

REFERENCE TITLE: animal abuse; animal neglect; classification

State of Arizona
House of Representatives
Fifty-seventh Legislature
Second Regular Session
2026

HB 2997

Introduced by
Representative Kupper

AN ACT

AMENDING SECTION 13-2910, ARIZONA REVISED STATUTES; AMENDING SECTION 13-2910.11, ARIZONA REVISED STATUTES, AS ADDED BY LAWS 2021, CHAPTER 366, SECTION 1; REPEALING SECTION 13-2910.11, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2025, CHAPTER 255, SECTION 2; RELATING TO CRUELTY TO ANIMALS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 13-2910, Arizona Revised Statutes, is amended to
3 read:

4 13-2910. Cruelty to animals; animal abuse; animal neglect;
5 interference with working or service animal;
6 release conditions; classification; definitions

7 A. A person commits cruelty to animals if the person does any of
8 the following:

9 1. Intentionally, knowingly or recklessly subjects any animal under
10 the person's custody or control to cruel neglect or abandonment.

11 2. Intentionally, knowingly or recklessly fails to provide medical
12 attention necessary to prevent protracted suffering to any animal under
13 the person's custody or control.

14 3. Intentionally, knowingly or recklessly inflicts unnecessary
15 physical injury to any animal.

16 4. Recklessly subjects any animal to cruel mistreatment.

17 5. Intentionally, knowingly or recklessly kills any animal under
18 the custody or control of another person without either legal privilege or
19 consent of the owner.

20 6. Recklessly interferes with, kills or harms a working or service
21 animal without either legal privilege or consent of the owner.

22 7. Intentionally, knowingly or recklessly leaves an animal
23 unattended and confined in a motor vehicle and physical injury to or death
24 of the animal is likely to result.

25 8. Intentionally or knowingly subjects any animal under the
26 person's custody or control to cruel neglect or abandonment that results
27 in serious physical injury to the animal.

28 9. Intentionally or knowingly subjects any animal to cruel
29 mistreatment.

30 10. Intentionally or knowingly interferes with a working or service
31 animal without either legal privilege or consent of the owner.

32 11. Intentionally or knowingly kills or seriously harms a service
33 animal without either legal privilege or consent of the owner.

34 12. Intentionally or knowingly allows any dog that is under the
35 person's custody or control to interfere with, kill or cause physical
36 injury to a service animal.

37 13. Recklessly allows any dog that is under the person's custody or
38 control to interfere with, kill or cause physical injury to a service
39 animal.

40 14. Intentionally or knowingly obtains or exerts unauthorized
41 control over a service animal with the intent to deprive the service
42 animal handler of the service animal.

43 15. Intentionally or knowingly subjects a domestic animal to cruel
44 mistreatment.

1 16. Intentionally or knowingly kills a domestic animal without
2 either legal privilege or consent of the domestic animal's owner or
3 handler.

4 17. Intentionally or knowingly harasses a working animal that is in
5 a law enforcement vehicle or trailer without either legal privilege or
6 consent of the owner.

7 18. Intentionally, knowingly or recklessly fails to provide medical
8 attention necessary to prevent unreasonable suffering to any domestic
9 animal under the person's custody or control.

10 19. Intentionally or knowingly kills or causes serious harm to a
11 working animal without either legal privilege or consent of the owner.

12 20. INTENTIONALLY, KNOWINGLY OR RECKLESSLY TETHERS OR RESTRAINS A
13 DOG IF ANY OF THE FOLLOWING APPLIES:

14 (a) THE MANNER OF THE TETHER OR RESTRAINT CAUSES INJURY, UNDUE
15 SUFFERING OR EXPOSURE TO DANGEROUS WEATHER.

16 (b) THE DOG IS OUTDOORS UNATTENDED WITHOUT ADEQUATE WATER, SHADE
17 AND SHELTER DURING PERIODS OF EXTREME HEAT OR COLD.

18 (c) THE DOG IS OUTDOORS FOR MORE THAN TEN CONSECUTIVE HOURS WITHIN
19 A TWENTY-FOUR-HOUR PERIOD.

20 (d) THE TEMPERATURE IS GREATER THAN ONE HUNDRED DEGREES FAHRENHEIT
21 OR IS LESS THAN THIRTY-TWO DEGREES FAHRENHEIT.

