfully destroy or cause to be destroyed any animal found abandoned and not properly cared for, appearing, in the judgment of two reputable citizens called by him to view the same in his presence, to be glandered, injured or diseased past recovery for any useful purpose, or after such agent or officer has obtained in writing from the owner of such animal his consent to such destruction.
3. When any person arrested is, at the time of such arrest, in charge of any animal or of any vehicle drawn by or containing any animal, any agent or officer of such society or societies or any police officer may take charge of such animal and of such vehicle and its contents and deposit the same in a safe place of custody, or deliver the same into the possession of the police or sheriff of the county or place wherein such arrest was made, who shall thereupon assume the custody thereof. *All necessary expenses incurred in taking charge of such property shall be a charge thereon.*

### NEV. REV. STAT. § 574.120. Failure to provide proper air, food, shelter or water to impounded animal unlawful; penalties.

1. A person who has impounded or confined any animal shall not refuse or neglect to supply to the animal during its confinement a sufficient supply of good and wholesome air, food, shelter and water.
2. A person who violates subsection 1:
  - (a) For the first offense within the immediately preceding 7 years, is guilty of a misdemeanor and shall be sentenced to:
    - (1) Imprisonment in the city or county jail or detention facility for not less than 2 days, but not more than 6 months; and
    - (2) Perform not less than 48 hours, but not more than 120 hours, of community service.

The person shall be further punished by a fine of not less than \$200, but not

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more than \$1,000. A term of imprisonment imposed pursuant to this paragraph may be served intermittently at the discretion of the judge or justice of the peace, except that each period of confinement must be not less than 4 consecutive hours and must occur at a time when the person is not required to be at his place of employment or on a weekend.

- (b) For the second offense within the immediately preceding 7 years, is guilty of a misdemeanor and shall be sentenced to:
- (1) Imprisonment in the city or county jail or detention facility for not less than 10 days, but not more than 6 months; and
  - (2) Perform not less than 100 hours, but not more than 200 hours, of community service.

The person shall be further punished by a fine of not less than \$500, but not more than \$1,000.

- (c) For the third and any subsequent offense within the immediately preceding 7 years, is guilty of a category C felony and shall be punished as provided in NRS 193.130.
3. *In addition to any other fine or penalty provided in subsection 2, a court shall order a person convicted of violating subsection 1 to pay restitution for all costs associated with the care and impoundment of any mistreated animal under subsection 1, including, without limitation, money expended for veterinary treatment, feed and housing.*
  4. If any animal is at any time impounded as provided in subsection 1, and continues to be without necessary food and water for more than 12 successive hours, any person may, as often as it is necessary, enter into and upon any pound in which the animal is so confined and supply it with necessary food and water, so long as it remains so confined. Such a person is not liable to any action for such entry, and *the reasonable cost of such food and water may be collected by him from the owner of the animal, and the animal is not exempt from levy and sale upon execution issued upon a judgment therefor.*

### NEV. REV. STAT. § 574.150. Poisoning or attempting to poison animals unlawful; penalties.

1. A person who unjustifiably administers any poisonous or noxious drug or substance to a horse, mule or domestic cattle, or unjustifiably exposes any such drug or substance with the intent that it be taken by a horse, mule or domestic cattle, whether the horse, mule or domestic cattle are the property of himself or another, is guilty of a category C felony and shall be punished as provided in NRS 193.130. *In addition to any other penalty, the court shall order the person to pay restitution.*
2. A person who unjustifiably administers any poisonous or noxious drug or substance to any animal other than a horse, mule or domestic cattle, or unjustifiably exposes any such drug or substance with the intent that it be taken by an animal other than a horse, mule or domestic cattle, whether the animal is the property of himself or another, is guilty of a gross misdemeanor. In addition to any other penalty, the court shall order the

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person to pay restitution.

