

House Engrossed Senate Bill

~~veterinary medical examining board; continuation~~
(now: Salt River horse herd)

State of Arizona
Senate
Fifty-seventh Legislature
Second Regular Session
2026

SENATE BILL 1199

AN ACT

AMENDING SECTION 3-1491, ARIZONA REVISED STATUTES; RELATING TO THE SALT RIVER HORSE HERD.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 3-1491, Arizona Revised Statutes, is amended to
3 read:

4 3-1491. Salt River horse herd; necessary interaction; written
5 authorization; violations; classification;
6 definitions

7 A. A person shall not **INTENTIONALLY** harass, shoot, injure, kill or
8 slaughter a horse that is **OR WAS** part of the Salt River horse herd.

9 B. A person shall not interfere with, take, chase, capture or
10 euthanize a horse that is part of the Salt River horse herd without
11 written authorization from either the department or the county
12 sheriff. The department or the county sheriff may provide written
13 authorization pursuant to this subsection only for humane purposes.

14 C. If an incident occurs that requires interaction with the Salt
15 River horse herd in order to protect the safety or health of a horse that
16 is or horses that are part of the Salt River horse herd or the public, a
17 private or public entity may address the incident after obtaining written
18 authorization from either the department or the county sheriff.

19 D. If a horse has any brand or other mark that indicates ownership,
20 the department shall attempt to prove ownership of the horse or the county
21 sheriff shall contact the department to attempt to establish ownership of
22 the horse. If the department cannot prove ownership of the horse **AND THE**
23 **HORSE IS NOT IDENTIFIED AS PART OF THE SALT RIVER HORSE HERD**, the
24 department or the county sheriff may provide written authorization
25 pursuant to this section **TO REMOVE AND TRANSFER THE UNIDENTIFIED HORSE TO**
26 **A PRIVATE ENTITY THAT HAS A VALID AGREEMENT WITH THIS STATE TO ADDRESS**
27 **ISSUES RELATING TO THE SALT RIVER HORSE HERD AND THAT MAY ADOPT OUT THE**
28 **UNIDENTIFIED HORSE THROUGH AN ADOPTION CONTRACT.**

29 E. This state shall enter into an agreement pursuant to section
30 11-952 with the United States forest service to implement this article or
31 to address any issue relating to the Salt River horse herd. **THE**
32 **DEPARTMENT SHALL POST THE AGREEMENT ON ITS WEBSITE.**

33 F. This state may enter into an agreement with a private entity to
34 address any issue relating to the Salt River horse herd. **THIS STATE SHALL**
35 **GIVE PREFERENCE TO AN ENTITY THAT HAS A PROVEN RECORD AND EXPERIENCE**
36 **ADDRESSING ISSUES RELATING TO THE SALT RIVER HORSE HERD. THE DEPARTMENT**
37 **SHALL POST THE AGREEMENT ON THE DEPARTMENT'S WEBSITE.**

38 G. **THE DEPARTMENT SHALL MAINTAIN A GENETICALLY VIABLE SALT RIVER**
39 **HORSE HERD CONSISTENT WITH GENETIC VIABILITY STANDARDS AND PEER REVIEWED**
40 **STUDIES AS THEY EVOLVE AND BECOME AVAILABLE. THE DEPARTMENT SHALL MAKE**
41 **PUBLICLY AVAILABLE ON THE DEPARTMENT'S WEBSITE ALL GENETIC ASSESSMENT DATA**
42 **AND ALL CORRESPONDING SCIENTIFIC STUDIES ON WHICH THE ASSESSMENT RELIES.**

43 ~~G.~~ H. A horse that is part of the Salt River horse herd is not a
44 stray animal as defined in section 3-1401 and is not subject to sections
45 3-1371 and 3-1402.

1 ~~H.~~ I. A person who violates subsection A of this section is guilty
2 of a class 1 misdemeanor. A PERSON WHO VIOLATES SUBSECTION B OF THIS
3 SECTION IS GUILTY OF A PETTY OFFENSE.

4 ~~I.~~ J. For the purposes of this section: ~~;~~

5 1. "INTERFERE WITH" INCLUDES:

6 (a) APPROACHING A HORSE THAT IS PART OF THE SALT RIVER HORSE HERD
7 AT A DISTANCE OF LESS THAN FIFTY FEET WHILE A HORSE THAT IS PART OF THE
8 SALT RIVER HORSE HERD IS PRESENT.

9 (b) APPROACHING AN AUTHORIZED SALT RIVER HORSE HERD FEEDING STATION
10 AT A DISTANCE OF LESS THAN FIFTY FEET.

11 2. "Salt River horse herd" includes the horses that inhabit and
12 that have historically lived in and around the lower Salt River and
13 Saguaro Lake areas in the Tonto national forest and that do not have a
14 brand or other mark that indicates ownership.

15 Sec. 2. Salt River horse herd; management agreement; genetic
16 study; moratorium on removal; delayed repeal;
17 definition

18 A. The Arizona department of agriculture shall contract for an
19 independent genetic assessment of the Salt River horse herd. The testing
20 shall employ generally accepted genetic analysis methodologies that
21 include measures of effective population size, allelic diversity and
22 inbreeding coefficients.

23 B. The Arizona department of agriculture shall award the contract
24 for genetic testing consistent with the competitive bidding process
25 prescribed in title 41, chapter 23, Arizona Revised Statutes, with
26 preference given to providers with a demonstrated expertise in equine
27 genetics.

28 C. Notwithstanding section 3-1491, Arizona Revised Statutes, as
29 amended by this act, a private entity that has entered into a contract
30 with this state to address any issues relating to the Salt River horse
31 herd may not do either of the following:

32 1. Remove any horse that is part of the Salt River horse herd if
33 the herd maintains a negative growth rate unless removal is necessary to
34 prevent or alleviate the suffering of an individually assessed horse and
35 not for population control.

36 2. Employ fertility control and population control measures other
37 than nonhormonal fertility control vaccines that preserve the mare's
38 natural reproductive cycle and natural behavior.

39 D. Notwithstanding section 3-1491, Arizona Revised Statutes, as
40 amended by this act, the Arizona department of agriculture may not enter
41 into any new agreement with a private entity to address any issue relating
42 to the Salt River horse herd that includes an obligation to remove horses
43 that are part of the Salt River horse herd from the herd.

1 E. This section does not impair any obligations that this state
2 incurred through an agreement between this state and the United States
3 forest service before the effective date of this act.

4 F. This section is repealed from and after June 30, 2029.

5 G. For the purposes of this section, "Salt River horse herd" has
6 the same meaning prescribed in section 3-1491, Arizona Revised Statutes,
7 as amended by this act.

8 Sec. 3. Legislative findings

9 The legislature finds that:

10 1. The Salt River horse herd is a unique population of animals that
11 residents and visitors of this state enjoy viewing.

12 2. As of March 28, 2026, the Salt River horse herd maintains a
13 population of two hundred seventy-three horses with a negative yearly
14 growth rate due to a successful fertility control program.

15 Sec. 4. Legislative findings

16 The legislature finds that the delayed repeal of section 2 of this
17 act provides sufficient time to contract for a comprehensive, scientific
18 genetic assessment of the Salt River horse herd.

19 Sec. 5. Emergency

20 This act is an emergency measure that is necessary to preserve the
21 public peace, health or safety and is operative immediately as provided by
22 law.