House Engrossed

FILED
KEN BENNETT
SECRETARY OF STATE

State of Arizona
House of Representatives
Fiftieth Legislature
Second Regular Session
2012

CHAPTER 74

HOUSE BILL 2605

AN ACT

AMENDING SECTION 11-1014, ARIZONA REVISED STATUTES; RELATING TO ANIMAL CONTROL.

(TEXT OF BILL BEGINS ON NEXT PAGE)

Be it enacted by the Legislature of the State of Arizona:

Section 1. Section 11-1014, Arizona Revised Statutes, is amended to read:

11-1014. Biting animals; reporting; handling and destruction; exception

A. An unvaccinated dog or cat that bites any person shall be confined and quarantined in a county pound or, on request of and at the expense of the owner, at a veterinary hospital for a period of not less than ten days. The quarantine period shall start on the day of the bite incident. If the day of the bite is not known, the quarantine period shall start on the first day of impoundment. A dog properly vaccinated pursuant to this article that bites any person may be confined and quarantined at the home of the owner or wherever the dog is harbored and maintained with the consent of and in a manner prescribed by the county enforcement agent.

B. A dog or cat that is impounded as the result of biting any person shall not be released from the pound to its owner unless one of the following applies:

1. The dog has a current dog license pursuant to section 11-1008 at the time the dog entered the pound.

2. The dog or cat has been previously spayed or neutered before impound or has been spayed or neutered and implanted with a microchip before release from the pound.

3. There is no veterinary facility capable of performing surgical sterilization within a twenty mile radius of the pound.

4. A veterinarian determines that a medical contraindication for surgery exists that reasonably requires postponement of the surgery until the surgery can be performed in a safe and humane manner.

5. The bite occurred in the premises of the owner and the victim is a member of the same household.

6. The owner pays a fifty dollar recovery fee, in addition to any fees or costs otherwise required pursuant to this article.

C. Any domestic animal, other than a dog, a cat or a caged or pet rodent or rabbit, that bites any person shall be confined and quarantined in a county pound or, on the request and at the expense of the owner, at a veterinary hospital for a period of not less than fourteen days. Livestock shall be confined and quarantined for the fourteen-day period in a manner regulated by the Arizona department of agriculture. Caged or pet rodents or rabbits shall not be quarantined or laboratory tested.

D. With the exception of a wild rodent or rabbit, any wild animal that bites any person or directly exposes any person to its saliva may be killed and submitted to the county enforcement agent or the agent's deputies for transport to an appropriate diagnostic laboratory. A wild rodent or rabbit may be submitted for laboratory testing if the animal has bitten a person and either the animal's health or behavior indicates that the animal may have

rabies or the bite occurred in an area that contains a rabies epizootic, as determined by the department of health services.

E. If an animal bites any person, the incident shall be reported to the county enforcement agent immediately by any person having direct knowledge.

F. The county enforcement agent may destroy any animal confined and quarantined pursuant to this section before the termination of the minimum confinement period for laboratory examination for rabies if:

1. The animal shows clear clinical signs of rabies.

2. The animal's owner consents to its destruction.

G. Any animal subject to licensing under this article found without a tag identifying its owner shall be deemed unowned.

H. The county enforcement agent shall destroy a vicious animal by order of a justice of the peace or a city magistrate. A justice of the peace or city magistrate may issue an order to destroy a vicious animal after notice to the owner, if any, and the person who was bitten, and a hearing. The justice of the peace or city magistrate may impose additional procedures and processes to protect all parties in the interest of justice, and any decision by the justice of the peace or magistrate may be appealed to the superior court.

I. The owner of a vicious animal shall be responsible for any fees incurred by the enforcement agent for the impounding, sheltering and disposing of the vicious animal.

J. THIS SECTION DOES NOT APPLY TO A DOG THAT IS USED BY ANY FEDERAL, STATE, COUNTY, CITY OR TOWN LAW ENFORCEMENT AGENCY AND THAT BITES ANY PERSON IF THE BITE OCCURS WHILE THE DOG IS UNDER PROPER LAW ENFORCEMENT SUPERVISION AND THE CARE OF A LICENSED VETERINARIAN, EXCEPT THAT THE LAW ENFORCEMENT AGENCY SHALL NOTIFY THE COUNTY ENFORCEMENT AGENT IF THE DOG EXHIBITS ANY ABNORMAL BEHAVIOR AND MAKE THE DOG AVAILABLE FOR EXAMINATION AT ANY REASONABLE TIME.

APPROVED BY THE GOVERNOR MARCH 21, 2012.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MARCH 22, 2012.

Passed the House February 21, 2012

by the following vote: 57 Ayes,

0 Nays, 2 Not Voting
1 Vacant

Speaker of the House

Chief Clerk of the House

Passed the Senate March 20, 2012

by the following vote: 29 Ayes,

0 Nays, 1 Not Voting

President of the Senate

Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

20 day of March, 2012

at 3 o'clock P M.

Secretary to the Governor

Approved this 21st day of

March

at 1:24 o'clock P. M.

Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 22nd day of March, 2012

at 8:14 o'clock a M.

Secretary of State

H.B. 2605