

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.

INTERIM STUDY PROPOSAL 2009-154

State of Arkansas
87th General Assembly
Regular Session, 2009

As Engrossed: S4/1/09

A Bill

SENATE BILL 864

By: Senator Madison

Filed with: Senate Interim Committee on Agriculture, Forestry and Economic Development
pursuant to A.C.A. §10-3-217.

For An Act To Be Entitled

AN ACT TO REQUIRE OWNERS OF MULTIPLE DOGS OR CATS
TO OBTAIN LICENSES ANNUALLY; AND FOR OTHER
PURPOSES.

Subtitle

TO REQUIRE OWNERS OF MULTIPLE DOGS OR
CATS TO OBTAIN LICENSES ANNUALLY.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code Title 20, Chapter 19 is amended to add an
additional section to read as follows:

20-19-105. Multiple dogs and cats – License requirement.

(a) As used in this section, “owner” means a person who:

(1) Has a right of property in a dog or cat;

(2) Keeps or harbors a dog or cat;

(3) Has a dog or cat in his or her care; or

(4) Acts as a custodian of a dog or cat.

(b) An owner of twelve (12) or more dogs, cats, or any combination of
dogs and cats shall annually obtain a license issued by the Arkansas
Agriculture Department.

(c)(1) The license fee for an owner of twelve (12) or more dogs, cats,
or any combination of dogs and cats is fifty dollars (\$50.00).



1 (2)(A) The license fee is waived for:

2 (i) An owner of dogs and cats who is licensed
3 through the United State Department of Agriculture; and

4 (ii) An organization that cares for dogs and cats
5 and is exempt under § 501(c)(3) of the Internal Revenue Code of 1986 as it
6 existed on January 1, 2009.

7 (B) An owner and an organization under subdivision
8 (c)(2)(A) of this section are still required to obtain a license required
9 under subsection (b) of this section.

10 (d)(1) The owner of twenty-four (24) or more dogs, cats, or any
11 combination of dogs and cats shall post a security bond with the Arkansas
12 Agriculture Department in an amount to be determined by rule promulgated by
13 the Arkansas Agriculture Department.

14 (2) The moneys received from the security bond shall be used to
15 remediate sites where dogs and cats have been abandoned.

16 (e) The following persons are not required to be licensed under this
17 section:

18 (1) A veterinarian or veterinary facility that provides services
19 under the Arkansas Veterinary Medical Practice Act, § 17-101-101 et seq.;

20 (2) A boarding, kennel, or grooming facility that acts as
21 temporary custodian of a dog or cat in exchange for compensation;

22 (3) An agency of the federal government acting under its
23 official duties;

24 (4) An agency of the state, county, municipality, or other
25 governmental or political subdivision of the state acting under its official
26 duties;

27 (5) An entity owned or managed by an agency of the state,
28 county, municipality, or other governmental or political subdivision of the
29 state that is responsible for animal control operations in its jurisdiction;
30 and

31 (6) A research facility or institution that is subject to any
32 federal law or regulation governing animal research that is in effect on
33 January 1, 2009.

34 (f)(1) An official of the department, a public health or safety
35 official, and an officer employed or appointed by an agency of the state,
36 county, municipality, or other governmental or political subdivision of the

1 state that is responsible for animal control operations in its jurisdiction,
2 upon receiving a complaint or upon his or her own motion, may investigate a
3 violation of this section during daytime hours.

4 (2) The investigation may include the inspection of the dogs or
5 cats on the premises and any place where dogs or cats are kept or maintained.

6 (g) The fees established under this section shall be collected by the
7 department and transmitted to the Treasurer of State, who shall credit the
8 fees to the Livestock and Poultry Special Revenue Fund.

9 (h) A person who fails to obtain a license required under this section
10 is guilty of a Class A misdemeanor.

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12 */s/ Madison*
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