

1 § -2 License required. (a) An animal rescue entity
2 shall obtain a license issued by the enforcing agency in
3 accordance with this section and comply with the following
4 licensing requirements:

- 5 (1) Any rules or ordinances adopted by the enforcing
6 agency;
- 7 (2) Payment of a reasonable fee, as determined by the
8 enforcing agency, for a license or an annual renewal
9 of the license to provide for the actual cost of
10 enforcing this section; and
- 11 (3) Payment of the license fee to the director of finance
12 of the county in which the entity operates.

13 (b) Each county council shall have the power to set
14 standards for animal rescue entity licenses. An applicant for
15 an animal rescue entity license shall demonstrate that the
16 applicant complies with all standards imposed under applicable
17 law.

18 (c) The enforcing agency shall not issue or renew a
19 license under this section unless the animal rescue agency is in
20 compliance with the requirements of this chapter.



1 (d) An animal rescue entity may transfer a license issued
2 under this section to another individual or organization with
3 the written consent of the enforcing agency; provided that the
4 transferee otherwise qualifies to be licensed as an animal
5 rescue entity under this section and rules applicable to the
6 transferee and does not have a certified unpaid debt to the
7 State. The transferee shall submit a signed release to the
8 enforcing agency permitting the performance of a background
9 investigation of the transferee, and the enforcing agency shall
10 conduct the background investigation.

11 § -3 **Recordkeeping; requirements.** (a) An animal rescue
12 entity shall keep a record for each animal in its custody that
13 contains the following information:

- 14 (1) The conditions under which the entity came into
15 custody of the animal, including date of intake and
16 source of the animal;
- 17 (2) The date of birth of the animal or, if the date of
18 birth is unknown, the approximate age of the animal;
- 19 (3) The sex, breed type, and weight of the animal at
20 intake;



- 1 (4) A photograph of the animal taken within twenty-four
- 2 hours of intake;
- 3 (5) The number of offspring the animal produced while in
- 4 the possession or control of the entity, if
- 5 applicable; and
- 6 (6) The disposition the entity makes of each animal
- 7 possessed by, controlled by, or in the charge of the
- 8 entity, including date and manner of disposition, and
- 9 the name and address for any individual or
- 10 organization taking possession, control, or charge of
- 11 an animal from the entity.

12 (b) Records kept in accordance with subsection (a) shall

13 be kept by the animal rescue entity for three years from the

14 date of disposition of each animal in its custody.

15 (c) An animal rescue entity shall permit an authorized

16 representative of the enforcing agency to inspect records of the

17 entity required by this section and shall furnish reports and

18 information as requested by the enforcing agency.

19 § -4 **Inspection.** (a) Whenever an authorized

20 representative of an enforcing agency is advised or has reason

21 to believe that an animal rescue entity is operating without a



1 license, the representative may visit and conduct an on-site
2 investigation of the premises of the animal rescue entity.

3 (b) At any reasonable time, an authorized representative
4 of an enforcing agency may conduct an on-site investigation of
5 the premises of any licensed animal rescue entity to determine
6 whether the entity is in compliance with the requirements of
7 this chapter.

8 § -5 Penalty. (a) A violation of this chapter by an
9 animal rescue entity may result in imposition of civil penalties
10 to be determined by the enforcing agency, including but not
11 limited to the impoundment of all animals under the entity's
12 control, the revocation of the entity's license to operate as an
13 animal rescue entity, and civil penalty of not more than \$500
14 per violation.

15 (b) Before a civil penalty may be imposed under this
16 section, the enforcing agency shall adopt rules or ordinances
17 to:

- 18 (1) Ensure that an individual or organization who is the
19 subject of an alleged violation receives notice of the
20 allegations and potential imposition of civil
21 penalties;



- 1 (2) Allow the opportunity for a hearing prior to the
- 2 imposition of civil penalties; and
- 3 (3) Allow the opportunity for judicial review of the
- 4 imposition of civil penalties.

5 § -6 **Disposition of fees and penalties.** All moneys
 6 received by the director of finance under this chapter shall be
 7 paid into the general fund of the respective county and shall be
 8 used for enforcing agency operations taken pursuant to this
 9 chapter and applicable ordinances."

10 SECTION 2. This Act shall take effect on July 1, 2017.

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S.B. NO. 802

Report Title:

Animal Rescue; Animal Rescue Entities; Requirements; Licensing;
Counties

Description:

Creates licensing requirements and regulations for animal rescue entities; provides enforcement and penalties for violations.

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