22 21. INTENTIONALLY, KNOWINGLY OR RECKLESSLY PLACES A DOG IN A CRATE
23 OR SHELTER UNLESS THE CRATE OR SHELTER IS BOTH:

24 (a) LARGE ENOUGH FOR THE DOG TO COMFORTABLY STAND, TURN AROUND AND
25 LIE DOWN.

26 (b) FREE FROM HAZARDS, INCLUDING EXPOSED WIRE, SHARP METAL OR TOXIC
27 MATERIALS.

28 B. A PERSON COMMITS:

29 1. ANIMAL ABUSE IN THE SECOND DEGREE IF THE PERSON RECKLESSLY
30 CAUSES PHYSICAL INJURY TO AN ANIMAL OR SUBJECTS AN ANIMAL TO CRUEL
31 MISTREATMENT RESULTING IN PHYSICAL INJURY.

32 2. ANIMAL ABUSE IN THE FIRST DEGREE IF THE PERSON INTENTIONALLY OR
33 KNOWINGLY CAUSES PHYSICAL INJURY TO AN ANIMAL OR SUBJECTS AN ANIMAL TO
34 CRUEL MISTREATMENT RESULTING IN PHYSICAL INJURY.

35 3. AGGRAVATED ANIMAL ABUSE IF THE PERSON WITH DEPRAVITY OF MIND OR
36 FOR THE PURPOSE OF CAUSING PROLONGED PAIN, DISTRESS OR SUFFERING
37 MALICIOUSLY OR INTENTIONALLY TORTURES, MUTILATES OR KILLS AN ANIMAL.

38 4. ANIMAL NEGLECT IN THE SECOND DEGREE IF THE PERSON FAILS TO
39 PROVIDE MINIMUM CARE FOR AN ANIMAL, INCLUDING SUFFICIENT FOOD, POTABLE
40 WATER, SHELTER THAT IS APPROPRIATE FOR THE CLIMATE, SANITARY CONDITIONS,
41 VENTILATION AND NECESSARY VETERINARY CARE.

42 5. ANIMAL NEGLECT IN THE FIRST DEGREE IF THE PERSON FAILS TO
43 PROVIDE MINIMUM CARE FOR AN ANIMAL, INCLUDING SUFFICIENT FOOD, POTABLE
44 WATER, SHELTER THAT IS APPROPRIATE FOR THE CLIMATE, SANITARY CONDITIONS,

1 VENTILATION AND NECESSARY VETERINARY CARE AND THAT FAILURE RESULTS IN
2 SERIOUS PHYSICAL INJURY TO OR DEATH OF THE ANIMAL.

3 ~~B.~~ C. In addition to any justification defense that is applicable
4 pursuant to chapter 4 of this title, it is a defense to subsection A OR B
5 of this section if:

6 1. Any person exposes poison to be taken by a dog that has killed
7 or wounded livestock or poison to be taken by predatory animals on
8 premises owned, leased or controlled by the person for the purpose of
9 protecting the person or the person's livestock or poultry, the treated
10 property is kept posted by the person who authorized or performed the
11 treatment until the poison has been removed and the poison is removed by
12 the person exposing the poison after the threat to the person or the
13 person's livestock or poultry has ceased to exist. The posting required
14 shall provide adequate warning to persons who enter the property by the
15 point or points of normal entry. The warning notice that is posted shall
16 be readable at a distance of fifty feet, shall contain a poison statement
17 and symbol and shall state the word "danger" or "warning".

18 2. Any person uses poisons in and immediately around buildings
19 owned, leased or controlled by the person for the purpose of controlling
20 wild and domestic rodents as otherwise allowed by the laws of the state,
21 excluding any fur-bearing animals as defined in section 17-101.

22 ~~C.~~ D. This section does not prohibit or restrict:

23 1. The taking of wildlife or other activities permitted by or
24 pursuant to title 17.

25 2. Activities permitted by or pursuant to title 3.

26 3. Activities regulated by the Arizona game and fish department or
27 the Arizona department of agriculture.

28 4. VETERINARY OR ANIMAL RESEARCH PRACTICES THAT ARE CONDUCTED IN
29 COMPLIANCE WITH PROFESSIONAL OR REGULATORY STANDARDS.

