



SPONSOR: Rep. George & Sen. Peterson
Reps. Gilligan, Keeley, Miro, Mitchell, Schooley; Sens.
Blevins, Bushweller, Katz

HOUSE OF REPRESENTATIVES
145th GENERAL ASSEMBLY

HOUSE BILL NO. 346

AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMES AND CRIMINAL
PROCEDURE

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

1 Section 1. Amend Title 11 of the Delaware Code by inserting a new Section 1325B thereof reading as follows:

2

3 “§ 1325B: Unlawful Viewing or Possession of Visual Depictions of Animal Cruelty; Class G Felony.

4

5 (1) A person is guilty of the unlawful viewing or possession of a visual depiction of animal cruelty when such
6 person:

7 (a) knowingly and voluntarily possesses a visual depiction of a live animal being intentionally tortured or killed;

8 and

9 (b) The torture or killing depicted is illegal under Delaware or federal law, including the acts prohibited by §§
10 1325 and 1326 of this Chapter; and

11 (c) The torture or killing being depicted is, applying contemporary community standards, otherwise lacking in
12 serious scientific, journalistic or political value.

13 (2) A person convicted of viewing or possession of a visual depiction of animal cruelty under this Section is guilty
14 of a Class G Felony.”.

SYNOPSIS

This bill makes it illegal to knowingly possess visual depictions of the intentional torture or killing of an animal. For a person to be found guilty under this statute, such person must knowingly and voluntarily possess the depiction. The underlying act must also be illegal under existing Delaware or federal law. For example, under Delaware law, acts of animal cruelty, cockfighting and dogfighting are illegal, and this law would ban the intentional depiction of such acts. This law is also intended to apply to the fetish videos of women wearing heels and stepping on animals to torture or kill them, otherwise known as “crush videos.” Finally, to be found guilty under this statute, the depiction must, applying contemporary community standards, be lacking in serious artistic, scientific, journalistic or political value. This mirrors the language in the Delaware Code relating to obscenity. This law does not apply to lawful hunting activities.