3. This section does not prohibit the destruction of noxious animals.

**ANIMAL PROTECTION LAWS OF NEVADA****14. FORFEITURE & POSSESSION BANS****NEV. REV. STAT. § 201.455. Bestiality.**

1. A person commits the crime of bestiality if the person knowingly and intentionally:
  - (a) Engages in sexual conduct with an animal;
  - (b) Causes another person to engage in sexual conduct with an animal or aids or abets another person in engaging in sexual conduct with an animal;
  - (c) Permits any sexual conduct with an animal to be conducted on any premises under the control of the person;
  - (d) Engages in, organizes, promotes, conducts, advertises, aids, abets, participates in and is physically present as an observer, or performs any service in the furtherance of an act involving any sexual conduct with an animal; or
  - (e) Photographs or films, for purposes of his or her sexual gratification or the sexual gratification of another person, a person engaged in sexual conduct with an animal.
2. A person who commits the crime of bestiality is guilty of:
  - (a) If the crime does not cause the death of or serious bodily injury to an animal involved in the crime and the person has not previously been convicted of a violation of NRS 574.100 punishable as a felony, a gross misdemeanor.
  - (b) If the crime causes the death of or serious bodily injury to an animal involved in the crime or if the person has previously been convicted of a violation of NRS 574.100 punishable as a felony, a category D felony and shall be punished as provided in NRS 193.130.
3. *In addition to any other penalty imposed by the court, the court shall order a person convicted of the crime of bestiality to comply with the following:*
  - (a) *Relinquishing and permanently forfeiting ownership or possession of all animals which are in the same household as the person to an animal shelter, an organization that takes into custody animals which have been abused or neglected, or a society for the prevention of cruelty to animals established pursuant to NRS 574.010.*
  - (b) *Not harboring, owning, possessing, keeping or exercising control over any animal, not residing in any household where an animal is present and not working at or volunteering for a business, animal shelter or other place where the person may access an animal, for a period determined by the court.*
4. In addition to any other penalty imposed by the court, the court may order a person convicted of the crime of bestiality to comply with any or all of the following:
  - (a) Undergoing a psychological evaluation and any recommended counseling, including, without limitation, any counseling for the treatment of substance abuse, and to pay the expenses for the psychological evaluation and any recommended counseling.
  - (b) Paying all reasonable costs incurred for the care and maintenance of the animal

## ANIMAL PROTECTION LAWS OF NEVADA

involved in the crime and any other animal relinquished by the person to an animal shelter, an organization that takes into custody animals which have been abused or neglected, or a society for the prevention of cruelty to animals established pursuant to NRS 574.010.

- (c) If the person convicted of the crime of bestiality is not the owner of the animal involved in the crime, reimbursing the owner of the animal for all medical expenses incurred for treating the animal.

5. As used in this section:

(a) "Animal" means every living creature other than a human being.

(b) "Animal shelter" has the meaning ascribed to it in NRS 574.240.

(c) "Licensed veterinarian" has the meaning ascribed to it in NRS 638.007.

(d) "Sexual conduct":

(1) Means any sexual act involving:

- (I) The genitalia of a person and the genitalia, anus or mouth of an animal;
- (II) The genitalia of an animal and the genitalia, anus or mouth of a person;
- (III) Any insertion, however slight, of any part of the body of a person or of a foreign object into the genitalia or anus of an animal; or
- (IV) Any touching or fondling by a person, directly or indirectly through clothing, of the genitalia or anus of an animal.

(2) Does not include:

- (I) Any accepted practice of animal husbandry which provides care for an animal;
- (II) Any accepted method of insemination of an animal for the purpose of procreation;
- (III) Any accepted practice relating to conformation judging; or
- (IV) Any accepted medical procedure performed by a licensed veterinarian while engaging in the practice of veterinary medicine or by his or her employee while acting under his or her supervision

### NEV. REV. STAT. § 574.090. Disposition of animals or implements used in fights among animals.

1. The officer, after taking possession of such animals, or implements or other property, pursuant to NRS 574.080, shall apply to the magistrate, before whom the complaint is made against the offender violating such provision of law, for the order mentioned in subsection 2, and shall make and file an affidavit with such magistrate, stating therein:

(a) The name of the offender charged in such complaint.

(b) The time, place and description of the animals, implements or other property so



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taken, together with the name of the person who claims the same, if known.

