

House Engrossed

State of Arizona
House of Representatives
Fifty-second Legislature
Second Regular Session
2016

HOUSE BILL 2340

AN ACT

AMENDING TITLE 3, CHAPTER 11, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 11;
RELATING TO HORSES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 3, chapter 11, Arizona Revised Statutes, is amended
3 by adding article 11, to read:

4 ARTICLE 11. HORSES

5 3-1491. Salt River wild horse herd: necessary interaction:
6 written authorization: violation: classification:
7 definition

8 A. A PERSON MAY NOT MANAGE, HARASS, TAKE, SHOOT, CHASE, CAPTURE, KILL,
9 SLAUGHTER OR EUTHANIZE A HORSE THAT IS PART OF THE SALT RIVER WILD HORSE HERD
10 WITHOUT WRITTEN AUTHORIZATION FROM EITHER THE UNITED STATES FOREST SERVICE OR
11 THE COUNTY SHERIFF, WHICHEVER ENTITY HAS JURISDICTION OVER THE AREA IN WHICH
12 THE SALT RIVER WILD HORSE HERD IS LOCATED.

13 B. IF AN INCIDENT OCCURS THAT REQUIRES INTERACTION WITH THE SALT RIVER
14 WILD HORSE HERD IN ORDER TO PROTECT THE SAFETY OR HEALTH OF THE HORSES THAT
15 ARE PART OF THE SALT RIVER WILD HORSE HERD OR THE PUBLIC, A PRIVATE OR PUBLIC
16 ENTITY MAY ADDRESS THE INCIDENT AFTER OBTAINING WRITTEN AUTHORIZATION FROM
17 EITHER THE UNITED STATES FOREST SERVICE OR THE COUNTY SHERIFF, WHICHEVER
18 ENTITY HAS JURISDICTION OVER THE AREA IN WHICH THE INCIDENT OCCURRED.

19 C. A HORSE THAT IS PART OF THE SALT RIVER WILD HORSE HERD IS NOT A
20 STRAY ANIMAL AS DEFINED IN SECTION 3-1401 AND IS NOT SUBJECT TO SECTIONS
21 3-1371 AND 3-1402.

22 D. A PERSON WHO VIOLATES SUBSECTION A OF THIS SECTION IS GUILTY OF A
23 CLASS 1 MISDEMEANOR.

24 E. FOR THE PURPOSES OF THIS SECTION, "SALT RIVER WILD HORSE HERD"
25 INCLUDES THE HORSES THAT INHABIT AND THAT HAVE HISTORICALLY LIVED AND HAVE
26 NATURAL MIGRATION PATTERNS IN AND AROUND THE LOWER SALT RIVER AND SAGUARO
27 LAKE AREAS IN THE TONTO NATIONAL FOREST AND THAT DO NOT HAVE A BRAND OR OTHER
28 MARK THAT INDICATES OWNERSHIP.

29 3-1492. Unlawful release of a domesticated horse: violation:
30 classification

31 A PERSON WHO INTENTIONALLY RELEASES A DOMESTICATED HORSE INTO THE WILD
32 IS GUILTY OF A CLASS 1 MISDEMEANOR.

33 Sec. 2. Legislative findings

34 The legislature finds and declares the following:

35 1. The Salt River wild horse herd is a unique population of animals
36 that the residents of and visitors to this state enjoy viewing.

37 2. The Salt River wild horse herd and future offspring are an
38 economic, recreational and historical asset to this state.

39 3. Records on file with the Arizona state library, archives and public
40 records document the existence of the Salt River wild horse herd as early as
41 1890.

42 4. Although it is impossible to designate the herd as wild or feral,
43 or both, the residents of this state value the herd as a state treasure, and
44 every effort must be made to preserve the natural and historical existence of
45 the herd in the Salt River and Saguaro Lake areas.