

State of Arizona  
House of Representatives  
Fifty-fourth Legislature  
First Regular Session  
2019

**CHAPTER 32**  
**HOUSE BILL 2421**

AN ACT

AMENDING SECTION 13-2910, ARIZONA REVISED STATUTES; RELATING TO ANIMAL  
CRUELTY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:  
2 Section 1. Section 13-2910, Arizona Revised Statutes, is amended to  
3 read:  
4 13-2910. Cruelty to animals; interference with working or  
5 service animal; classification; definitions  
6 A. A person commits cruelty to animals if the person does any of  
7 the following:  
8 1. Intentionally, knowingly or recklessly subjects any animal under  
9 the person's custody or control to cruel neglect or abandonment.  
10 2. Intentionally, knowingly or recklessly fails to provide medical  
11 attention necessary to prevent protracted suffering to any animal under  
12 the person's custody or control.  
13 3. Intentionally, knowingly or recklessly inflicts unnecessary  
14 physical injury to any animal.  
15 4. Recklessly subjects any animal to cruel mistreatment.  
16 5. Intentionally, knowingly or recklessly kills any animal under  
17 the custody or control of another person without either legal privilege or  
18 consent of the owner.  
19 6. Recklessly interferes with, kills or harms a working or service  
20 animal without either legal privilege or consent of the owner.  
21 7. Intentionally, knowingly or recklessly leaves an animal  
22 unattended and confined in a motor vehicle and physical injury to or death  
23 of the animal is likely to result.  
24 8. Intentionally or knowingly subjects any animal under the  
25 person's custody or control to cruel neglect or abandonment that results  
26 in serious physical injury to the animal.  
27 9. Intentionally or knowingly subjects any animal to cruel  
28 mistreatment.  
29 10. Intentionally or knowingly interferes with, kills or harms a  
30 working or service animal without either legal privilege or consent of the  
31 owner.  
32 11. Intentionally or knowingly allows any dog that is under the  
33 person's custody or control to interfere with, kill or cause physical  
34 injury to a service animal.  
35 12. Recklessly allows any dog that is under the person's custody or  
36 control to interfere with, kill or cause physical injury to a service  
37 animal.  
38 13. Intentionally or knowingly obtains or exerts unauthorized  
39 control over a service animal with the intent to deprive the service  
40 animal handler of the service animal.  
41 14. INTENTIONALLY OR KNOWINGLY HARASSES A WORKING ANIMAL THAT IS IN  
42 A LAW ENFORCEMENT VEHICLE OR TRAILER WITHOUT EITHER LEGAL PRIVILEGE OR  
43 CONSENT OF THE OWNER.

1           B. It is a defense to subsection A of this section if:  
2           1. Any person exposes poison to be taken by a dog that has killed  
3 or wounded livestock or poison to be taken by predatory animals on  
4 premises owned, leased or controlled by the person for the purpose of  
5 protecting the person or the person's livestock or poultry, the treated  
6 property is kept posted by the person who authorized or performed the  
7 treatment until the poison has been removed and the poison is removed by  
8 the person exposing the poison after the threat to the person or the  
9 person's livestock or poultry has ceased to exist. The posting required  
10 shall provide adequate warning to persons who enter the property by the  
11 point or points of normal entry. The warning notice that is posted shall  
12 be readable at a distance of fifty feet, shall contain a poison statement  
13 and symbol and shall state the word "danger" or "warning".  
14           2. Any person uses poisons in and immediately around buildings  
15 owned, leased or controlled by the person for the purpose of controlling  
16 wild and domestic rodents as otherwise allowed by the laws of the state,  
17 excluding any fur-bearing animals as defined in section 17-101.  
18           C. This section does not prohibit or restrict:  
19           1. The taking of wildlife or other activities permitted by or  
20 pursuant to title 17.  
21           2. Activities permitted by or pursuant to title 3.  
22           3. Activities regulated by the Arizona game and fish department or  
23 the Arizona department of agriculture.  
24           D. A peace officer, animal control enforcement agent or animal  
25 control enforcement deputy may use reasonable force to open a vehicle to  
26 rescue an animal if the animal is left in the vehicle as prescribed in  
27 subsection A, paragraph 7 of this section.  
28           E. A person who is convicted of a violation of subsection A,  
29 paragraph 6 or 10 of this section is liable as follows:  
30           1. If the working or service animal was killed or disabled, to the  
31 owner or agency that owns the working or service animal and that employs  
32 the handler or to the owner or handler for the replacement and training  
33 costs of the working or service animal and for any veterinary bills.  
34           2. To the owner or agency that owns a working or service animal for  
35 the salary of the handler for the period of time that the handler's  
36 services are lost to the owner or agency.  
37           3. To the owner for the owner's contractual losses with the agency.  
38           F. An incorporated city or town or a county may adopt an ordinance  
39 with misdemeanor provisions at least as stringent as the misdemeanor  
40 provisions of this section, except that any ordinance adopted shall not  
41 prohibit or restrict any activity involving a dog, whether the dog is  
42 restrained or not, if the activity is directly related to the business of  
43 shepherding or herding livestock and the activity is necessary for the  
44 safety of a human, the dog or livestock or is permitted by or pursuant to  
45 title 3.

- 1           G. A person who violates subsection A, paragraph 1, 2, 3, 4, 5, 6,  
2 7, ~~12~~ OR 14 of this section is guilty of a class 1 misdemeanor. A  
3 person who violates subsection A, paragraph 8, 9, 10, 11 or 13 of this  
4 section is guilty of a class 6 felony.
- 5           H. For the purposes of this section:
- 6           1. "Animal" means a mammal, bird, reptile or amphibian.
- 7           2. "Cruel mistreatment" means to torture or otherwise inflict  
8 unnecessary serious physical injury on an animal or to kill an animal in a  
9 manner that causes protracted suffering to the animal.
- 10          3. "Cruel neglect" means to fail to provide an animal with  
11 necessary food, water or shelter.
- 12          4. "Handler" means a law enforcement officer or any other person  
13 who has successfully completed a course of training prescribed by the  
14 person's agency or the service animal owner and who used a specially  
15 trained animal under the direction of the person's agency or the service  
16 animal owner.
- 17          5. "HARASS" MEANS TO ENGAGE IN CONDUCT THAT A REASONABLE PERSON  
18 WOULD EXPECT TO IMPEDE OR INTERFERE WITH A WORKING ANIMAL'S PERFORMANCE OF  
19 ITS DUTIES.
- 20          ~~5.~~ 6. "Service animal" means an animal that has completed a formal  
21 training program, that assists its owner in one or more daily living tasks  
22 that are associated with a productive lifestyle and that is trained to not  
23 pose a danger to the health and safety of the general public.
- 24          ~~6.~~ 7. "Working animal" means a horse or dog that is used by a law  
25 enforcement agency, that is specially trained for law enforcement work and  
26 that is under the control of a handler.

APPROVED BY THE GOVERNOR MARCH 22, 2019.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MARCH 22, 2019.