

State of Arizona  
House of Representatives  
Fifty-fifth Legislature  
Second Regular Session  
2022

**CHAPTER 207**  
**HOUSE BILL 2626**

AN ACT

AMENDING TITLE 9, CHAPTER 4, ARTICLE 8, ARIZONA REVISED STATUTES, BY ADDING SECTION 9-500.48; AMENDING SECTIONS 11-1013, 11-1014, 11-1021 AND 11-1029, ARIZONA REVISED STATUTES; AMENDING TITLE 32, CHAPTER 21, ARTICLE 3, ARIZONA REVISED STATUTES, BY ADDING SECTION 32-2239.02; AMENDING TITLE 32, CHAPTER 21, ARTICLE 8, ARIZONA REVISED STATUTES, BY ADDING SECTION 32-2297; AMENDING TITLE 44, ARIZONA REVISED STATUTES, BY ADDING CHAPTER 40; 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. Title 9, chapter 4, article 8, Arizona Revised  
3 Statutes, is amended by adding section 9-500.48, to read:

4 9-500.48. Deceased cats and dogs

5 A CITY OR TOWN SHALL REQUIRE AN EMPLOYEE OR A CONTRACTOR OR  
6 SUBCONTRACTOR THAT HAS CONTRACTED WITH THE CITY OR TOWN TO REMOVE DECEASED  
7 CATS AND DOGS FROM A PUBLIC PLACE TO THOROUGHLY SCAN THE CAT OR DOG FOR  
8 THE PRESENCE OF A MICROCHIP AND MAKE A REASONABLE EFFORT TO CONTACT THE  
9 OWNER BEFORE DISPOSING OF THE CAT OR DOG IF THE DISPOSAL WILL BE AT A  
10 LANDFILL.

11 Sec. 2. Section 11-1013, Arizona Revised Statutes, is amended to  
12 read:

13 11-1013. Establishment of county pounds; impounding and  
14 disposing of dogs and cats; reclaiming impounded  
15 dogs and cats; pound fees

16 A. The board of supervisors in each county may provide or authorize  
17 a county pound or pounds or enter into a cooperative agreement with a city  
18 OR TOWN, a veterinarian or an Arizona incorporated humane society ~~for the~~  
19 ~~establishment~~ TO ESTABLISH and ~~operation of~~ OPERATE a county pound.

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

22 C. ALL DOGS AND CATS IMPOUNDED AT A COUNTY POUND OR AT A CITY OR  
23 TOWN FACILITY, A VETERINARIAN OR AN ARIZONA INCORPORATED HUMANE SOCIETY  
24 THAT HAS ENTERED INTO A COOPERATIVE AGREEMENT WITH A COUNTY PURSUANT TO  
25 SUBSECTION A OF THIS SECTION SHALL BE THOROUGHLY SCANNED FOR THE PRESENCE  
26 OF A MICROCHIP ON BEING IMPOUNDED AND A REASONABLE EFFORT SHALL BE MADE TO  
27 CONTACT THE OWNER.

28 D. ALL DECEASED DOGS AND CATS FOUND IN A PUBLIC PLACE AND BROUGHT  
29 TO A COUNTY POUND OR TO A CITY OR TOWN FACILITY, A VETERINARIAN OR AN  
30 ARIZONA INCORPORATED HUMANE SOCIETY THAT HAS ENTERED INTO A COOPERATIVE  
31 AGREEMENT WITH A COUNTY PURSUANT TO SUBSECTION A OF THIS SECTION SHALL BE  
32 SCANNED FOR THE PRESENCE OF A MICROCHIP AND A REASONABLE EFFORT SHALL BE  
33 MADE TO CONTACT THE OWNER.

34 ~~E.~~ E. Each stray dog or any cat impounded and not eligible for a  
35 sterilization program shall be kept and maintained at the county pound for  
36 a minimum of seventy-two hours or one hundred twenty hours for an animal  
37 that is impounded with a microchip or wearing a license or any other  
38 discernible form of owner identification, unless claimed or surrendered by  
39 its owner. Any person may purchase a dog or cat on expiration of the  
40 impoundment period, if the person pays all pound fees established by the  
41 county board of supervisors and complies with the licensing and  
42 vaccinating provisions of this article. If the dog or cat is to be used  
43 for medical research, a license or vaccination is not required. Any  
44 impounded cat that is eligible for a sterilization program and that will

1 be returned to the vicinity where the cat was originally captured may be  
2 exempted from the mandatory holding period required by this subsection.  
3 For the purposes of this subsection, "eligible" means a cat that is living  
4 outdoors, lacks discernible identification, is of sound health and  
5 possesses its claws.

