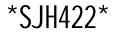
Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1	State of Arkansas	As Engrossed: H2/15/99 S2/24/99 <b>A Bill</b>	
2	82nd General Assembly		
3	Regular Session, 1999		HOUSE BILL 1442
4 5	By: Representatives Creekmo	ore. Napper	
6	Dy: Representatives ereening	xo, i appoi	
7			
8		For An Act To Be Entitled	
9	"AN ACT TO AMEND ARKANSAS CODE 20-19-103; TO REQUIRE		
10		ION OF CERTAIN DOGS AND CATS; AND	
11	PURPOSES. "		
12			
13		Subtitle	
14	"MAND	DATORY STERILIZATION OF DOGS AND C	ATS
15	RELEA	ASED BY POUNDS, SHELTERS AND HUMAN	E
16	ORGAN	II ZATI ONS. "	
17			
18			
19	BE IT ENACTED BY THE G	ENERAL ASSEMBLY OF THE STATE OF A	RKANSAS:
20			
21	SECTION 1. Legis	<u>slative intent</u> .	
22	The General Asse	mbly finds that approximately six	million (6,000,000)
23	heal thy dogs and cats	are killed nationally each year in	n public and private
24	<u>shelters.</u> Of this six	million (6,000,000), it is estima	ated that forty
25	thousand (40,000) are	killed each year in Arkansas. Cap	<u>pture, containment and</u>
26	<u>killing of surplus dog</u>	s and cats is an ineffective and i	inhumane method of
27	addressing the problem	of overpopulation and places an u	unnecessary drain on
28	the financial and human	n resources of the people of the S	<u>State of Arkansas.</u>
29	Shelter personnel suff	er enormous psychological strain o	caused by the hidden
30	<u>costs to society of ir</u>	responsible pet owners. Spaying a	and neutering dogs and
31	<u>cats is a cheaper, mor</u>	e effective and more humane means	of permanently
32	reducing the surplus o	f dogs and cats. Further, experie	ence has shown that
33	less than fifty percen	t (50%) of persons who receive ani	imals from shelters
34	<u>subject to an agreemen</u>	t to subsequently sterilize those	animals, comply with
35	<u>their agreement. Atte</u>	mpts to enforce those agreements p	<u>place an intolerable</u>
36	burden upon the enforce	ement effort. Young age spay/neu	ter has proved to be a



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1	safe and practical alternative to release of unsterilized animals. Therefore,		
2	the General Assembly hereby amends Arkansas Code 20-19-103 to require that in		
3	any county having a population of three hundred thousand (300,000) or greater,		
4	dogs and cats over two (2) months of age be spayed and neutered prior to their		
5	release by pounds, shelters or humane organizations.		
6			
7	SECTION 2. Arkansas Code 20-19-103 is amended to read as follows:		
8	"20-19-103. Sterilization of impounded dogs and cats.		
9	(a) It shall be unlawful for any pound, shelter, or humane		
10	organization, supported wholly or partly by public funds, to release any dog		
11	or cat which has not been sterilized to a new owner unless, except as provided		
12	in section (c) below, a promise to spay or neuter the animal has been signed		
13	by the person acquiring the animal.		
14	(b) The sterilization shall be performed by the date stipulated, except		
15	that the releasing agency may grant an extension of time not to exceed thirty		
16	(30) days upon the request of the owner. The signed promise shall be binding,		
17	and failure to comply shall constitute a violation of this section.		
18	(1) In such case, the animal described therein shall be returned		
19	to the releasing agency upon demand.		
20	(2) Ownership of the animal reverts to the releasing agency in		
21	such instance, and no claim may be made by the owner to recover expenses		
22	incurred for maintenance of the animal, including the initial procurement		
23	cost.		
24	(c) In any county in the state having a population of three hundred		
25	thousand (300,000) or more persons according to the most recent federal		
26	decennial census, it shall be unlawful for any pound, shelter or humane		
27	organization to release to a new owner any dog or cat over two (2) months of		
28	age which has not been sterilized, except that an animal which, in the opinion		
29	of a veterinarian licensed to practice veterinary medicine in the State of		
30	Arkansas, is medically compromised to the extent that it cannot withstand		
31	immediate sterilization may be temporarily released pursuant to a foster care		
32	<u>agreement until such time as it can safely be sterilized or until two (2)</u>		
33	veterinarians licensed to practice veterinary medicine in the State of		
34	Arkansas certify that is unlikely that the animal will ever recover to the		
35	extent that it can safely be sterilized, at which time ownership of the animal		
36	may be transferred to an owner who certified that the animal will not be used		

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1	for breeding. An owner who violates the agreement shall be subject to the		
2	penalties set forth in subsection (d) of this section.		
3	<del>(c)</del> <u>(d)</u> Violations of this section are declared to be misdemeanors		
4	punishable by a fine of not less than one hundred dollars (\$100) nor more than		
5	five hundred dollars (\$500)."		
6			
7	SECTION 3. All provisions of this act of a general and permanent nature		
8	are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code		
9	Revision Commission shall incorporate the same in the Code.		
10			
11	SECTION 4. If any provision of this act or the application thereof to		
12	any person or circumstance is held invalid, such invalidity shall not affect		
13	other provisions or applications of the act which can be given effect without		
14	the invalid provision or application, and to this end the provisions of this		
15	act are declared to be severable.		
16			
17	SECTION 5. All laws and parts of laws in conflict with this act are		
18	hereby repealed.		
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20	/s/ Creekmore		
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