

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 87th General Assembly  
3 Regular Session, 2009

# A Bill

HOUSE BILL 1406

4  
5 By: Representative Hall  
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## For An Act To Be Entitled

9 AN ACT TO IMPOSE A FEE ON VETERINARY SERVICES  
10 PERFORMED ON CATS AND DOGS TO FUND LOCAL ANIMAL  
11 SHELTERS; TO CREATE THE ANIMAL SHELTER TRUST  
12 FUND; AND FOR OTHER PURPOSES.  
13

## Subtitle

14 TO IMPOSE A FEE ON VETERINARY SERVICES  
15 PERFORMED ON CATS AND DOGS TO FUND LOCAL  
16 ANIMAL SHELTERS AND TO CREATE THE ANIMAL  
17 SHELTER TRUST FUND.  
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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 Title 20, Chapter 19 is amended to add a new  
24 subchapter to read as follows:

### SUBCHAPTER 6 -- VETERINARIAN SERVICES FEE

#### 20-19-601. Definitions.

#### As used in this subchapter:

29 (1) "Cat" means all members of the feline family;

30 (2) "Dog" means all members of the canine family;

31 (3) "Licensed veterinarian" means the same as defined in § 17-  
32 101-102;

33 (4) "Veterinary services" means the same as "practice of  
34 veterinary medicine" as defined in § 17-101-102; and

35 (5) "Veterinary technician" means the same as defined in § 17-  
36 101-102.



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2 20-19-602. Fee for veterinary services performed on cats and dogs.

3 (a)(1) A three dollar (\$3.00) fee is imposed for each visit made by a  
4 cat or dog to a veterinarian in which the cat or dog receives veterinarian  
5 services by a licensed veterinarian or by a veterinary technician or  
6 assistant acting under the direct supervision of a licensed veterinarian.

7 (2) The fee imposed in subdivision (a)(1) of this subsection  
8 shall not apply to veterinary services rendered at a licensed racetrack that  
9 is regulated by the Arkansas Racing Commission.

10 (b) The fee imposed in subsection (b) of this section shall be  
11 remitted monthly by the veterinarian to the Department of Health for  
12 remittance to the Treasurer of State for deposit into the State Treasury as  
13 special revenues for the Animal Shelter Trust Fund.

14 (c) The Director of the Department of Health shall promulgate rules  
15 and forms for the implementation of this subchapter.

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17 SECTION 2. Arkansas Code Title 19, Chapter 5, Subchapter 11 is amended  
18 to add an additional section to read as follows:

19 19-5-1136. Animal Shelter Trust Fund.

20 (a) There is created on the books of the Treasurer of State, the  
21 Auditor of State, and the Chief Fiscal Officer of the State a trust fund to  
22 be known as the "Animal Shelter Trust Fund".

23 (b) The fund shall consist of those fees as specified in § 20-19-602  
24 and any other revenues as may be authorized by law.

25 (c) The fund shall be distributed as follows:

26 (1) Thirty-five percent (35%) distributed proportionally to  
27 counties based on population according to the most recent federal decennial  
28 census to be used for the construction, maintenance, or operation of animal  
29 shelters;

30 (2) Thirty-five percent (35%) distributed proportionally to  
31 municipalities based on population according to the most recent federal  
32 decennial census to be used for the construction, maintenance, or operation  
33 of animal shelters; and

34 (3) Thirty percent (30%) distributed to the Department of Rural  
35 Services to provide grants to a county or city based only on the  
36 infrastructure needs for an animal shelter.

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SECTION 3. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that the cat and dog populations in Arkansas are expanding exponentially, that animal shelters are overrun with unwanted cats and dogs, that municipalities and counties lack the funds to keep up with this expanding dog and cat population, that the recent downturn in the economy is adding to the unwanted dog and cat problem, and that additional funds are drastically needed to contend with the ever-expanding cat and dog population. Therefore, an emergency is declared to exist, and this act being necessary for the preservation of the public peace, health, and safety shall become effective on July 1, 2009.