6 ~~F.~~ F. Any impounded licensed dog or any cat may be reclaimed by  
7 its owner or the owner's agent ~~provided that~~ IF the person reclaiming the  
8 dog or cat furnishes proof of the person's right to do so and pays all  
9 pound fees established by the board of supervisors. Any person purchasing  
10 a dog or cat shall pay all pound fees established by the board of  
11 supervisors.

12 ~~F.~~ G. If the dog or cat is not reclaimed within the impoundment  
13 period, the county enforcement agent shall take possession of and may  
14 place the dog or cat for sale or may dispose of the dog or cat in a humane  
15 manner. The county enforcement agent may ~~destroy~~ EUTHANIZE impounded sick  
16 or injured dogs or cats if ~~destruction is~~ necessary to prevent the dog or  
17 cat from suffering or to prevent the spread of disease.

18 Sec. 3. Section 11-1014, Arizona Revised Statutes, is amended to  
19 read:

20 11-1014. Biting animals; reporting; handling and euthanasia;  
21 exception

22 A. An unvaccinated dog or cat that bites any person shall be  
23 confined and quarantined in a county pound or, on request of and at the  
24 expense of the owner, at a veterinary hospital for a period of ~~not less~~  
25 ~~than~~ AT LEAST ten days. The quarantine period shall start on the day of  
26 the bite incident. If the day of the bite is not known, the quarantine  
27 period shall start on the first day of impoundment. A dog properly  
28 vaccinated pursuant to this article that bites any person may be confined  
29 and quarantined at the home of the owner or wherever the dog is harbored  
30 and maintained with the consent of and in a manner prescribed by the  
31 county enforcement agent.

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

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

37 2. The dog or cat has been previously spayed or neutered before  
38 impound or has been spayed or neutered and implanted with a microchip  
39 before release from the pound.

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

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

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

3           6. The owner pays a ~~fifty dollar~~ \$50 recovery fee, in addition to  
4 any fees or costs otherwise required pursuant to this article.

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

12           D. With the exception of a wild rodent or rabbit, any wild animal  
13 that bites any person or directly exposes any person to its saliva may be  
14 killed and submitted to the county enforcement agent or the agent's  
15 deputies for transport to an appropriate diagnostic laboratory. A wild  
16 rodent or rabbit may be submitted for laboratory testing if the animal has  
17 bitten a person and either the animal's health or behavior indicates that  
18 the animal may have rabies or the bite occurred in an area that contains a  
19 rabies epizootic, as determined by the department of health services.

20           E. If an animal bites any person, the incident shall be reported to  
21 the county enforcement agent immediately by any person having direct  
22 knowledge.

23           F. The county enforcement agent may ~~destroy~~ EUTHANIZE any animal  
24 confined and quarantined pursuant to this section before the termination  
25 of the minimum confinement period for laboratory examination for rabies  
26 if:

- 27           1. The animal shows clear clinical signs of rabies.
- 28           2. The animal's owner consents to ~~its destruction~~ THE EUTHANASIA.

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

31           H. The county enforcement agent shall ~~destroy~~ EUTHANIZE a vicious  
32 animal by order of a justice of the peace or a city magistrate. A justice  
33 of the peace or city magistrate may issue an order to ~~destroy~~ EUTHANIZE a  
34 vicious animal after notice to the owner, if any, and the person who was  
35 bitten, and a hearing. The justice of the peace or city magistrate may  
36 impose additional procedures and processes to protect all parties in the  
37 interest of justice, and any decision by the justice of the peace or  
38 magistrate may be appealed to the superior court.

39           I. The owner of a vicious animal shall be responsible for any fees  
40 incurred by the enforcement agent for the impounding, sheltering and  
41 disposing of the vicious animal.

42           J. This section does not apply to a dog that is used by any  
43 federal, state, county, city or town law enforcement agency and that bites  
44 any person if the bite occurs while the dog is under proper law

1 enforcement supervision and the care of a licensed veterinarian, except  
2 that the law enforcement agency shall notify the county enforcement agent  
3 if the dog exhibits any abnormal behavior and make the dog available for  
4 examination at any reasonable time.

5 Sec. 4. Section 11-1021, Arizona Revised Statutes, is amended to  
6 read:

7 11-1021. Proper care, maintenance and euthanasia of impounded  
8 animals

9 A. Any animal impounded in a county, city or town pound shall be  
10 given proper and humane care and maintenance.

11 B. Any animal ~~destroyed~~ EUTHANIZED while impounded in a county,  
12 city or town pound shall be ~~destroyed~~ EUTHANIZED only by the use of sodium  
13 pentobarbital or a derivative of sodium pentobarbital.

14 C. If an animal is ~~destroyed~~ EUTHANIZED by means specified in  
15 subsection B of this section, it shall be done by a licensed veterinarian  
16 or in accordance with procedures established by the state veterinarian  
17 pursuant to section 3-1213.

