



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

SYNOPSIS:

Under existing law, it is a crime for a person to be cruel to an animal.

This bill would establish a crime for abandoning an animal.

This bill would authorize law enforcement officers to seize or order care be rendered to an abandoned animal.

This bill would also provide procedures for a hearing on the seizure of or order to render care to an abandoned animal when the owner is known.

A BILL  
TO BE ENTITLED  
AN ACT

Relating to crimes and offenses; to establish the crime of abandoning an animal; to authorize law enforcement officers to seize and order care for abandoned animals; and to provide procedures for hearings on such seizures and orders.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. (a) For purposes of this section, the



29 following terms have the following meanings:

30 (1) ABANDON. For an owner to intentionally, knowingly,  
31 or with criminal negligence leave an animal at any location in  
32 any condition without providing for its continued care thereby  
33 subjecting the animal to risk of injury, starvation,  
34 dehydration, exposure, or death.

35 (2) ANIMAL. A live nonhuman vertebrate. The term does  
36 not include a domesticated member of the dog or cat family or  
37 any wild mammal, wild bird, reptile, or amphibian that is not  
38 held in captivity.

39 (b) A person may not abandon an animal.

40 (c) (1) Subject to subdivision (2), a person shall be  
41 guilty of a Class A misdemeanor for violating subsection (b).

42 (2) A person shall be guilty of a Class D felony for  
43 violating subsection (b) if:

44 a. He or she has been previously convicted of violating  
45 this section or Sections 13A-11-14, 13A-11-14.1, or  
46 13A-11-241, Code of Alabama 1975;

47 b. The abandonment of the animal causes serious  
48 physical injury or death to the animal; or

49 c. Five or more animals are abandoned at one time.

50 (d) Any law enforcement officer who has probable cause  
51 to believe that an animal has been abandoned may do either of  
52 the following as part of conduct performed within a law  
53 enforcement officer's discretionary authority as defined in  
54 Section 6-5-338.1, Code of Alabama 1975:

55 a. Remove the animal from its location; or

56 b. Order the animal's owner to provide care to the



57 animal.

58 (e) If the owner of an animal is known, a law  
59 enforcement officer or local government agent who has seized  
60 the animal, without the requirement of any fee or charge for  
61 court costs, shall immediately petition the district court of  
62 the county in which the animal is found for a hearing to be  
63 set within 20 days after seizing the animal or the issuance of  
64 an order to provide care. The hearing shall be held not more  
65 than 10 days after the setting of the date to determine  
66 whether the owner is able to provide adequately and  
67 protectively for the animal and is fit to have custody of the  
68 animal. The hearing shall conclude and the court order entered  
69 not more than 30 days after the date that the hearing  
70 commences. The owner shall be notified of the date of the  
71 hearing at least five days before the date of the hearing.

72 (f) A law enforcement agency or local government may  
73 provide care for a seized animal until:

74 (1) The animal is returned to the owner by the court;

75 (2) The court refuses to return the animal to the owner  
76 and implements one of the procedures provided by subsection  
77 (h); or

78 (3) Thirty days have passed since seizure of the animal  
79 and the animal's owner remains unknown, at which time the law  
80 enforcement agency or local government may euthanize or  
81 transfer the animal to animal control, a humane shelter, or  
82 similar facility designated by the county or the municipality  
83 or other appropriate person.

84 (g) If the owner is found by the court, with



85 certification from a licensed veterinarian, to be able to  
86 provide adequately for and have custody of the animal, the  
87 animal shall be returned to the owner.

88 (h) If the court finds that the owner of the animal is  
89 unable, unwilling, or unfit to adequately provide for the best  
90 interests of, protect, and have custody of the animal, the  
91 court may order the following:

92 (1) Upon the testimony of the individual who seized the  
93 animal, a licensed veterinarian, or another qualified witness  
94 that the animal requires euthanizing or other disposition for  
95 humane reasons or is of no commercial value, the animal be  
96 euthanized or transferred to animal control, a humane shelter,  
97 or similar facility designated by the local government or  
98 other appropriate person to be euthanized by the person in a  
99 humane manner.

100 (2) Upon proof of the costs incurred by the agency or  
101 local government that seized the animal, the owner pay any  
102 costs incurred for the care of the animal and in euthanizing  
103 the animal. A separate hearing may be held by the judge on the  
104 assessment of costs, which shall include all costs of notice  
105 and hearing. In the event the court finds the owner innocent  
106 of charges, the owner may not be charged with costs of the  
107 care of the animal in custody.

108 (3) The owner to complete five hours of community  
109 service or education related to animal care and well-being.

110 (i) If the court determines that the owner is unable,  
111 unwilling, or unfit to adequately provide for and protect any  
112 other animal in his or her custody, the court may enjoin the



113 owner from possessing any other animal for a period not  
114 exceeding five years.

115 (j) This section shall not apply to any of the  
116 following:

117 (1) Lawful hunting, fishing, and trapping.

118 (2) Generally accepted animal husbandry, agricultural,  
119 and wildlife management practices.

120 (3) The practice of veterinary medicine.

121 (4) Pest control.

122 (5) Research that complies with applicable federal and  
123 state laws.

124 (6) During a state of emergency declared pursuant to  
125 Section 31-9-8, Code of Alabama 1975, any affected area  
126 specified in the proclamation by the Governor or joint  
127 resolution of the Legislature.

128 (k) (1) A local government or an employee or agent of  
129 the local government acting in good faith is not liable for  
130 any action taken pursuant to this section.

131 (2) A law enforcement officer is immune from civil  
132 liability in accordance with Sections 6-5-338.1, 6-5-338.2,  
133 6-5-338.3, and 6-5-338.4, Code of Alabama 1975, for any action  
134 taken pursuant to this section.

135 (l) This section is in addition to, and not a  
136 substitute for, the crimes provided by Sections 13A-11-14,  
137 13A-11-14.1, and 13A-11-241, Code of Alabama 1975.

138 Section 2. This act shall become effective on October  
139 1, 2026.