

PROPOSED  
HOUSE OF REPRESENTATIVES AMENDMENTS TO S.B. 1616  
(Reference to Senate engrossed bill)

1 Strike everything after the enacting clause and insert:

2 " Section 1. Section 13-2927, Arizona Revised Statutes, is amended  
3 to read:

4 13-2927. Unlawful feeding of wildlife; classification

5 A. A person commits unlawful feeding of wildlife by intentionally,  
6 knowingly or recklessly feeding, attracting or otherwise enticing wildlife  
7 into an area, except for:

8 1. Persons lawfully taking or holding wildlife pursuant to title 17  
9 or pursuant to rules or orders of the Arizona game and fish commission.

10 2. Public employees or authorized agents acting within the scope of  
11 their authority for public safety or for wildlife management purposes.

12 3. Normal agricultural or livestock operational practices.

13 4. Tree squirrels or birds EXCEPT PIGEONS.

14 B. This section applies in a county with a population of more than  
15 two hundred eighty thousand persons.

16 C. Unlawful feeding of wildlife is a petty offense.

17 Sec. 2. Title 13, chapter 29, Arizona Revised Statutes, is amended  
18 by adding section 13-2927.01, to read:

19 13-2927.01. Unlawful feeding of pigeons; penalties;  
20 classification; definitions

21 A. IT IS UNLAWFUL FOR A PERSON TO FEED PIGEONS.

22 B. THIS SECTION DOES NOT:

23 1. APPLY TO A PERSON WHO KEEPS PIGEONS IN AN ENCLOSURE:

24 (a) THAT IS NOT LOCATED IN THE FRONT YARD AREA OF THE PROPERTY ON  
25 WHICH THE PIGEONS ARE KEPT.

26 (b) THAT HAS AT LEAST ONE SQUARE FOOT OF FLOOR SPACE FOR EACH  
27 MATURE PIGEON THAT IS KEPT OR HOUSED IN THE ENCLOSURE.

28 (c) THAT IS IN COMPLIANCE WITH APPLICABLE PROVISIONS OF CITY OR  
29 TOWN ZONING AND BUILDING CODES.

30 (d) IN WHICH THE PERSON FEEDS AND WATERS THE PIGEONS WITHIN THE  
31 CONFINES OF THE ENCLOSURE AND DOES NOT PROVIDE FOOD AND WATER FOR PIGEONS  
32 OUTSIDE OF THE ENCLOSURE.

33 (e) THAT IS KEPT IN SUCH CONDITION THAT NO SMELL OR ODOR ARISES  
34 FROM THE ENCLOSURE TO THE INJURY, ANNOYANCE OR INCONVENIENCE OF A  
35 REASONABLE PERSON OF ORDINARY SENSITIVITIES.

36 2. PROHIBIT A PERSON FROM FEEDING OTHER BIRDS USING PRACTICES OR  
37 DEVICES THAT ARE DESIGNED TO PREVENT PIGEONS FROM OBTAINING FOOD.

38 3. PROHIBIT A PERSON FROM FEEDING PIGEONS IN ACCORDANCE WITH A  
39 GOVERNMENT-APPROVED PLAN FOR WILDLIFE MANAGEMENT.

1 C. A PERSON MAY BRING A PRIVATE RIGHT OF ACTION TO ENFORCE THIS  
2 SECTION.  
3 D. A PERSON WHO VIOLATES THIS SECTION:  
4 1. FOR A FIRST VIOLATION, IS SUBJECT TO A WARNING.  
5 2. FOR A SECOND VIOLATION, IS SUBJECT TO THE IMPOSITION OF A CIVIL  
6 PENALTY OF \$100.  
7 3. FOR A THIRD OR SUBSEQUENT VIOLATION, IS GUILTY OF A PETTY  
8 OFFENSE.  
9 E. FOR THE PURPOSES OF THIS SECTION:  
10 1. "FEED" MEANS TO KNOWINGLY PROVIDE FOOD.  
11 2. "FOOD" INCLUDES GRAINS, SEEDS, GREENS, BREAD, BREADCRUMBS,  
12 FISHMEAL, WASTE FOOD, FOOD SCRAPS OR OTHER FEED OR NUTRITIVE SUBSTANCES  
13 INCLUDING GARBAGE THAT IS NOT PROPERLY DISPOSED OF OR CONTAINED.  
14 3. "PIGEON" MEANS ANY BIRD OF THE FAMILY COLUMBIDAE AND SPECIES  
15 COLUMBA LIVIA, COMMONLY KNOWN AS THE ROCK DOVE, HOMING PIGEON OR CARRIER  
16 PIGEON."  
17 Amend title to conform

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