- (c) That the affiant has reason to believe and does believe, stating the grounds of such belief, that the same were used or employed, or were about to be used or employed, in such violation, and will establish the truth thereof upon the trial of such offender.
2. He shall then deliver such animals, implements or other property to such magistrate, who shall thereupon, by order in writing, place the same in the custody of an officer or other proper person in such order named and designated, to be kept by him until the trial or final discharge of the offender, and shall send a copy of such order, without delay, to the district attorney of the county.
3. The officer or person so named and designated in the order shall immediately thereupon assume custody, and shall retain the same for the purpose of evidence upon the trial, subject to the order of the court before which the offender may be required to appear, until his final discharge or conviction.
4. *Upon the conviction of the offender, the animals, implements or other property shall be adjudged by the court to be forfeited.*
5. In the event of the acquittal or final discharge, without conviction, of the offender, the court shall, on demand, direct the delivery of the property so held in custody to the owner thereof.

### NEV. REV. STAT. § 574.100. **Overdriving, torturing, injuring or abandoning animals; failure to provide proper sustenance; penalty.**

1. A person shall not:
  - (a) Torture or unjustifiably maim, mutilate or kill:
    - (1) An animal kept for companionship or pleasure, whether belonging to the person or to another; or
    - (2) Any cat or dog;
  - (b) Except as otherwise provided in paragraph (a), overdrive, overload, torture, cruelly beat or unjustifiably injure, maim, mutilate or kill an animal, whether belonging to the person or to another;
  - (c) Deprive an animal of necessary sustenance, food or drink, or neglect or refuse to furnish it such sustenance or drink;
  - (d) Cause, procure or allow an animal to be overdriven, overloaded, tortured, cruelly beaten, or unjustifiably injured, maimed, mutilated or killed or to be deprived of necessary food or drink;
  - (e) Instigate, engage in, or in any way further an act of cruelty to any animal, or any act tending to produce such cruelty; or
  - (f) Abandon an animal in circumstances other than those prohibited in NRS 574.110. The provisions of this paragraph do not apply to a feral cat that has been caught to provide vaccination, spaying or neutering and released back to

## ANIMAL PROTECTION LAWS OF NEVADA

the location where the feral cat was caught after providing the vaccination, spaying or neutering. As used in this paragraph, “feral cat” means a cat that has no apparent owner or identification and appears to be unsocialized to humans and unmanageable or otherwise demonstrates characteristics normally associated with a wild or undomesticated animal.

2. Except as otherwise provided in subsections 3 and 4 and NRS 574.210 to 574.510, inclusive, a person shall not restrain a dog:
  - (a) Using a tether, chain, tie, trolley or pulley system or other device that:
    - (1) Is less than 12 feet in length;
    - (2) Fails to allow the dog to move at least 12 feet or, if the device is a pulley system, fails to allow the dog to move a total of 12 feet; or
    - (3) Allows the dog to reach a fence or other object that may cause the dog to become injured or die by strangulation after jumping the fence or object or otherwise becoming entangled in the fence or object;
  - (b) Using a prong, pinch or choke collar or similar restraint; or
  - (c) For more than 14 hours during a 24-hour period.
3. Any pen or other outdoor enclosure that is used to maintain a dog must be appropriate for the size and breed of the dog. If any property that is used by a person to maintain a dog is of insufficient size to ensure compliance by the person with the provisions of paragraph (a) of subsection 2, the person may maintain the dog unrestrained in a pen or other outdoor enclosure that complies with the provisions of this subsection.
4. The provisions of subsections 2 and 3 do not apply to a dog that is:
  - (a) Tethered, chained, tied, restrained or placed in a pen or enclosure by a veterinarian, as defined in NRS 574.330, during the course of the veterinarian’s practice;
  - (b) Being used lawfully to hunt a species of wildlife in this State during the hunting season for that species;
  - (c) Receiving training to hunt a species of wildlife in this State;
  - (d) In attendance at and participating in an exhibition, show, contest or other event in which the skill, breeding or stamina of the dog is judged or examined;
  - (e) Being kept in a shelter or boarding facility or temporarily in a camping area;
  - (f) Temporarily being cared for as part of a rescue operation or in any other manner in conjunction with a bona fide nonprofit organization formed for animal welfare purposes;
  - (g) Living on land that is directly related to an active agricultural operation, if the restraint is reasonably necessary to ensure the safety of the dog. As used in this paragraph, “agricultural operation” means any activity that is necessary for the commercial growing and harvesting of crops or the raising of livestock or poultry; or
  - (h) With a person having custody or control of the dog, if the person is engaged in a temporary task or activity with the dog for not more than 1 hour.
5. A person shall not:

