

State of Arizona
House of Representatives
Fifty-second Legislature
First Regular Session
2015

HOUSE BILL 2573

AN ACT

AMENDING SECTIONS 11-1008, 11-1010, 11-1013 AND 11-1014, 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 11-1008, Arizona Revised Statutes, is amended to
3 read:

4 11-1008. License fees for dogs; issuance of dog tags;
5 exception; violation; classification

6 A. The board of supervisors of each county may set a license fee that
7 shall be paid for each dog three months of age or ~~over~~ OLDER that is kept,
8 harbored or maintained within the boundaries of the state for at least thirty
9 consecutive days of each calendar year. License fees shall become payable at
10 the discretion of the board of supervisors of each county. ~~The licensing~~
11 ~~period shall not exceed the period of time for revaccination as designated by~~
12 ~~the state veterinarian.~~ License fees shall be paid within ninety days to the
13 board of supervisors. A penalty fee of two dollars shall be paid if the
14 license application is made less than one year subsequent to the date on
15 which the dog is required to be licensed under this article. If the license
16 application is made one year or later from the date on which the dog is
17 required to be licensed, an additional penalty fee of ten dollars shall be
18 paid for each subsequent year up to a maximum of twenty-two dollars. This
19 penalty shall not be assessed against applicants who provide adequate proof
20 that the dog to be licensed has been in their possession in ~~Arizona~~ THIS
21 STATE less than thirty consecutive days.

22 B. If the board of supervisors adopts a license fee, the board shall
23 provide durable dog tags. Each dog licensed under the terms of this article
24 shall receive, at the time of licensing, such a tag on which shall be
25 inscribed the name of the county, ~~the number of the license and the year in~~
26 ~~which it expires~~ A DISTINCT TAG NUMBER ASSIGNED TO THE DOG, A COUNTY CONTACT
27 TELEPHONE NUMBER AND ANY OTHER INFORMATION REQUIRED BY THE BOARD OF
28 SUPERVISORS. The tag shall be attached to a collar or harness that shall be
29 worn by the dog at all times, except as otherwise provided in this article.
30 Whenever a dog tag is lost, a ~~duplicate~~ REPLACEMENT tag shall be issued on
31 application by the owner and payment of a fee established by the board of
32 supervisors.

33 C. The board of supervisors may set license fees that are lower for
34 dogs permanently incapable of procreation. An applicant for a license for a
35 dog claimed to be incapable of procreation shall provide adequate proof
36 satisfactory to the COUNTY enforcement agent that ~~such~~ THE dog has been
37 surgically altered to be permanently incapable of procreation.

38 D. All fees and penalties shall be deposited in the rabies control
39 fund pursuant to section 11-1011.

40 E. Any person who knowingly fails ~~within fifteen days after written~~
41 ~~notification from the county enforcement agent~~ to obtain a license for a dog
42 required to be licensed, counterfeits an official dog tag, removes such tag
43 from any dog for the purpose of intentional and malicious mischief or places
44 a dog tag ~~upon~~ ON a dog unless the tag was issued for that particular dog is
45 guilty of a ~~class 2 misdemeanor~~ PETTY OFFENSE.

1 F. Notwithstanding subsection A of this section, the board of
2 supervisors of each county may not charge an individual who has a disability
3 and who uses a service animal as defined in section 11-1024 or an individual
4 who uses a search or rescue dog a license fee for that dog. An applicant for
5 a license for a:

6 1. Search ~~or~~ AND rescue dog shall provide adequate proof satisfactory
7 to the COUNTY enforcement agent that the dog is a search ~~or~~ AND rescue dog.

8 2. Service animal shall sign a written statement that the dog is a
9 service animal as defined in section 11-1024. A person who makes a false
10 statement pursuant to this paragraph is guilty of a petty offense, and IS
11 SUBJECT TO a fine that ~~shall~~ DOES not exceed fifty dollars. The statement to
12 be signed shall be substantially in the following form:

13 By signing this document, I declare that the dog to be licensed
14 is a service animal as defined in section 11-1024, Arizona
15 Revised Statutes, and I understand that a person who makes a
16 false statement pursuant to section 11-1008, Arizona Revised
17 Statutes, is guilty of a petty offense, and is subject to a
18 fine that does not exceed fifty dollars.

