

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011

A Bill

SENATE BILL 550

4
5 By: Senator Salmon

For An Act To Be Entitled

8 AN ACT TO REQUIRE PETS ADOPTED THROUGH A POUND,
9 SHELTER, HUMANE ORGANIZATION, OR ANIMAL RESCUE GROUP
10 TO BE STERILIZED BEFORE THE ADOPTION IS COMPLETE; AND
11 FOR OTHER PURPOSES.

Subtitle

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14 TO REQUIRE PETS ADOPTED THROUGH A POUND,
15 SHELTER, HUMANE ORGANIZATION, OR ANIMAL
16 RESCUE GROUP TO BE STERILIZED BEFORE THE
17 ADOPTION IS COMPLETE.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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23 SECTION 1. Arkansas Code § 20-19-103, is amended to read as follows:
24 20-19-103. Sterilization of impounded dogs and cats.

25 (a) It shall be unlawful for any pound, shelter, ~~or~~ humane
26 organization, or animal rescue group supported wholly or partly by public
27 ~~funds~~ to release any dog or cat which has not been sterilized to a new owner
28 ~~unless, except as provided in subsection (e) (b) of this section, a promise~~
29 ~~to spay or neuter the animal has been signed by the person acquiring the~~
30 ~~animal.~~

31 ~~(b) (1) The sterilization shall be performed by the date stipulated,~~
32 ~~except that the releasing agency may grant an extension of time not to exceed~~
33 ~~thirty (30) days upon the request of the owner.~~

34 ~~(2) (A) The signed promise shall be binding, and failure to~~
35 ~~comply shall constitute a violation of this section.~~

36 ~~(B) In such case, the animal described therein shall be~~



1 returned to the releasing agency upon demand. Ownership of the animal reverts
2 to the releasing agency in such instance. No claim may be made by the owner
3 to recover expenses incurred for maintenance of the animal, including the
4 initial procurement cost.

5 ~~(e)(1)~~ (b)(1) In any county in the state having a population of three
6 hundred thousand (300,000) or more persons according to the most recent
7 federal decennial census, it shall be unlawful for any pound, shelter, or
8 humane organization, or animal rescue group to release to a new owner any dog
9 or cat over ~~two (2)~~ three (3) months of age which has not been sterilized
10 except as provided in subdivision ~~(e)(2)~~ (b)(2) of this section.

11 (2)(A) An animal which in the opinion of a veterinarian licensed
12 to practice veterinary medicine in the State of Arkansas is medically
13 compromised to the extent that it cannot withstand immediate sterilization
14 may be temporarily released pursuant to a foster care agreement until such
15 time as it can safely be sterilized or until two (2) veterinarians licensed
16 to practice veterinary medicine in the State of Arkansas certify that is
17 unlikely that the animal will ever recover to the extent that it can safely
18 be sterilized.

19 (B)(i) At that time, ownership of the animal may be
20 transferred to an owner who certifies that the animal will not be used for
21 breeding.

22 (ii) An owner who violates the agreement shall be
23 subject to the penalties set forth in subsection ~~(d)~~ (c) of this section.

24 ~~(d)(c)~~ Violations of this section are declared to be misdemeanors
25 punishable by a fine of not less than one hundred dollars (\$100) nor more
26 than five hundred dollars (\$500).

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29 **APPROVED: 04/01/2011**
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