



Sub. H.B. 71
 127th General Assembly
 (H. Agriculture & Natural Resources)

Topic	Previous Version (LSC 127 0488-3)	Accepted Sub. Version (LSC 127 0488-5)
<p>Persons authorized to seize animals and to cause them to be impounded</p>	<p>Specifies that a peace officer, as defined in current law, or any other person who has authority under the laws of this state or a political subdivision of it to seize and impound animal may seize and cause to be impounded an abused or neglected companion animal, a rooster used in cockfighting, or a dog used in dogfighting (<i>sec. 959.132(A) and (B)</i>).</p>	<p>Eliminates references to "peace officer," including the reference to the current law definition of that term, together with references to any other person who has authority to seize and impound animals, and replaces them with references to "officer," which is defined as any law enforcement officer, agent of a county humane society, or other person appointed to act as an animal control officer for a municipal corporation or township in accordance with state law, an ordinance, or a resolution (<i>sec. 959.132</i>).</p>
<p>Entities authorized to impound animals that are seized under bill</p>	<p>Specifies that animals seized under the bill are to be impounded at animal shelters (<i>sec. 959.132</i>).</p>	<p>Eliminates references to animal shelters, instead specifies that animals seized under the bill are to be impounded at impounding agencies, and defines "impounding agency" as a county humane society, an animal shelter, or a law enforcement agency that has impounded an animal in accordance with the bill (<i>sec. 959.132</i>).</p>

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Prohibition against impoundment at county dog pound unless authorized by contract	No provision.	Prohibits an officer or impounding agency from impounding an animal in a shelter owned, operated, or controlled by a board of county commissioners under the Dogs Law unless the board, by resolution, authorizes such impoundment and has executed, in the case when the officer is other than a dog warden or assistant dog warden, a contract specifying the terms and conditions of the impoundment (<i>sec. 959.132(B)</i>).
Recipient of notice of seizure of animal	Requires notice of the seizure and impoundment of an animal to be given to the owner, custodian, or caretaker of the animal (<i>sec. 959.132(C)</i>).	Requires notice of the seizure and impoundment of an animal to be given to the owner, keeper, or harbinger of the animal (<i>sec. 959.132(C)</i>).
Timing of request for probable cause hearing and of posting of initial bond	Authorizes the owner of an animal that is impounded under the bill, not later than ten days following the impoundment, to request a probable cause hearing and to post an initial bond covering the costs of the animal's care during impoundment (<i>sec. 959.132</i>).	Replaces references to "not later than ten days following the impoundment" with references to "not later than ten days after notice of the seizure and impoundment is provided" (<i>sec. 959.132</i>).
Deadline for holding probable cause hearing	No provision.	Requires a probable cause hearing to be held within ten days following receipt of such a request for the hearing or at the next possible court date (<i>sec. 959.132(E)(1)</i>).

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Humane destruction of animal	<p>Contains two provisions concerning the humane destruction of an animal that is seized under the bill:</p> <p>(1) Authorizes the animal immediately to be humanely destroyed if a licensed veterinarian or a registered veterinary technician determines it to be necessary due to obvious disease or injury (<i>sec. 959.132(D)</i>);</p> <p>(2) Specifies that regardless of whether a bond is posted, the animal may be euthanized if a licensed veterinarian determines that the animal is suffering severe pain (<i>sec. 959.132(G)</i>).</p>	<p>Replaces those two provisions with one provision that authorizes the animal to be humanely destroyed immediately or at any time during impoundment if a licensed veterinarian determines it to be necessary because the animal is suffering (<i>sec. 959.132(D)</i>).</p>
Payment for care and keeping of animal during impoundment	<p>Authorizes an owner of an animal that is impounded under the bill, in order to prevent the animal shelter from arranging for the disposition of the animal, to post a bond with the court in an amount that the animal shelter determines is sufficient to provide for the animal's care and keeping for not less than 30 days, and authorizes the bond to be renewed for subsequent 30-day periods (<i>sec. 959.132(F)(2)</i>).</p>	<p>Generally retains the provisions regarding the posting of a bond for the animal's care, with the following two changes:</p> <p>(1) Specifies that the owner may post a cash deposit in lieu of a bond;</p> <p>(2) Requires the court, in consultation with the impounding agency, to determine the amount of the bond or cash deposit (<i>sec. 959.132(F)(2)</i>).</p>

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<p>Requirements regarding return of bond or cash deposit and reimbursement for animal that cannot be returned to its owner</p>	<p>Requires an impounded animal to be returned to its owner together with any bond posted for its care when a probable cause hearing results in a determination that probable cause does not exist to find that the owner committed a violation or if the owner is found to be not guilty, and specifies that if the animal cannot be returned, the owner must be reimbursed for the reasonable market value of the animal plus interest (<i>sec. 959.132(E) and (I)</i>).</p>	<p>Retains those provisions, but adds that the requirements regarding the return of a bond or cash deposit and the payment of the reasonable market value of the animal do not apply in the case of a dog that was not registered at the time it was seized and impounded (<i>sec. 959.132(E)(2) and (H)</i>).</p>
<p>Dogfighting prohibitions</p>	<p>Retains current law that prohibits a person, among other things, from doing either of the following:</p> <p>(1) Receiving money for the admission of another person to a place kept for dogfighting;</p> <p>(2) Purchasing a ticket of admission to or being present at a dogfight (<i>sec. 959.16(A)</i>).</p>	<p>Replaces those prohibitions with language that prohibits a person from doing either of the following:</p> <p>(1) Receiving money or anything else of value for the admission of another person to a dogfighting event or a place kept for dogfighting;</p> <p>(2) Paying money or giving anything else of value in exchange for admission to a dogfight (<i>sec. 959.16(A)</i>).</p>

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