19 Sec. 2. Section 11-1010, Arizona Revised Statutes, is amended to read:
20 11-1010. Anti-rabies vaccination; violation; classification

21 A. ALL DOGS THREE MONTHS OF AGE OR OLDER SHALL BE VACCINATED AGAINST
22 RABIES BY A VETERINARIAN WHO IS LICENSED TO PRACTICE IN A JURISDICTION OF THE
23 UNITED STATES. ~~Before a license is issued for any dog,~~ The owner or a
24 veterinarian must present a paper or electronic copy or ~~telefacsimile~~ FAX of
25 the vaccination certificate signed by a veterinarian OR SUBMIT INFORMATION
26 ONLINE THROUGH A WEBSITE MAINTAINED BY THE COUNTY stating the owner's name,
27 TELEPHONE NUMBER and address, ~~and giving~~ the dog's description, THE date of
28 vaccination, THE manufacturer and serial number of the vaccine used, THE NAME
29 AND CONTACT INFORMATION OF THE VETERINARIAN WHO ADMINISTERED THE VACCINATION
30 and THE date revaccination is due. A duplicate of each rabies vaccination
31 certificate issued shall be transmitted to the county enforcement agent
32 within two weeks ~~of~~ AFTER the date the dog was vaccinated. ~~No dog shall be~~
33 ~~licensed unless it is vaccinated in accordance with the provisions of this~~
34 ~~article and the regulations promulgated pursuant to this article.~~

35 ~~B. A dog vaccinated in any other state prior to entry into Arizona may~~
36 ~~be licensed in Arizona provided that, at the time of licensing, the owner of~~
37 ~~the dog presents a vaccination certificate, signed by a veterinarian licensed~~
38 ~~to practice in that state or a veterinarian employed by a governmental agency~~
39 ~~in that state, stating the owner's name and address, and giving the dog's~~
40 ~~description, date of vaccination and type, manufacturer and serial number of~~
41 ~~the vaccine used. The vaccination must be in conformity with the provisions~~
42 ~~of this article and the regulations promulgated pursuant to this article.~~

43 ~~C.~~ B. The county enforcement agent shall make provisions for
44 vaccination clinics as deemed necessary. The vaccination shall be performed
45 ~~by a veterinarian~~ PURSUANT TO TITLE 32, CHAPTER 21, ARTICLE 3.

1 C. ANY PERSON WHO KNOWINGLY FAILS TO VACCINATE A DOG AGAINST RABIES IS
2 GUILTY OF A CLASS 2 MISDEMEANOR.

3 Sec. 3. Section 11-1013, Arizona Revised Statutes, is amended to read:

4 11-1013. Establishment of county pounds; impounding and
5 disposing of dogs and cats; reclaiming impounded
6 dogs and cats

7 A. The board of supervisors in each county may provide or authorize a
8 county pound or pounds or enter into a cooperative agreement with a city, a
9 veterinarian or an Arizona incorporated humane society for the establishment
10 and operation of a county pound.

11 B. Any stray dog shall be impounded. All dogs and cats impounded
12 shall be given proper care and maintenance.

13 C. Each stray dog or any cat impounded shall be kept and maintained at
14 the county pound for a minimum of seventy-two hours or one hundred twenty
15 hours for an animal that is wearing a license, unless claimed or surrendered
16 by its owner. Any person may purchase ~~such~~ a dog or cat on expiration of the
17 impoundment period, if the person pays all pound fees established by the
18 county board of supervisors and complies with the licensing and vaccinating
19 provisions of this article. If ~~such~~ THE dog or cat is to be used for medical
20 research, ~~no~~ A license or vaccination ~~shall be~~ IS NOT required.

21 D. Any impounded licensed dog or any cat may be reclaimed by its owner
22 or ~~such~~ THE owner's agent provided that the person reclaiming the dog or cat
23 furnishes proof of the person's right to do so. ~~and pays~~ THE OWNER OR OWNER'S
24 AGENT RECLAIMING A DOG SHALL PAY all pound fees established by the board of
25 supervisors. THE OWNER OR OWNER'S AGENT RECLAIMING A CAT MAY NOT BE CHARGED
26 ANY POUND FEES. Any person purchasing ~~such~~ a dog or cat shall pay all pound
27 fees established by the board of supervisors.

28 E. If the dog or cat is not reclaimed within the impoundment period,
29 the county enforcement agent shall take possession of and may place the dog
30 or cat for sale or may dispose of the dog or cat in a humane manner. The
31 county enforcement agent may destroy impounded sick or injured dogs or cats
32 if destruction is necessary to prevent the dog or cat from suffering or to
33 prevent the spread of disease.

34 Sec. 4. Section 11-1014, Arizona Revised Statutes, is amended to read:

35 11-1014. Biting animals; reporting; handling and destruction;
36 exception

37 A. ~~An unvaccinated~~ A dog or cat that bites any person shall be
38 confined and quarantined in a MANNER AND FACILITY PRESCRIBED BY THE COUNTY
39 ENFORCEMENT AGENT. THE COUNTY ENFORCEMENT AGENT MAY REQUIRE THE ANIMAL TO BE
40 CONFINED AT THE HOME OF THE OWNER, IN A county pound or, on request of and at
41 the expense of the owner, at a veterinary hospital OR IN A BOARDING FACILITY
42 for a period of ~~not less than~~ AT LEAST ten days. The quarantine period shall
43 start on the day of the bite incident. If the day of the bite is not known,
44 the quarantine period shall start on the first day of impoundment. ~~A dog~~
45 ~~properly vaccinated pursuant to this article that bites any person may be~~

1 ~~confined and quarantined at the home of the owner or wherever the dog is~~
2 ~~harbored and maintained with the consent of and in a manner prescribed by the~~
3 ~~county enforcement agent.~~

4 B. A dog or cat that is impounded as the result of biting any person
5 shall not be released from the pound to its owner unless one of the following
6 applies:

7 1. The dog has a current dog license pursuant to section 11-1008 at
8 the time the dog entered the pound.

