

Senate Engrossed House Bill

**FILED**

**KEN BENNETT  
SECRETARY OF STATE**

State of Arizona  
House of Representatives  
Fifty-first Legislature  
First Regular Session  
2013

CHAPTER 56

## **HOUSE BILL 2355**

AN ACT

AMENDING TITLE 9, CHAPTER 4, ARTICLE 8, ARIZONA REVISED STATUTES, BY ADDING SECTION 9-500.32; AMENDING SECTION 11-1008, ARIZONA REVISED STATUTES; RELATING TO ANIMAL CONTROL.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 9, chapter 4, article 8, Arizona Revised Statutes, is  
3 amended by adding section 9-500.32, to read:

4 9-500.32. License fees for dogs; prohibition; violation;  
5 classification

6 A. A CITY OR TOWN MAY NOT CHARGE AN INDIVIDUAL WHO HAS A DISABILITY  
7 AND WHO USES A SERVICE ANIMAL AS DEFINED IN SECTION 11-1024 OR AN INDIVIDUAL  
8 WHO USES A SEARCH OR RESCUE DOG A LICENSE FEE FOR THAT DOG.

9 B. AN APPLICANT FOR A LICENSE FOR A SEARCH OR RESCUE DOG SHALL PROVIDE  
10 ADEQUATE PROOF SATISFACTORY TO THE ENFORCEMENT AGENT THAT THE DOG IS A SEARCH  
11 OR RESCUE DOG.

12 C. AN APPLICANT FOR A LICENSE FOR A SERVICE ANIMAL SHALL SIGN A  
13 WRITTEN STATEMENT THAT THE DOG IS A SERVICE ANIMAL AS DEFINED IN SECTION  
14 11-1024. A PERSON WHO MAKES A FALSE STATEMENT PURSUANT TO THIS SUBSECTION IS  
15 GUILTY OF A PETTY OFFENSE, AND A FINE THAT SHALL NOT EXCEED FIFTY DOLLARS.  
16 THE STATEMENT TO BE SIGNED SHALL BE SUBSTANTIALLY IN THE FOLLOWING FORM:

17 BY SIGNING THIS DOCUMENT, I DECLARE THAT THE DOG TO BE LICENSED  
18 IS A SERVICE ANIMAL AS DEFINED IN SECTION 11-1024, ARIZONA  
19 REVISED STATUTES, AND I UNDERSTAND THAT A PERSON WHO MAKES A  
20 FALSE STATEMENT PURSUANT TO SECTION 9-500.32, ARIZONA REVISED  
21 STATUTES, IS GUILTY OF A PETTY OFFENSE, AND IS SUBJECT TO A FINE  
22 THAT DOES NOT EXCEED FIFTY DOLLARS.

23 Sec. 2. Section 11-1008, Arizona Revised Statutes, is amended to read:  
24 11-1008. License fees for dogs; issuance of dog tags;  
25 exception; violation; classification

26 A. The board of supervisors of each county may set a license fee which  
27 THAT shall be paid for each dog three months of age or over that is kept,  
28 harbored or maintained within the boundaries of the state for at least thirty  
29 consecutive days of each calendar year. License fees shall become payable at  
30 the discretion of the board of supervisors of each county. The licensing  
31 period shall not exceed the period of time for revaccination as designated by  
32 the state veterinarian. License fees shall be paid within ninety days to the  
33 board of supervisors. A penalty fee of two dollars shall be paid if the  
34 license application is made less than one year subsequent to the date on  
35 which the dog is required to be licensed under this article. If the license  
36 application is made one year or later from the date on which the dog is  
37 required to be licensed, an additional penalty fee of ten dollars shall be  
38 paid for each subsequent year up to a maximum of twenty-two dollars. This  
39 penalty shall not be assessed against applicants who furnish PROVIDE adequate  
40 proof that the dog to be licensed has been in their possession in Arizona  
41 less than thirty consecutive days.

42 B. If the board of supervisors adopts a license fee, the board shall  
43 provide durable dog tags. Each dog licensed under the terms of this article  
44 shall receive, at the time of licensing, such a tag on which shall be  
45 inscribed the name of the county, the number of the license, and the year in

1 which it expires. The tag shall be attached to a collar or harness which  
2 THAT shall be worn by the dog at all times, except as otherwise provided in  
3 this article. Whenever a dog tag is lost, a duplicate tag shall be issued  
4 upon ON application by the owner and payment of a fee established by the  
5 board of supervisors.

