Stricken language would be deleted from and underlined language would be added to present law. Act 1175 of the Regular Session

1	State of Arkansas	As Engrossed: \$3/28/13	
2	89th General Assembly	A B1ll	
3	Regular Session, 2013		SENATE BILL 1016
4			
5	By: Senator G. Stubblefield		
6			
7		For An Act To Be Entitled	
8	AN ACT TO PROHIBIT THE OUT-OF-STATE TRANSFER OF		
9	ANIMALS SEIZED BY LAW ENFORCEMENT IN A CRIMINAL		
10	INVESTIGAT	CION; AND FOR OTHER PURPOSES.	
11			
12			
13		Subtitle	
14	TO PI	ROHIBIT THE OUT-OF-STATE TRANSFER OF	e
15	ANIMA	ALS SEIZED BY LAW ENFORCEMENT IN A	
16	CRIM	INAL INVESTIGATION.	
17			
18			
19	BE IT ENACTED BY THE G	GENERAL ASSEMBLY OF THE STATE OF ARK	ANSAS:
20			
21	SECTION 1. Arka	ansas Code § 5-62-102(6), concerning	; the definition of
22	"appropriate place of	custody", is amended to read as fol	10ws:
23	(6) "Appropriat	te place of custody" means <u>any of th</u>	<u>ne following within</u>
24	<u>this state and, if pra</u>	acticable, within twenty (20) miles	<u>of the residence of</u>
25	<u>the owner or other pla</u>	ace owned by the owner:	
26	(A) A nom	nprofit animal shelter;	
27	(B) An an	nimal pound;	
28	(C) A loc	cation owned or managed by a society	' incorporated for
29	the prevention of crue	elty to animals;	
30	(D) A loc	cation owned or managed by an agency	of the state,
31	county, municipality,	or other governmental or political	subdivision of the
32	state that is responsi	ible for animal control operations i	in its jurisdiction;
33	(E) A loc	cation owned or managed by a public	or private custodian
34	that provides shelter,	, care, and necessary medical treatm	nent to an animal; or
35	(F) The r	residence or other place owned by th	ne owner of the
36	animal, if approved by	y written order of a court of compet	cent jurisdiction;



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SB1016

2 SECTION 2. Arkansas Code § 5-62-106, concerning the disposition of an 3 animal, is amended to add a new subsection to read as follows: 4 (f) This section does not prohibit the return of an animal to the 5 rightful owner if the rightful owner is located outside the state and the 6 prosecuting attorney has decided not to charge the rightful owner with an 0 offense under this subchapter. 8 /s/G. Stubblefield 10 . 11 APPROVED: 04/12/2013 12 APPROVED: 04/12/2013 13 . 14 . 15 . 16 . 17 . 18 . 19 . 20 . 21 . 22 . 23 . 24 . 25 . 26 . 27 . 28 . 29 . 30 . 31 . 32 .	1	
(1) This section does not prohibit the return of an animal to the rightful owner if the rightful owner is located outside the state and the prosecuting attorney has decided not to charge the rightful owner with an offense under this subchapter. 9 /s/G. Stubblefield 10	2	SECTION 2. Arkansas Code § 5-62-106, concerning the disposition of an
<pre>s rightful owner if the rightful owner is located outside the state and the prosecuting attorner has decided not to charge the rightful owner with an offense under this subchapter.</pre>	3	animal, is amended to add a new subsection to read as follows:
6 prosecuting attorney has decided not to charge the rightful owner with an offense under this subchapter. 8 ////////////////////////////////////	4	(f) This section does not prohibit the return of an animal to the
offense under this subchapter. 9 /s/G. Stubblefield 10 11 12 APPROVED: 04/12/2013 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 21 22 23 24 25 26 27 28 29 21 22 23 24 25 26 27 28 29 31 32 33 34 35	5	rightful owner if the rightful owner is located outside the state and the
<i>/s/G. Stubblefield</i> ////////////////////////////////////	6	prosecuting attorney has decided not to charge the rightful owner with an
9 /s/G. Stubblefield 10	7	offense under this subchapter.
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11 12 APPROVED: 04/12/2013 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35	9	/s/G. Stubblefield
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