30 5. HUMANE EUTHANASIA THAT IS PERFORMED BY A VETERINARIAN WHO IS
31 LICENSED PURSUANT TO TITLE 32, CHAPTER 21 OR AN ANIMAL CONTROL ENFORCEMENT
32 AGENT OR ANIMAL CONTROL ENFORCEMENT DEPUTY.

33 6. PEST CONTROL THAT IS PERFORMED PURSUANT TO TITLE 3, CHAPTER 20.

34 ~~D.~~ E. A peace officer, animal control enforcement agent or animal
35 control enforcement deputy may use reasonable force to open a vehicle to
36 rescue an animal if the animal is left in the vehicle as prescribed in
37 subsection A, paragraph 7 of this section.

38 ~~E.~~ F. A person who is convicted of a violation of subsection A,
39 paragraph 6, 10, 11 or 19 of this section is liable as follows:

40 1. If the working or service animal was injured, killed or
41 disabled, to the owner or agency that owns the working or service animal
42 and that employs the handler or to the owner or handler for the
43 replacement and training costs of the working or service animal and for
44 any veterinary bills.

2. To the owner or agency that owns a working or service animal for the salary of the handler for the period of time that the handler's services are lost to the owner or agency.

3. To the owner for the owner's contractual losses with the agency.

~~F.~~ G. An incorporated city or town or a county may adopt an ordinance with misdemeanor provisions at least as stringent as the misdemeanor provisions of this section, except that any ordinance adopted shall not prohibit or restrict any activity involving a dog, whether the dog is restrained or not, if the activity is directly related to the business of shepherding or herding livestock and the activity is necessary for the safety of a human, the dog or livestock or is permitted by or pursuant to title 3.

~~G.~~ H. If a judicial officer orders the release of a person who is currently serving a term of probation for a violation of this section and who is charged with a new violation of this section on the person's own recognizance or on the execution of bail, the judicial officer shall impose a condition of release that prohibits the person from possessing or having contact with any animal.

~~H.~~ I. A person who violates subsection A, paragraph 1, 2, 3, 4, 5, 6, 7, 13, 17, ~~or 18, 20 OR 21~~ of this section is guilty of a class ~~1 misdemeanor. A person who violates subsection A, paragraph 8, 9, 10, 12 or 14 of this section is guilty of a class~~ 6 felony. A person who violates subsection A, paragraph 8, 9, 10, 11, 12, 14, 15, 16 or 19 of this section is guilty of a class 5 felony.

J. A PERSON WHO COMMITS A SECOND OR SUBSEQUENT VIOLATION OF SUBSECTION A, PARAGRAPH 20 OF THIS SECTION IS GUILTY OF A CLASS 5 FELONY UNLESS THE VIOLATION RESULTS IN THE DEATH OF THE DOG, IN WHICH CASE IT IS A CLASS 4 FELONY.

K. A PERSON WHO VIOLATES SUBSECTION B, PARAGRAPH 3 OF THIS SECTION IS GUILTY OF A CLASS 4 FELONY. A PERSON WHO VIOLATES SUBSECTION B, PARAGRAPH 2 OF THIS SECTION IS GUILTY OF A CLASS 5 FELONY. A PERSON WHO VIOLATES SUBSECTION B, PARAGRAPH 1 OF THIS SECTION IS GUILTY OF A CLASS 6 FELONY. A PERSON WHO VIOLATES SUBSECTION B, PARAGRAPH 5 OF THIS SECTION IS GUILTY OF A CLASS 1 MISDEMEANOR, EXCEPT THAT IF THE VIOLATION INVOLVED MORE THAN ONE ANIMAL, IT IS A CLASS 6 FELONY. A PERSON WHO VIOLATES SUBSECTION B, PARAGRAPH 4 OF THIS SECTION IS GUILTY OF A CLASS 2 MISDEMEANOR.