9 2. The dog or cat has been previously spayed or neutered before
10 impound or has been spayed or neutered and implanted with a microchip before
11 release from the pound.

12 3. There is no veterinary facility capable of performing surgical
13 sterilization within a twenty mile radius of the pound.

14 4. A veterinarian determines that a medical contraindication for
15 surgery exists that reasonably requires postponement of the surgery until the
16 surgery can be performed in a safe and humane manner.

17 5. The bite occurred in the premises of the owner and the victim is a
18 member of the same household.

19 6. The owner pays a fifty dollar recovery fee, in addition to any fees
20 or costs otherwise required pursuant to this article.

21 C. Any domestic animal, other than a dog, a cat or a caged or pet
22 rodent or rabbit, that bites any person shall be confined and quarantined in
23 a county pound or, on the request and at the expense of the owner, at a
24 veterinary hospital for a period of ~~not less than~~ AT LEAST fourteen days.
25 Livestock shall be confined and quarantined for the fourteen-day period in a
26 manner regulated by the Arizona department of agriculture. Caged or pet
27 rodents or rabbits shall not be quarantined or laboratory tested.

28 D. With the exception of a wild rodent or rabbit, any wild animal that
29 bites any person or directly exposes any person to its saliva may be killed
30 and submitted to the county enforcement agent or the agent's deputies for
31 transport to an appropriate diagnostic laboratory. A wild rodent or rabbit
32 may be submitted for laboratory testing if the animal has bitten a person and
33 either the animal's health or behavior indicates that the animal may have
34 rabies or the bite occurred in an area that contains a rabies epizootic, as
35 determined by the department of health services.

36 E. If an animal bites any person, the incident shall be reported to
37 the county enforcement agent immediately by any person having direct
38 knowledge.

39 F. The county enforcement agent may destroy any animal confined and
40 quarantined pursuant to this section before the termination of the minimum
41 confinement period for laboratory examination for rabies if:

42 1. The animal shows clear clinical signs of rabies.

43 2. The animal's owner consents to its destruction.

44 G. Any animal subject to licensing under this article found without a
45 tag identifying its owner shall be deemed unowned.

1 H. The county enforcement agent shall destroy a vicious animal by
2 order of a justice of the peace or a city magistrate. A justice of the peace
3 or city magistrate may issue an order to destroy a vicious animal after
4 notice to the owner, if any, and the person who was bitten, and a hearing.
5 The justice of the peace or city magistrate may impose additional procedures
6 and processes to protect all parties in the interest of justice, and any
7 decision by the justice of the peace or magistrate may be appealed to the
8 superior court.

9 I. The owner of a vicious animal shall be responsible for any fees
10 incurred by the COUNTY enforcement agent for the impounding, sheltering and
11 disposing of the vicious animal.

12 J. ~~This section does not apply to~~ A dog that is used by any federal,
13 state, county, city or town law enforcement agency OR A SEARCH AND RESCUE DOG
14 WHOSE OWNER HAS PROVIDED ADEQUATE PROOF TO THE COUNTY ENFORCEMENT AGENT THAT
15 THE DOG IS A SEARCH AND RESCUE DOG PURSUANT TO SECTION 11-1008, SUBSECTION F
16 and that bites any person ~~if the bite occurs~~ while the dog is under proper
17 law enforcement OR SEARCH AND RESCUE supervision and the care of a licensed
18 veterinarian, ~~except that~~ SHALL BE PLACED UNDER A WORKING QUARANTINE IF THE
19 DOG HAS A CURRENT ANTI-RABIES VACCINATION PURSUANT TO SECTION 11-1010. The
20 law enforcement agency OR SEARCH AND RESCUE ORGANIZATION shall notify the
21 county enforcement agent if the dog exhibits any abnormal behavior, ~~and~~ make
22 the dog available for examination at any reasonable time AND IMMEDIATELY
23 CONFINE AND QUARANTINE THE DOG UNTIL A HEALTH ASSESSMENT IS MADE BY A
24 LICENSED VETERINARIAN. IF THE BITE OCCURRED WHILE THE DOG WAS NOT UNDER
25 PROPER LAW ENFORCEMENT OR SEARCH AND RESCUE SUPERVISION OR WHILE THE DOG WAS
26 NOT PERFORMING THE DUTIES IT WAS TRAINED FOR, THE LAW ENFORCEMENT AGENCY OR
27 THE SEARCH AND RESCUE ORGANIZATION SHALL NOTIFY THE COUNTY ENFORCEMENT AGENT,
28 AND THE COUNTY ENFORCEMENT AGENT SHALL DETERMINE THE MANNER OF CONFINEMENT
29 AND QUARANTINE FOR THE DOG.