6 C. The board of supervisors may set license fees that are lower for  
7 dogs permanently incapable of procreation. An applicant for a license for a  
8 dog claimed to be incapable of procreation shall furnish PROVIDE adequate  
9 proof satisfactory to the enforcement agent that such dog has been surgically  
10 altered to be permanently incapable of procreation.

11 D. All fees and penalties shall be deposited in the rabies control  
12 fund pursuant to section 11-1011.

13 E. Any person who knowingly fails within fifteen days after written  
14 notification from the county enforcement agent to obtain a license for a dog  
15 required to be licensed, counterfeits an official dog tag, removes such tag  
16 from any dog for the purpose of intentional and malicious mischief or places  
17 a dog tag upon a dog unless the tag was issued for that particular dog is  
18 guilty of a class 2 misdemeanor.

19 F. NOTWITHSTANDING SUBSECTION A OF THIS SECTION, THE BOARD OF  
20 SUPERVISORS OF EACH COUNTY MAY NOT CHARGE AN INDIVIDUAL WHO HAS A DISABILITY  
21 AND WHO USES A SERVICE ANIMAL AS DEFINED IN SECTION 11-1024 OR AN INDIVIDUAL  
22 WHO USES A SEARCH OR RESCUE DOG A LICENSE FEE FOR THAT DOG. AN APPLICANT FOR  
23 A LICENSE FOR A:

24 1. SEARCH OR RESCUE DOG SHALL PROVIDE ADEQUATE PROOF SATISFACTORY TO  
25 THE ENFORCEMENT AGENT THAT THE DOG IS A SEARCH OR RESCUE DOG.

26 2. SERVICE ANIMAL SHALL SIGN A WRITTEN STATEMENT THAT THE DOG IS A  
27 SERVICE ANIMAL AS DEFINED IN SECTION 11-1024. A PERSON WHO MAKES A FALSE  
28 STATEMENT PURSUANT TO THIS PARAGRAPH IS GUILTY OF A PETTY OFFENSE, AND A FINE  
29 THAT SHALL NOT EXCEED FIFTY DOLLARS. THE STATEMENT TO BE SIGNED SHALL BE  
30 SUBSTANTIALLY IN THE FOLLOWING FORM:

31 BY SIGNING THIS DOCUMENT, I DECLARE THAT THE DOG TO BE LICENSED  
32 IS A SERVICE ANIMAL AS DEFINED IN SECTION 11-1024, ARIZONA  
33 REVISED STATUTES, AND I UNDERSTAND THAT A PERSON WHO MAKES A  
34 FALSE STATEMENT PURSUANT TO SECTION 11-1008, ARIZONA REVISED  
35 STATUTES, IS GUILTY OF A PETTY OFFENSE, AND IS SUBJECT TO A FINE  
36 THAT DOES NOT EXCEED FIFTY DOLLARS.

~~APPROVED BY THE GOVERNOR APRIL 5, 2013.~~

~~FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 5, 2013.~~

Passed the House February 27, 2013

Passed the Senate March 26, 2013

by the following vote: 54 Ayes,

by the following vote: 27 Ayes,

5 Nays, 1 Not Voting

0 Nays, 3 Not Voting

[Signature]  
Speaker of the House

[Signature]  
President of the Senate

[Signature]  
Chief Clerk of the House

[Signature]  
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill received by the Governor this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary to the Governor

Approved this \_\_\_\_\_ day of

\_\_\_\_\_

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State

H.B. 2355

HOUSE CONCURS IN SENATE  
AMENDMENTS AND FINAL PASSAGE

April 3, 2013,

by the following vote: 57 Ayes,

3 Nays, 0 Not Voting

[Signature]  
Speaker of the House

[Signature]  
Chief Clerk of the House

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill was received by the Governor this  
3 day of April, 2013,

at 2:25 o'clock P M.

[Signature]  
Secretary to the Governor

Approved this 5<sup>th</sup> day of

April, 2013,

at 2:45 o'clock P M.

[Signature]  
Governor of Arizona

H.B. 2355

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State  
this 5<sup>th</sup> day of April, 2013,

at 5:00 o'clock P M.

[Signature]  
Secretary of State