

REFERENCE TITLE: kennel permits; microchip requirement

State of Arizona
House of Representatives
Forty-ninth Legislature
Second Regular Session
2010

HB 2779

Introduced by
Representatives Young Wright, Sinema, Tovar: Ableser, Bradley, Campbell
CL, Chabin, Farley, Heinz, Waters

AN ACT

AMENDING SECTION 11-1009, ARIZONA REVISED STATUTES; RELATING TO ANIMAL
CONTROL.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 11-1009, Arizona Revised Statutes, is amended to
3 read:

4 11-1009. Kennel permit; fee; denial; microchip requirement;
5 fees; inspection; violation; classification

6 A. A person operating a kennel shall obtain a permit issued by the
7 board of supervisors of the county where the kennel is located except if each
8 individual dog is licensed.

9 B. The annual fee for the kennel permit is seventy-five dollars or the
10 actual cost of recovery as determined by the board of supervisors.

11 C. A dog remaining within the kennel is not required to be licensed
12 individually under section 11-1008. A dog leaving the controlled kennel
13 conditions shall be licensed under section 11-1008 except if the dog is only
14 being transported to another kennel that has a permit issued under this
15 section.

16 D. BEFORE A KENNEL PERMIT IS ISSUED, THE PERSON OPERATING THE KENNEL
17 MUST IMPLANT A MICROCHIP IN EACH DOG THAT IS THREE MONTHS OF AGE OR OLDER AND
18 THAT REMAINS IN THE KENNEL. DURING THE PERMIT PERIOD, THE PERSON OPERATING
19 THE KENNEL MUST IMPLANT A MICROCHIP IN EACH DOG REMAINING IN THE KENNEL
20 WITHIN THIRTY DAYS AFTER THE DOG REACHES THE AGE OF THREE MONTHS OR WITHIN
21 THIRTY DAYS AFTER THE DOG ARRIVES IN THE KENNEL.

22 E. ON RECEIPT OF A KENNEL PERMIT APPLICATION, THE COUNTY ENFORCEMENT
23 AGENT MAY SCAN EACH DOG IN THE KENNEL TO VERIFY THAT A MICROCHIP HAS BEEN
24 IMPLANTED IN EACH DOG THAT IS REQUIRED TO BE IMPLANTED WITH A MICROCHIP. A
25 PERSON OPERATING A KENNEL WHO FAILS TO IMPLANT A MICROCHIP IN EACH DOG AS
26 REQUIRED BY THIS SECTION SHALL PAY A PENALTY FEE OF NOT MORE THAN FIFTY
27 DOLLARS FOR EACH SUBSEQUENT INSPECTION OR VISIT THAT IS NECESSARY TO VERIFY
28 THAT A MICROCHIP HAS BEEN IMPLANTED IN EACH DOG AS REQUIRED BY THIS SECTION.

29 F. IF THE COUNTY ENFORCEMENT AGENT DETERMINES THAT A DOG HAS NOT BEEN
30 IMPLANTED WITH A MICROCHIP AS REQUIRED BY THIS SECTION, THE COUNTY
31 ENFORCEMENT AGENT MAY IMPLANT A MICROCHIP IN THAT DOG. THE COUNTY MAY CHARGE
32 THE KENNEL PERMIT APPLICANT OR PERMITTEE A FEE FOR MICROCHIP IMPLANTING
33 SERVICES NOT TO EXCEED THE ACTUAL COST OF THE SERVICES.

34 G. SUBSECTIONS D, E AND F OF THIS SECTION DO NOT APPLY TO A PUBLICLY
35 OPERATED OR PRIVATE, CHARITABLE NONPROFIT POUND, HUMANE SOCIETY OR ANIMAL
36 RESCUE ORGANIZATION.

37 ~~D.~~ H. A person who fails to obtain a kennel permit under this section
38 is subject to a penalty of twenty-five dollars in addition to the annual fee.

39 ~~E.~~ I. The county shall deny a kennel permit to any person who has
40 been convicted of a violation of section 13-2910 or 13-2910.01 or any other
41 state, county or municipal animal welfare law, except violations of license
42 and leash laws.

43 ~~F.~~ J. A person who operates a kennel that houses fewer than twenty
44 dogs may be subject to an inspection by the county enforcement agent during
45 regular business hours if the county enforcement agent has received a citizen

1 or law enforcement complaint in writing that alleges the person committed an
2 act in violation of section 13-2910 or 13-2910.01. A person who operates a
3 kennel that houses twenty dogs or more shall allow inspections of the kennel
4 by the county enforcement agent as a condition of receiving a kennel permit.
5 This subsection does not apply to any kennel that houses dogs that are being
6 used or trained for hunting.
7 ~~G.~~ K. A person who knowingly fails to obtain a kennel permit within
8 thirty days after written notification from the county enforcement agent is
9 guilty of a class 2 misdemeanor.