

House Bill 1174

By: Representatives Mumford of the 95<sup>th</sup>, Williams of the 89<sup>th</sup>, and Holt of the 112<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 1 of Chapter 11 of Title 4 of the Official Code of Georgia Annotated,  
2 relating to general provisions relative to animal protection, so as to change certain provisions  
3 relating to display of licenses; to provide for licensing and compliance of separate places of  
4 business of pet dealers and kennel operators; to change certain provisions relating to  
5 injunctions and restraining orders; to provide remedies for private parties; to provide an  
6 effective date; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Article 1 of Chapter 11 of Title 4 of the Official Code of Georgia Annotated, relating to  
10 general provisions relative to animal protection, is amended by striking Code Section 4-11-4,  
11 relating to display of licenses, and inserting in lieu thereof the following:  
12 "4-11-4.

13 (a) A license must be prominently displayed at each place of business of a pet dealer and  
14 at each kennel, stable, and animal shelter in this state.

15 (b) Each location at which a pet dealer or kennel operator maintains any animal or animals  
16 used in any manner in the business or maintains more than three animals of the species  
17 used in the business shall be a separate place of business as a matter of law, must be  
18 separately licensed, and must be in conformity with local zoning and business licensing  
19 regulations for that type of business."

20 **SECTION 2.**

21 Said article is further amended by striking Code Section 4-11-15, relating to injunctions and  
22 restraining orders, and inserting in lieu thereof the following:

23 "4-11-15.

24 In addition to the remedies provided in this article or elsewhere in the laws of this state and  
25 notwithstanding the existence of an adequate remedy at law, the Commissioner, any injured

1       private party, or, where authorized by the local governing authority, the city or county  
2 attorney is authorized to apply to the superior court for an injunction or restraining order.  
3 The court shall for good cause shown grant a temporary or permanent injunction or an ex  
4 parte or restraining order, restraining or enjoining any person, partnership, firm,  
5 corporation, or other entity from violating and continuing to violate this article, any rules  
6 and regulations promulgated under this article, Code Section 16-12-4, or Code Section  
7 16-12-37 and in the case of an injured private party may award damages. Such injunction  
8 or restraining order shall be issued without bond and may be granted notwithstanding the  
9 fact that the violation constitutes a criminal act and notwithstanding the pendency of any  
10 criminal prosecution for the same violation."

### SECTION 3.

12 This Act shall become effective upon its approval by the Governor or upon its becoming law  
13 without such approval.

## SECTION 4.

15 All laws and parts of laws in conflict with this Act are repealed.