

# H.R. 1494, THE PREVENTING ANIMAL CRUELTY AND TORTURE (PACT) ACT

*A bipartisan bill sponsored by Rep. Lamar Smith (R-TX) and Rep. Ted Deutch (D-FL)*

## **The 2010 Animal Crush Video Prohibition Act is limited in scope**

- The Animal Crush Video Prohibition Act was passed by the House [416-3](#) and later signed into law on December 9, 2010.
- The 2010 law makes it a crime to create or distribute a video that depicts “non-human mammals, birds, reptiles, or amphibians” being “intentionally crushed, burned, drowned, suffocated, impaled, or otherwise subjected to serious bodily injury,” provided that such video is “obscene,” and provided the creation or distribution is done in or affecting interstate or foreign commerce.
- However, the 2010 law does not make the underlying cruelty a federal crime.

## **The PACT Act would strengthen the 2010 law**

- The purpose of the PACT Act is to strengthen the 2010 law that makes the depiction of animal cruelty a crime, but allows the cruelty itself to go unpunished.
- The PACT Act would make it a federal crime for “any person to intentionally engage in animal crushing if the animals or animal crushing is in, substantially affects, or uses a means or facility of, interstate or foreign commerce.”
- The term “animal crushing” for purposes of this prohibition means the same thing as it does in regard to the depictions banned in 2010.
- The PACT Act would not rewrite the 2010 law, and would be limited to interstate commerce and federal property.

## **The PACT Act would not interfere with state cruelty laws, and would be modeled on the federal animal fighting law**

- The PACT Act would not preempt or interfere with local animal cruelty laws or enforcement. The bill would be a federal overlay, exactly like the federal animal fighting law.

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