

47-1826. Definitions. As used in the farm animal and field crop and research facilities protection act:

- (a) "Animal" means any warm or coldblooded animal used in food, fur or fiber production, agriculture, research, testing or education and includes dogs, cats, poultry, fish and invertebrates.
- (b) "Animal facility" includes any vehicle, building, structure, research facility or premises where an animal is kept, handled, housed, exhibited, bred or offered for sale.
- (c) "Consent" means assent in fact, whether express or apparent.
- (d) "Deprive" means to:
 - (1) Withhold an animal or other property from the owner permanently or for so extended a period of time that a major portion of the value or enjoyment of the animal or property is lost to the owner;
 - (2) restore the animal or other property only upon payment of reward or other compensation; or
 - (3) dispose of an animal or other property in a manner that makes recovery of the animal or property by the owner unlikely.
- (e) "Effective consent" includes consent by a person legally authorized to act for the owner. Consent is not effective if:
 - (1) Induced by force, fraud, deception, duress or threat;
 - (2) given by a person the offender knows is not legally authorized to act for the owner; or
 - (3) given by a person who by reason of youth, mental disease or defect or under the influence of drugs or alcohol is known by the offender to be unable to make reasonable decisions.
- (f) "Owner" means a person who has title to the property, possession of the property, whether lawful or not, or a greater right to possession of the property than the actor.
- (g) "Person" means any individual, state agency, corporation, association, nonprofit corporation, joint stock company, firm, trust, partnership, two or more persons having a joint or common interest or other legal entity.
- (h) "Possession" means actual care, custody, control or management.
- (i) "Research facility" means any place, laboratory, institution, medical care facility, elementary school, secondary school, college or university, at which any scientific test, experiment or investigation involving the use of any living animal or field crop product is carried out, conducted or attempted.

History: L. 1990, ch. 192, § 2; L. 2001, ch. 90, § 2; L. 2012, ch. 125, § 41; July 1.