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- (a) Intentionally engage in horse tripping for sport, entertainment, competition or practice; or
  - (b) Knowingly organize, sponsor, promote, oversee or receive money for the admission of any person to a charreada or rodeo that includes horse tripping.
6. A person who willfully and maliciously violates paragraph (a) of subsection 1:
- (a) Except as otherwise provided in paragraph (b), is guilty of a category D felony and shall be punished as provided in NRS 193.130.
  - (b) If the act is committed in order to threaten, intimidate or terrorize another person, is guilty of a category C felony and shall be punished as provided in NRS 193.130.
7. Except as otherwise provided in subsection 6, a person who violates subsection 1, 2, 3 or 5:
- (a) For the first offense within the immediately preceding 7 years, is guilty of a misdemeanor and shall be sentenced to:
    - (1) Imprisonment in the city or county jail or detention facility for not less than 2 days, but not more than 6 months; and
    - (2) Perform not less than 48 hours, but not more than 120 hours, of community service. The person shall be further punished by a fine of not less than \$200, but not more than \$1,000. A term of imprisonment imposed pursuant to this paragraph may be served intermittently at the discretion of the judge or justice of the peace, except that each period of confinement must be not less than 4 consecutive hours and must occur either at a time when the person is not required to be at the person's place of employment or on a weekend.
  - (b) For the second offense within the immediately preceding 7 years, is guilty of a misdemeanor and shall be sentenced to:
    - (1) Imprisonment in the city or county jail or detention facility for not less than 10 days, but not more than 6 months; and
    - (2) Perform not less than 100 hours, but not more than 200 hours, of community service. The person shall be further punished by a fine of not less than \$500, but not more than \$1,000.
  - (c) For the third and any subsequent offense within the immediately preceding 7 years, is guilty of a category C felony and shall be punished as provided in NRS 193.130.
8. In addition to any other fine or penalty provided in subsection 6 or 7, a court shall order a person convicted of violating subsection 1, 2, 3 or 5 to pay restitution for all costs associated with the care and impoundment of any mistreated animal under subsection 1, 2, 3 or 5 including, without limitation, money expended for veterinary treatment, feed and housing.
9. *The court may order the person convicted of violating subsection 1, 2, 3 or 5 to surrender ownership or possession of the mistreated animal.*
10. The provisions of this section do not apply with respect to an injury to or the death of an

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animal that occurs accidentally in the normal course of:

- (a) Carrying out the activities of a rodeo or livestock show; or
- (b) Operating a ranch.

11. As used in this section, “horse tripping” means the roping of the legs of or otherwise using a wire, pole, stick, rope or other object to intentionally trip or intentionally cause a horse, mule, burro, ass or other animal of the equine species to fall. The term does not include:

- (a) Tripping such an animal to provide medical or other health care for the animal;  
or
- (b) Catching such an animal by the legs and then releasing it as part of a horse roping event for which a permit has been issued by the local government where the event is conducted.

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### 15. COURT-ORDERED TREATMENT

#### NEV. REV. STAT. § 176A.416. Evaluations and counseling for offenses involving cruelty to animals; powers and duties of court.

