

Senate Engrossed House Bill

State of Arizona  
House of Representatives  
Fifty-second Legislature  
Second Regular Session  
2016

**FILED**  
**MICHELE REAGAN**  
**SECRETARY OF STATE**

CHAPTER 136

# **HOUSE BILL 2340**

AN ACT

AMENDING TITLE 3, CHAPTER 11, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 11;  
RELATING TO HORSES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 3, chapter 11, Arizona Revised Statutes, is amended  
3 by adding article 11, to read:

4 ARTICLE 11. HORSES

5 3-1491. Salt River horse herd; necessary interaction; written  
6 authorization; violation; classification; definition

7 A. A PERSON SHALL NOT HARASS, SHOOT, INJURE, KILL OR SLAUGHTER A HORSE  
8 THAT IS PART OF THE SALT RIVER HORSE HERD.

9 B. A PERSON SHALL NOT INTERFERE WITH, TAKE, CHASE, CAPTURE OR  
10 EUTHANIZE A HORSE THAT IS PART OF THE SALT RIVER HORSE HERD WITHOUT WRITTEN  
11 AUTHORIZATION FROM EITHER THE DEPARTMENT OR THE COUNTY SHERIFF. THE  
12 DEPARTMENT OR THE COUNTY SHERIFF MAY PROVIDE WRITTEN AUTHORIZATION PURSUANT  
13 TO THIS SUBSECTION ONLY FOR HUMANE PURPOSES.

14 C. IF AN INCIDENT OCCURS THAT REQUIRES INTERACTION WITH THE SALT RIVER  
15 HORSE HERD IN ORDER TO PROTECT THE SAFETY OR HEALTH OF A HORSE THAT IS OR  
16 HORSES THAT ARE PART OF THE SALT RIVER HORSE HERD OR THE PUBLIC, A PRIVATE OR  
17 PUBLIC ENTITY MAY ADDRESS THE INCIDENT AFTER OBTAINING WRITTEN AUTHORIZATION  
18 FROM EITHER THE DEPARTMENT OR THE COUNTY SHERIFF.

19 D. IF A HORSE HAS ANY BRAND OR OTHER MARK THAT INDICATES OWNERSHIP,  
20 THE DEPARTMENT SHALL ATTEMPT TO PROVE OWNERSHIP OF THE HORSE OR THE COUNTY  
21 SHERIFF SHALL CONTACT THE DEPARTMENT TO ATTEMPT TO ESTABLISH OWNERSHIP OF THE  
22 HORSE. IF THE DEPARTMENT CANNOT PROVE OWNERSHIP OF THE HORSE, THE DEPARTMENT  
23 OR THE COUNTY SHERIFF MAY PROVIDE WRITTEN AUTHORIZATION PURSUANT TO THIS  
24 SECTION.

25 E. THIS STATE SHALL ENTER INTO AN AGREEMENT PURSUANT TO SECTION 11-952  
26 WITH THE UNITED STATES FOREST SERVICE TO IMPLEMENT THIS ARTICLE OR TO ADDRESS  
27 ANY ISSUE RELATING TO THE SALT RIVER HORSE HERD.

28 F. THIS STATE MAY ENTER INTO AN AGREEMENT WITH A PRIVATE ENTITY TO  
29 ADDRESS ANY ISSUE RELATING TO THE SALT RIVER HORSE HERD.

30 G. A HORSE THAT IS PART OF THE SALT RIVER HORSE HERD IS NOT A STRAY  
31 ANIMAL AS DEFINED IN SECTION 3-1401 AND IS NOT SUBJECT TO SECTIONS 3-1371 AND  
32 3-1402.

33 H. A PERSON WHO VIOLATES SUBSECTION A OF THIS SECTION IS GUILTY OF A  
34 CLASS 1 MISDEMEANOR.

35 I. FOR THE PURPOSES OF THIS SECTION, "SALT RIVER HORSE HERD" INCLUDES  
36 THE HORSES THAT INHABIT AND THAT HAVE HISTORICALLY LIVED IN AND AROUND THE  
37 LOWER SALT RIVER AND SAGUARO LAKE AREAS IN THE TONTO NATIONAL FOREST AND THAT  
38 DO NOT HAVE A BRAND OR OTHER MARK THAT INDICATES OWNERSHIP.

39 3-1492. Unlawful release of a domesticated horse; violation;  
40 classification

41 A PERSON WHO INTENTIONALLY RELEASES A DOMESTICATED HORSE INTO THE WILD  
42 IS GUILTY OF A CLASS 1 MISDEMEANOR.

1           Sec. 2. Arizona department of agriculture; agreement;  
2                   conditional enactment; notice

3           A. The Arizona department of agriculture shall enter into an agreement  
4 with the United States forest service pursuant to section 11-952, Arizona  
5 Revised Statutes, to implement title 3, chapter 11, article 11, Arizona  
6 Revised Statutes, as added by this act.

7           B. Title 3, chapter 11, article 11, Arizona Revised Statutes, as added  
8 by this act, does not become effective unless the Arizona department of  
9 agriculture and the United States forest service enter into an agreement  
10 pursuant to subsection A of this section on or before December 31, 2017.

11           C. The Arizona department of agriculture shall notify in writing the  
12 director of the Arizona legislative council on or before January 15, 2018  
13 either:

- 14           1. Of the date on which the condition was met.  
15           2. That the condition was not met.

APPROVED BY THE GOVERNOR MAY 11, 2016.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 11, 2016.

Passed the House February 25, 2016

Passed the Senate April 11, 2016

by the following vote: 38 Ayes,

by the following vote: 27 Ayes,

22 Nays, 0 Not Voting

2 Nays, 1 Not Voting

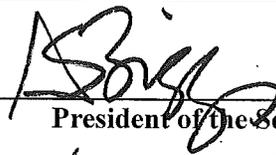


Speaker of the House

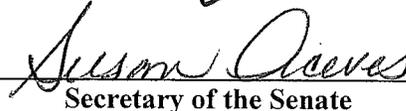
Pro Tempore



Chief Clerk of the House



President of the Senate



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. 2340

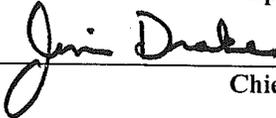
HOUSE CONCURS IN SENATE  
AMENDMENTS AND FINAL PASSAGE

May 5, 2016,

by the following vote: 53 Ayes,

3 Nays, 4 Not Voting

  
Speaker of the House

  
Chief Clerk of the House

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill was received by the Governor this  
5<sup>th</sup> day of May, 2016

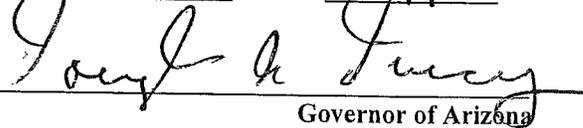
at 1:21 o'clock P. M.

  
Secretary to the Governor

Approved this 11<sup>th</sup> day of

May, 2016,

at 10:11 o'clock A. M.

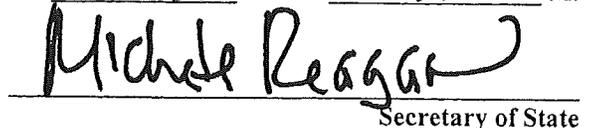
  
Governor of Arizona

H.B. 2340

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State  
this 11<sup>th</sup> day of May, 2016

at 10:32 o'clock A M.

  
Secretary of State