18 D. The governing body of any county, city or town that operates a  
19 pound shall establish procedures for the humane destruction of impounded  
20 animals by the methods described in subsections B and C of this section.

21 Sec. 5. Section 11-1029, Arizona Revised Statutes, is amended to  
22 read:

23 11-1029. Hearing on disposition of vicious animals;  
24 forfeiture; exception

25 A. A peace officer, county enforcement agent or animal control  
26 officer who has impounded an animal pursuant to section 11-1014, on a  
27 showing of probable cause that the animal is vicious or may be a danger to  
28 the safety of any person or other animal, may request a disposition  
29 hearing before a justice of the peace or city magistrate to determine  
30 whether the animal is vicious. The hearing shall be set within fifteen  
31 business days after the request has been filed.

32 B. The officer or agent who has requested a hearing under  
33 subsection A of this section shall serve the order on the owner of the  
34 animal either by personal service on the owner or by leaving a copy of the  
35 order with a person of suitable discretion at the owner's residence or  
36 place of business. Proof of service shall be filed with the court. If  
37 the justice of the peace or city magistrate determines that the animal is  
38 vicious, the justice of the peace or city magistrate may order that the  
39 animal be forfeited to the officer or agent for transfer to a legally  
40 incorporated humane society, county animal shelter or approved rescue  
41 agency or be humanely ~~destroyed~~ EUTHANIZED. The owner shall pay impound  
42 fees and any other costs for boarding or necessary veterinary care. If  
43 the justice of the peace or city magistrate determines that the animal is  
44 not vicious, the justice of the peace or city magistrate may order the

1 animal returned to the owner, except that if the owner fails to appear at  
2 the hearing, the justice of the peace or city magistrate may order that  
3 the animal be forfeited to the officer or agent for transfer to a legally  
4 incorporated humane society, county animal shelter or approved rescue  
5 agency and be made available for adoption or humane ~~destruction~~  
6 EUTHANASIA.

7 C. This section does not apply to ~~the seizure of~~ SEIZING an equine  
8 pursuant to section 3-1721 or to a city, town or county that adopts or has  
9 adopted an ordinance or resolution providing for ~~the forfeiture of~~  
10 FORFEITING a vicious animal if the ordinance or resolution imposes  
11 requirements that are equal to or more stringent than this section.

12 Sec. 6. Title 32, chapter 21, article 3, Arizona Revised Statutes,  
13 is amended by adding section 32-2239.02, to read:

14 32-2239.02. Duty of veterinarian to scan for presence of  
15 microchip; owner notification

16 FOR ALL STRAY DOGS AND CATS BROUGHT TO A VETERINARY PREMISES, THE  
17 VETERINARIAN SHALL THOROUGHLY SCAN FOR THE PRESENCE OF A MICROCHIP AND  
18 MAKE A REASONABLE EFFORT TO CONTACT THE OWNER.

19 Sec. 7. Title 32, chapter 21, article 8, Arizona Revised Statutes,  
20 is amended by adding section 32-2297, to read:

21 32-2297. Duty of animal crematory licensee to scan for  
22 presence of microchip; exception

23 FOR ALL DOGS AND CATS BROUGHT TO A CREMATORY BY A PERSON OTHER THAN  
24 THE DOG'S OR CAT'S OWNER, THE CREMATORY LICENSEE SHALL THOROUGHLY SCAN FOR  
25 THE PRESENCE OF A MICROCHIP AND MAKE A REASONABLE EFFORT TO CONTACT THE  
26 OWNER, UNLESS THERE IS A WRITTEN OR ELECTRONIC RECORD THAT THE DOG OR CAT  
27 HAS BEEN THOROUGHLY SCANNED FOR THE PRESENCE OF A MICROCHIP AND A  
28 REASONABLE EFFORT HAS BEEN MADE TO CONTACT THE OWNER.

29 Sec. 8. Title 44, Arizona Revised Statutes, is amended by adding  
30 chapter 40, to read:

31 CHAPTER 40

32 ANIMAL SHELTERS

33 ARTICLE 1. GENERAL PROVISIONS

34 44-8021. Dog or cat possession; microchip scan; definition

35 A. WHEN TAKING POSSESSION OF A DOG OR CAT, AN ANIMAL SHELTER SHALL  
36 THOROUGHLY SCAN FOR THE PRESENCE OF A MICROCHIP IN THE DOG OR CAT AND  
37 SHALL MAKE A REASONABLE EFFORT TO CONTACT THE OWNER.

38 B. FOR PURPOSES OF THIS SECTION, "ANIMAL SHELTER" HAS THE SAME  
39 MEANING PRESCRIBED IN SECTION 11-1022.

APPROVED BY THE GOVERNOR APRIL 29, 2022.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 29, 2022.