1. *As a condition of probation, the court may order a defendant who is convicted of a violation of chapter 574 of NRS that is punishable as a felony or gross misdemeanor to:*
  - (a) *Submit to a psychiatric evaluation; and*
  - (b) *Participate in any counseling or therapy recommended in the evaluation.*
2. *The court shall order a defendant, to the extent of the defendant's financial ability, to pay the cost for an evaluation and any counseling or therapy pursuant to this section.*

#### NEV. REV. STAT. § 201.455. Bestiality.

1. A person commits the crime of bestiality if the person knowingly and intentionally:
  - (a) Engages in sexual conduct with an animal;
  - (b) Causes another person to engage in sexual conduct with an animal or aids or abets another person in engaging in sexual conduct with an animal;
  - (c) Permits any sexual conduct with an animal to be conducted on any premises under the control of the person;
  - (d) Engages in, organizes, promotes, conducts, advertises, aids, abets, participates in and is physically present as an observer, or performs any service in the furtherance of an act involving any sexual conduct with an animal; or
  - (e) Photographs or films, for purposes of his or her sexual gratification or the sexual gratification of another person, a person engaged in sexual conduct with an animal.
2. A person who commits the crime of bestiality is guilty of:
  - (a) If the crime does not cause the death of or serious bodily injury to an animal involved in the crime and the person has not previously been convicted of a violation of NRS 574.100 punishable as a felony, a gross misdemeanor.
  - (b) If the crime causes the death of or serious bodily injury to an animal involved in the crime or if the person has previously been convicted of a violation of NRS 574.100 punishable as a felony, a category D felony and shall be punished as provided in NRS 193.130.
3. In addition to any other penalty imposed by the court, the court shall order a person convicted of the crime of bestiality to comply with the following:
  - (a) Relinquishing and permanently forfeiting ownership or possession of all animals which are in the same household as the person to an animal shelter, an organization that takes into custody animals which have been abused or neglected, or a society for the prevention of cruelty to animals established pursuant to NRS 574.010.
  - (b) Not harboring, owning, possessing, keeping or exercising control over any

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animal, not residing in any household where an animal is present and not working at or volunteering for a business, animal shelter or other place where the person may access an animal, for a period determined by the court.

4. *In addition to any other penalty imposed by the court, the court may order a person convicted of the crime of bestiality to comply with any or all of the following:*
  - (a) *Undergoing a psychological evaluation and any recommended counseling, including, without limitation, any counseling for the treatment of substance abuse, and to pay the expenses for the psychological evaluation and any recommended counseling.*
  - (b) Paying all reasonable costs incurred for the care and maintenance of the animal involved in the crime and any other animal relinquished by the person to an animal shelter, an organization that takes into custody animals which have been abused or neglected, or a society for the prevention of cruelty to animals established pursuant to NRS 574.010.
  - (c) If the person convicted of the crime of bestiality is not the owner of the animal involved in the crime, reimbursing the owner of the animal for all medical expenses incurred for treating the animal.
5. As used in this section:
  - (a) "Animal" means every living creature other than a human being.
  - (b) "Animal shelter" has the meaning ascribed to it in NRS 574.240.
  - (c) "Licensed veterinarian" has the meaning ascribed to it in NRS 638.007.
  - (d) "Sexual conduct":
    - (1) Means any sexual act involving:
      - (I) The genitalia of a person and the genitalia, anus or mouth of an animal;
      - (II) The genitalia of an animal and the genitalia, anus or mouth of a person;
      - (III) Any insertion, however slight, of any part of the body of a person or of a foreign object into the genitalia or anus of an animal; or
      - (IV) Any touching or fondling by a person, directly or indirectly through clothing, of the genitalia or anus of an animal.
    - (2) Does not include:
      - (I) Any accepted practice of animal husbandry which provides care for an animal;
      - (II) Any accepted method of insemination of an animal for the purpose of procreation;
      - (III) Any accepted practice relating to conformation judging; or
      - (IV) Any accepted medical procedure performed by a licensed veterinarian while engaging in the practice of veterinary medicine or by his or her employee while acting under his or her supervision

