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

SENATE BILL 1251

AN ACT

AMENDING TITLE 9, CHAPTER 4, ARTICLE 8, ARIZONA REVISED STATUTES, BY ADDING SECTION 9-500.49; AMENDING TITLE 11, CHAPTER 2, ARTICLE 4, ARIZONA REVISED STATUTES, BY ADDING SECTION 11-269.27; RELATING TO WORKING ANIMALS.

(TEXT OF BILL BEGINS ON NEXT PAGE)
Be it enacted by the Legislature of the State of Arizona:

Section 1. Title 9, chapter 4, article 8, Arizona Revised Statutes, is amended by adding section 9-500.49, to read:

9-500.49. Working animals; restrictions; prohibition; applicability; definitions

A. A CITY OR TOWN MAY NOT ENACT ANY ORDINANCE, RESOLUTION OR POLICY THAT PROHIBITS OR UNDULY RESTRICTS A PERSON FROM USING A WORKING ANIMAL IN LAWFUL COMMERCE FOR AN ANIMAL ENTERPRISE.

B. THIS SECTION DOES NOT APPLY TO ANY OF THE FOLLOWING:
   1. A MUNICIPAL ZONING ORDINANCE ENACTED PURSUANT TO THIS TITLE.
   2. A MUNICIPAL ORDINANCE OR RESOLUTION ENACTED RELATING TO PUBLIC HEALTH, PUBLIC SAFETY, NOISE OR ANIMAL CRUELTY.
   3. ANY OTHER LAW OF THIS STATE RELATING TO ANIMAL CARE, ANIMAL CRUELTY, NOISE, PUBLIC HEALTH OR PUBLIC SAFETY, INCLUDING SECTION 44-1799.10.

C. FOR THE PURPOSES OF THIS SECTION:
   1. "ANIMAL ENTERPRISE" MEANS A RODEO OR AGRICULTURAL OPERATIONS AS DEFINED IN SECTION 3-111.
   2. "WORKING ANIMAL":
      (a) MEANS AN ANIMAL USED PRIMARILY TO PERFORM A SPECIFIC DUTY OR FUNCTION IN LAWFUL COMMERCE FOR AN ANIMAL ENTERPRISE.
      (b) DOES NOT INCLUDE RABBITS, LLAMAS, CATTLE, SWINE, SHEEP, GOATS OR POULTRY OR ANY OTHER ANIMAL THAT IS USED PRIMARILY TO PRODUCE FOOD.

Sec. 2. Title 11, chapter 2, article 4, Arizona Revised Statutes, is amended by adding section 11-269.27, to read:

11-269.27. Working animals; restrictions; prohibition; applicability; definitions

A. A COUNTY MAY NOT ENACT ANY ORDINANCE, RESOLUTION OR POLICY THAT PROHIBITS OR UNDULY RESTRICTS A PERSON FROM USING A WORKING ANIMAL IN LAWFUL COMMERCE FOR AN ANIMAL ENTERPRISE.

B. THIS SECTION DOES NOT APPLY TO ANY OF THE FOLLOWING:
   1. A COUNTY ZONING ORDINANCE ENACTED PURSUANT TO THIS TITLE.
   2. A COUNTY ORDINANCE OR RESOLUTION ENACTED RELATING TO PUBLIC HEALTH, PUBLIC SAFETY, NOISE OR ANIMAL CRUELTY.
   3. ANY OTHER LAW OF THIS STATE RELATING TO ANIMAL CARE, ANIMAL CRUELTY, NOISE, PUBLIC HEALTH OR PUBLIC SAFETY, INCLUDING SECTION 44-1799.10.

C. FOR THE PURPOSES OF THIS SECTION:
   1. "ANIMAL ENTERPRISE" MEANS A RODEO OR AGRICULTURAL OPERATIONS AS DEFINED IN SECTION 3-111.
   2. "WORKING ANIMAL":
      (a) MEANS AN ANIMAL USED PRIMARILY TO PERFORM A SPECIFIC DUTY OR FUNCTION IN LAWFUL COMMERCE FOR AN ANIMAL ENTERPRISE.
      (b) DOES NOT INCLUDE RABBITS, LLAMAS, CATTLE, SWINE, SHEEP, GOATS OR POULTRY OR ANY OTHER ANIMAL THAT IS USED PRIMARILY TO PRODUCE FOOD.