

REFERENCE TITLE: **Alpine horse herd; management**

State of Arizona
Senate
Fifty-sixth Legislature
First Regular Session
2023

SB 1057

Introduced by
Senator Kavanagh

AN ACT

**AMENDING TITLE 3, CHAPTER 11, ARTICLE 11, ARIZONA REVISED STATUTES, BY
ADDING SECTION 3-1493; 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, article 11, Arizona Revised
3 Statutes, is amended by adding section 3-1493, to read:

4 3-1493. Alpine horse herd; necessary interaction; written
5 authorization; violation; classification;
6 definitions

7 A. A PERSON MAY NOT HARASS, SHOOT, INJURE, DRIVE, KILL, TAKE OR
8 SLAUGHTER A HORSE THAT IS PART OF THE ALPINE HORSE HERD.

9 B. A PERSON MAY NOT INTERFERE WITH, TAKE, CHASE, CAPTURE OR
10 EUTHANIZE A HORSE THAT IS PART OF THE ALPINE HORSE HERD WITHOUT WRITTEN
11 AUTHORIZATION FROM EITHER THE DEPARTMENT OR THE COUNTY SHERIFF. THE
12 DEPARTMENT OR THE COUNTY SHERIFF MAY PROVIDE AUTHORIZATION PURSUANT TO
13 THIS SUBSECTION ONLY FOR HUMANE PURPOSES.

14 C. IF AN INCIDENT OCCURS THAT REQUIRES INTERACTION WITH THE ALPINE
15 HORSE HERD IN ORDER TO PROTECT THE SAFETY OR HEALTH OF A HORSE OR THE
16 PUBLIC, A PRIVATE OR PUBLIC ENTITY MAY ADDRESS THE INCIDENT AFTER
17 OBTAINING WRITTEN AUTHORIZATION FROM EITHER THE DEPARTMENT OR THE COUNTY
18 SHERIFF.

19 D. THIS STATE SHALL ENTER INTO AN AGREEMENT PURSUANT TO SECTION
20 11-952 WITH THE UNITED STATES FOREST SERVICE TO IMPLEMENT THIS SECTION OR
21 TO ADDRESS ANY ISSUE RELATING TO THE ALPINE HORSE HERD.

22 E. THIS STATE MAY ENTER INTO AN AGREEMENT WITH A PUBLIC OR PRIVATE
23 ENTITY TO ADDRESS ANY ISSUE RELATING TO THE ALPINE HORSE HERD, INCLUDING A
24 FERTILITY CONTROL PROGRAM AND AN ADOPTION PROGRAM.

25 F. IF AN AGREEMENT IS REACHED PURSUANT TO SUBSECTION E OF THIS
26 SECTION, THE ENTITY SHALL BE EXEMPT FROM THE AUTHORIZATION REQUIREMENTS OF
27 SUBSECTION B OF THIS SECTION.

28 G. A HORSE THAT IS PART OF THE ALPINE HORSE HERD IS NOT A STRAY
29 ANIMAL AS DEFINED IN SECTION 3-1401 AND IS NOT SUBJECT TO SECTIONS 3-1371
30 AND 3-1402.

31 H. A PERSON WHO VIOLATES SUBSECTION A OF THIS SECTION IS GUILTY OF
32 A CLASS 1 MISDEMEANOR.

33 I. FOR THE PURPOSES OF THIS SECTION:

34 1. "ALPINE HORSE HERD" INCLUDES THE HORSES THAT INHABIT THE ALPINE,
35 CLIFTON OR SPRINGVILLE UNITED STATES FOREST SERVICE RANGER DISTRICTS OF
36 THE APACHE-SITGREAVES NATIONAL FORESTS AND THAT DO NOT HAVE A BRAND OR
37 OTHER MARK THAT INDICATES OWNERSHIP.

38 2. "FERTILITY CONTROL PROGRAM" INCLUDES A PORCINE ZONA PELLUCIDA
39 FERTILITY CONTROL PROGRAM.