

HB 1444 -- Confiscated Animals

Sponsor: Smith (150)

This bill prohibits any public or private animal pound, shelter, humane organization or other organization or individual which seizes, confiscates or accepts seized or confiscated animals from sterilizing, adopting, euthanizing or otherwise disposing of the animal unless there is a final disposition of any charges against the animal owner. All animals seized or confiscated must receive proper care as determined by state law and regulations. Any facility or organization will be liable to the owner for damages from any negligent acts or abuse of an animal while in its custody.

Upon the owner's conviction, the animals seized or confiscated will be adjudged by the court as forfeited and may then be sterilized, adopted, euthanized, or otherwise disposed of in accordance with state law and regulations. Upon conviction, the animal owner is liable for all costs incurred relating to the placement and care of the animals while the charges were pending and the sterilization, adoption, or euthanasia of the animal after the conviction.

If the owner is acquitted or there is a final discharge without a conviction, the owner may demand return of the seized or confiscated animals, and any organization or individual with custody of the animals must immediately return them to the owner. The animal owner is not liable for all costs incurred relating to the placement and care of the animals while the charges were pending.

The provisions of this section supercede all other state laws and regulations regarding the sterilization, adoption, euthanasia, or other disposal of animals seized or confiscated from their owners. Any person or entity that violates these provisions will be guilty of a class B misdemeanor. Each individual animal for which a violation occurs is a separate offense. Any second or subsequent violation is a class A misdemeanor and any entity licensed under state law will be subject to licensure sanction by its governing body.