

1 HB238
2 151945-3
3 By Representative McMillan
4 RFD: Agriculture and Forestry
5 First Read: 12-FEB-13

1 ENGROSSED

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4 A BILL
5 TO BE ENTITLED
6 AN ACT
7

8 Relating to animal control; to require an animal
9 shelter owner, operator, manager, or director to report the
10 total number of animals that have entered the facility and the
11 disposition of the animals; to make the report available to
12 the public; and in connection therewith would have as its
13 purpose or effect the requirement of a new or increased
14 expenditure of local funds within the meaning of Amendment 621
15 of the Constitution of Alabama of 1901, now appearing as
16 Section 111.05 of the Official Recomputation of the
17 Constitution of Alabama of 1901, as amended.

18 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

19 Section 1. This act shall be known and cited as the
20 "Alabama Animal Shelter Reporting Act."

21 Section 2. For purposes of this act, the following
22 words shall have the following meanings:

23 (1) ANIMAL SHELTER. Any facility operated in whole
24 or in part by any municipality, county government, or any duly
25 incorporated humane society that receives public funds to
26 impound or harbor seized, stray, homeless, abandoned, or

1 unwanted dogs, cats, or other pets or for the protection of
2 animals to prevent cruelty or neglect.

3 (2) PUBLISH. To make available through either
4 electronic means or on paper.

5 Section 3. On an annual basis, each animal shelter
6 owner, operator, manager, or director shall report the
7 following information:

8 (1) The number of animals of each species taken in
9 from the following sources:

- 10 a. Owner surrenders.
- 11 b. Strays.
- 12 c. Other animal shelters.
- 13 d. Animal control.
- 14 e. Other.

15 (2) The number of animals which have been:

- 16 a. Adopted.
- 17 b. Released to or claimed by the owner or owners.
- 18 c. Transferred to other animal shelter facilities or
19 released to animal rescue organizations and a list of the
20 names of the receiving organizations.

21 d. Euthanized or have died while in the custody of
22 the animal shelter.

23 e. Transferred to a research laboratory, school,
24 college, university, or agency that supplies animals to these
25 facilities.

26 f. Found to be sterilized upon arrival at the animal
27 shelter when it can be determined.

1 g. Sterilized after arrival.

2 (3) The costs incurred by the animal shelter for
3 housing, maintenance, feeding, medications, transfer,
4 euthanasia, and other expenses related to the care of the
5 animals and their disposition, excluding salary and benefits
6 paid to employees.

7 Section 4. (a) Each animal shelter shall report the
8 information required in Section 3 no later than 90 days after
9 the end of each calendar year. Each animal shelter shall make
10 the report available to the public. The animal shelter may
11 compile, publish, computerize, and enter the data or
12 information in Section 3 in a form which is compatible with
13 any system utilized by the animal shelter as long as the
14 information in Section 3 is all-inclusive and is reflected in
15 the report.

16 (b) The animal shelter may charge a reasonable fee
17 for a copy of the report. Each animal shelter shall maintain
18 the annual reports for a minimum of four years.

19 (c) Reports under this act shall be considered
20 government documents and public record and access to the
21 reports shall not be denied pursuant to any exemption under
22 The Freedom of Information Act. The report compiled by the
23 owner, operator, manager, or director of each animal shelter
24 shall include a statement that the author of the report
25 certifies it is true and correct to the best of his or her
26 knowledge.

1 Section 5. ~~Any person who is required under this act~~
2 ~~to file a report and intentionally and knowingly fails to file~~
3 ~~the report or knowingly makes, compiles, or publishes a~~
4 ~~fraudulent report is guilty of a Class B misdemeanor.~~

5 Section 6. Although this bill would have as its
6 purpose or effect the requirement of a new or increased
7 expenditure of local funds, the bill is excluded from further
8 requirements and application under Amendment 621, now
9 appearing as Section 111.05 of the Official Recompilation of
10 the Constitution of Alabama of 1901, as amended, because the
11 bill defines a new crime or amends the definition of an
12 existing crime.

13 Section 7. This act shall become effective on the
14 first day of the third month following its passage and
15 approval by the Governor, or its otherwise becoming law.

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House of Representatives

Read for the first time and re-ferred to the House of Representatives committee on Agriculture and Forestry..... 12-FEB-13

Read for the second time and placed on the calendar with 1 substitute and..... 18-APR-13

Read for the third time and passed as amended..... 25-APR-13

Yeas 99, Nays 0, Abstains 0

Jeff Woodard
Clerk