L. UNLESS A PERSON IS CONVICTED OF A CLASS 4 FELONY FOR A VIOLATION OF THIS SECTION, A PERSON WHO IS CONVICTED OF A VIOLATION OF THIS SECTION SHALL BE SENTENCED FOR THE NEXT HIGHER CLASS OF OFFENSE THAN THAT FOR WHICH THE PERSON IS CURRENTLY CONVICTED IF ONE OF THE FOLLOWING APPLIES:

1. THE VIOLATION IS COMMITTED IN THE IMMEDIATE PRESENCE OF A MINOR.

2. THE VIOLATION INVOLVES ELEVEN OR MORE ANIMALS.

3. THE PERSON IS CONVICTED OF A SECOND OR SUBSEQUENT VIOLATION OF SUBSECTION A OR B OF THIS SECTION.

1 M. ON CONVICTION FOR A VIOLATION OF SUBSECTION A OR B OR THIS
2 SECTION, THE COURT SHALL ORDER:

3 1. THE FORFEITURE OF EACH ANIMAL THAT WAS SUBJECT TO THE CRUELTY,
4 ABUSE OR NEGLECT.

5 2. RESTITUTION TO BE PAID TO A PERSON WHO INCURRED COSTS FOR
6 VETERINARY CARE, TRANSPORTATION, HOUSING OR REHABILITATION OF SEIZED OR
7 INJURED ANIMALS. IF THE OFFENSE INVOLVED INJURY TO OR THE DEATH OF A
8 SERVICE ANIMAL OR WORKING ANIMAL, THE OWNER OR HANDLER OF THE SERVICE
9 ANIMAL OR WORKING ANIMAL MAY BRING A CIVIL ACTION FOR DAMAGES, INCLUDING
10 VETERINARY EXPENSES, REPLACEMENT COSTS AND LOST WAGES.

11 ~~F.~~ N. For the purposes of this section:

12 1. "Animal" means a mammal, bird, reptile, ~~or~~ amphibian OR FISH.

13 2. "Cruel mistreatment" means to torture or otherwise inflict
14 unnecessary serious physical injury on an animal or to kill an animal in a
15 manner that causes protracted suffering to the animal.

16 3. "Cruel neglect" means to fail to provide an animal with
17 necessary food, water or shelter or to fail to provide a domestic animal
18 with any of the following:

19 (a) Except for a dog that primarily resides outdoors, access to
20 shelter that is necessary and adequate.

21 (b) For a dog that primarily resides outdoors, except while ~~a~~ THE
22 dog is engaged in or training for lawful hunting, police, military or
23 patrol work, search and rescue, herding or livestock guarding, trials and
24 other lawful competitions, service and assistance work and other working,
25 sporting and competitive functions or is under the custody or control of a
26 person who has no permanent place of residence, access to shelter that
27 meets all of the following requirements:

28 (i) Has a natural or artificial cover that is accessible throughout
29 the year.

30 (ii) Is maintained in good repair, is of sufficient size to protect
31 the dog from injury and allows the dog to stand, turn around, lie down in
32 a natural manner and maintain normal body temperature.

33 (iii) Is maintained in a manner that minimizes the risk of disease,
34 infestation or parasites.

35 4. "Domestic animal" means a mammal, bird, reptile or amphibian,
36 not regulated by title 3, that is kept primarily as a pet or companion or
37 that is bred to be a pet or companion.

38 5. "Handler" means a law enforcement officer or any other person
39 who has successfully completed a course of training prescribed by the
40 person's agency or the service animal owner and who used a specially
41 trained animal under the direction of the person's agency or the service
42 animal owner.

43 6. "Harass" means to engage in conduct that a reasonable person
44 would expect to impede or interfere with a working animal's performance of
45 its duties.

7. "Service animal" means an animal that has completed a formal training program, that assists its owner in one or more daily living tasks that are associated with a productive lifestyle and that is trained to not pose a danger to the health and safety of the general public.

8. "Working animal" means a horse or dog that is used by a law enforcement agency, that is specially trained for law enforcement work and that is under the control of a handler.

Sec. 2. Section 13-2910.11, Arizona Revised Statutes, as added by Laws 2021, chapter 366, section 1, is amended to read:

13-2910.11. Unlawful animal ownership or possession; transfer of animals; restoration of right to possess animals; classification; good cause exception; definitions

A. It is unlawful for a person who has been convicted of any of the following offenses to own, possess, adopt, foster, reside with or otherwise intentionally contact, care for or have custody of any animal in the person's household:

1. An intentional or knowing violation of ~~cruelty to animals pursuant to section 13-2910, subsection A, paragraph 1, 2, 3, 7, 8, 9, 11, 14 or 15.~~

~~2. Cruelty to animals pursuant to section 13-2910, subsection A, paragraph 4.~~

~~3.~~ 2. Animal fighting pursuant to section 13-2910.01.