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## 16. HOT CARS

## NEV. REV. STAT. § 202.487. Unregistered Legislation as of publication.

1. Except as otherwise provided in subsection 3, *a person shall not allow a pet to remain unattended in a parked or standing motor vehicle if conditions, including, without limitation, extreme heat or cold, present a significant risk to the health and safety of the pet.*
2. Any:
  - (a) *Peace officer;*
  - (b) *Animal control officer;*
  - (c) *Governmental officer or employee whose primary duty is to ensure public safety;*
  - (d) *Employee or volunteer of any organized fire department; or*
  - (e) *Member of a search and rescue organization in this State that is under the direct supervision of a sheriff,*  
*who reasonably believes that a violation of this section has occurred may, without incurring civil liability, use any reasonable means necessary to protect the pet and to remove the pet from the motor vehicle.*
3. The provisions of subsection 1 do not apply to:
  - (a) A police animal or an animal that is used by:
    - (1) A federal law enforcement agency to assist the agency in carrying out the duties of the agency; or
    - (2) A search and rescue organization in this State that is under the direction of a sheriff to assist the organization in carrying out the activities of the organization; or
  - (b) A dog that is under the possession or control of:
    - (1) An animal control officer; or
    - (2) A first responder during an emergency.
4. A pet that is removed from a motor vehicle pursuant to subsection 2 shall be deemed to be an animal being treated cruelly for the purposes of NRS 574.055. A person required by NRS 574.055 to take possession of a pet removed pursuant to this section may take any action relating to the pet specified in NRS 574.055 and is entitled to any lien or immunity from liability that is applicable pursuant to that section.
5. The provisions of this section do not:
  - (a) Interfere with or prohibit any activity, law or right specified in NRS 574.200; or
  - (b) Apply to a person who unintentionally locks a motor vehicle with a pet in the motor vehicle.
6. A person who violates a provision of subsection 1 is guilty of a misdemeanor.
7. As used in this section:
  - (a) "Animal" has the meaning ascribed to it in NRS 574.050.
  - (b) "First responder" has the meaning ascribed to it in NRS 574.050.
  - (c) "Pet" means a domesticated animal owned or possessed by a person for the

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purpose of pleasure or companionship and includes, without limitation, a cat or dog.

(d) “Police animal” has the meaning ascribed to it in NRS 574.050.



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**ANIMAL PROTECTION LAWS OF NEVADA**

**17. CIVIL NUISANCE ABATEMENT**

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**ANIMAL PROTECTION LAWS OF NEVADA**

**18. AG-GAG LAWS**

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## ANIMAL PROTECTION LAWS OF NEVADA

### 19. BREED SPECIFIC LEGISLATION

#### NEV. REV. STAT. § 202.500. Dangerous or vicious dogs: Unlawful acts; penalties.

1. For the purposes of this section, a dog is:
  - (a) "Dangerous" if:
    - (1) It is so declared pursuant to subsection 2; or
    - (2) Without provocation, on two separate occasions within 18 months, it behaved menacingly, to a degree that would lead a reasonable person to defend himself or herself against substantial bodily harm, when the dog was:
      - (I) Off the premises of its owner or keeper; or
      - (II) Not confined in a cage, pen or vehicle.
  - (b) "Provoked" when it is tormented or subjected to pain.
  - (c) "Vicious" if:
    - (1) Without being provoked, it killed or inflicted substantial bodily harm upon a human being; or
    - (2) After its owner or keeper had been notified by a law enforcement agency that the dog is dangerous, the dog continued the behavior described in paragraph (a).
2. A dog may be declared dangerous by a law enforcement agency if it is used in the commission of a crime by its owner or keeper.
3. A dog may not be found dangerous or vicious:
  - (a) Based solely on the breed of the dog; or
  - (b) Because of a defensive act against a person who was committing or attempting to commit a crime or who provoked the dog.
4. A person who knowingly:
  - (a) Owns or keeps a vicious dog, for more than 7 days after the person has actual notice that the dog is vicious; or
  - (b) Transfers ownership of a vicious dog after the person has actual notice that the dog is vicious,  
is guilty of a misdemeanor.
5. If substantial bodily harm results from an attack by a dog known to be vicious, its owner or keeper is guilty of a category D felony and shall be punished as provided in NRS 193.130. In lieu of, or in addition to, a penalty provided in this subsection, the judge may order the vicious dog to be humanely destroyed.
6. *A local authority shall not adopt or enforce an ordinance or regulation that deems a dog dangerous or vicious based solely on the breed of the dog.*
7. This section does not apply to a dog used by a law enforcement officer in the performance of his or her duty.
8. As used in this section, "local authority" means the governing board of a county, city or other political subdivision having authority to enact laws or ordinances or promulgate regulations relating to dogs.