~~4.~~ 3. Bestiality pursuant to section 13-1411.

B. Except as provided in subsection D of this section, the prohibitions listed in subsection A of this section shall remain in place for the following amount of time:

1. For a first misdemeanor conviction, at least five years.

2. For a first felony conviction or a second or subsequent misdemeanor conviction, at least ten years.

3. For a second or subsequent felony conviction, for the person's lifetime.

C. Within thirty days after a person is prohibited from possessing an animal pursuant to this section, the person shall transfer all animals in the person's care or custody to another person who is not in the person's household.

D. On proper application and not less than one year after the person is convicted of a misdemeanor violation of an offense listed in subsection A of this section or two and one-half years after the person is convicted of a felony violation OF AN OFFENSE LISTED IN SUBSECTION A OF THIS SECTION, the person may apply to have the person's right to possess an animal restored. Any time spent on absconder status while on probation, on escape status or incarcerated is excluded in calculating the minimum time requirement. The person may apply to the judge, justice of the peace or magistrate who pronounced sentence or imposed probation or

1 the ~~SUCCESSOR IN OFFICE OF THE~~ judge, justice of the peace or ~~magistrate's~~
 2 ~~successor in office~~ MAGISTRATE. The applicant shall serve a copy of the
 3 application on the prosecutor. The court shall conduct a hearing on the
 4 request within sixty days after the application is filed. The defendant
 5 bears the burden by a preponderance of evidence at the hearing. To assist
 6 the court in making a determination, the court shall require the person to
 7 complete a psychiatric or psychological examination and undergo
 8 counseling, if necessary, before restoring the person's right to possess
 9 an animal. The court may terminate or reduce the time period required by
 10 subsection B of this section on a finding that:

11 1. The applicant does not present a danger to self, the animal's
 12 immediate family and the public.

13 2. The applicant has the ability to properly care for all animals
 14 in the applicant's possession.

15 3. The applicant has successfully completed all classes or
 16 counseling that was ordered by the sentencing court.

17 E. A convicted person who lives in a household with an animal that
 18 is owned, possessed, adopted or fostered by another person in the
 19 household may apply to the court for a good cause exception. A good cause
 20 exception is valid for one year and allows the convicted person to reside
 21 in the same household as an animal. The convicted person may request the
 22 court to renew a good cause exception sixty days before the good cause
 23 exception expires. The court may grant a good cause exception or renew a
 24 good cause exception if all of the following apply:

25 1. The convicted person is on supervised or unsupervised probation,
 26 community supervision or parole or agrees to be subject to the court's
 27 jurisdiction and supervision while living in the household.

28 2. The court determines that it is in the best interests of the
 29 animal and the person who owns, possesses, adopts or fosters the animal to
 30 allow the convicted person to remain in the same household and reside with
 31 the animal.

32 3. The convicted person agrees to not intentionally contact, care
 33 for or have custody of the animal.

34 F. A person who violates this section is guilty of a class 1
 35 misdemeanor.

36 G. For the purposes of this section:

37 1. "Animal":

38 (a) Means any domesticated dog or cat.

39 (b) Does not include livestock as defined in section 3-1201 or
 40 wildlife as defined in section 17-101.

41 2. "Household" includes all of the persons who occupy a housing
 42 unit as the person's usual place of residence, including all of the
 43 following:

1 (a) The related family members and all unrelated persons, if any,
2 such as lodgers, foster children, wards or employees who share the housing
3 unit.

4 (b) A person who lives alone in a housing unit or a group of
5 unrelated persons sharing a housing unit such as partners or roomers.

6 3. "Housing unit" means a house, an apartment, a mobile home or
7 trailer, a group of rooms or a single room occupied as separate living
8 quarters for a household and includes any front, side or rear yards and
9 any garages and detached garages that are under the control of the
10 household.

11 Sec. 3. Repeal

12 Section 13-2910.11, Arizona Revised Statutes, as amended by Laws
13 2025, chapter 255, section 2, is repealed.