

House Bill 782

By: Representatives Kendrick of the 94th, Beverly of the 139th, Long of the 61st, Cooper of the 41st, Jacobs of the 80th, and others

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 animal protection generally, so as to require animal shelters that euthanize animals
3 to maintain a registry of animal rescue groups willing to accept animals subject to euthanasia;
4 to provide a short title; to provide a definition; to provide eligibility criteria for rescue
5 groups; to provide for information to be included in the registry; to prohibit animal shelters
6 from euthanizing an animal without affording rescue groups the opportunity to take
7 possession of the animal; to provide for exceptions; to authorize animal shelters to impose
8 a fee for surrendering animals; to repeal conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 style="text-align:center">**SECTION 1.**

11 This Act shall be known and may be cited as the "Animal Rescue Act."

12 style="text-align:center">**SECTION 2.**

13 Article 1 of Chapter 11 of Title 4 of the Official Code of Georgia Annotated, relating to
14 animal protection generally, is amended in Code Section 4-11-2, relating to definitions
15 relative to animal protection, by adding a new paragraph to read as follows:

16 "(1.2) 'Animal rescue group' or 'rescue group' means a person or organization that accepts
17 or solicits dogs, cats, or other animals with the intent of finding permanent adoptive
18 homes or providing lifelong care for such dogs, cats, or other animals and that uses foster
19 homes as the primary means of housing animals."

20 style="text-align:center">**SECTION 3.**

21 Said article is further amended by adding a new Code section to read as follows:

22 "4-11-5.3.

23 (a) An animal shelter that euthanizes animals shall maintain a registry of animal rescue
24 groups that are willing to accept animals subject to euthanasia.

25 (b) The registry shall consist of any rescue group that has requested that its name be placed
26 on the registry and that is designated as an agency meeting the qualifications of Section
27 501(c)(3) of the Internal Revenue Code. Such a rescue group shall be included on the
28 registry regardless of its geographical location and regardless of any other factor except as
29 described in subsection (d) of this Code section.

30 (c) The registry may include, at the discretion of the animal shelter, any rescue group that
31 has requested that its name be placed on the registry and that has not met the qualifications
32 of Section 501(c)(3) of the Internal Revenue Code.

33 (d) An animal shelter may refuse to include a rescue group on the registry or may remove
34 a rescue group from the registry if a current director, officer, staff member, or volunteer of
35 the rescue group has been convicted in a court of competent jurisdiction of a violation of
36 Code Section 16-12-4 or if such charges are pending or if the rescue group is constrained
37 by a court order that prevents the rescue group from taking in or keeping animals. An
38 animal shelter may require the rescue group to disclose any convictions, charges, or legal
39 impediments described in this subsection.

40 (e) The registry shall include the following information provided by the rescue group:

41 (1) The name, mailing address, and telephone number of the rescue group;

42 (2) The website and e-mail address, if any, of the rescue group;

43 (3) The emergency contact information for the rescue group;

44 (4) The types of animals the rescue group accepts, including species type and breed; and

45 (5) A statement as to whether the rescue group is willing and able to care for unweaned
46 animals, sick or injured animals, or animals with behavior problems.

47 (f) An animal shelter may require that a rescue group on the registry provide monthly for
48 public inspection any of the following information about the rescue group concerning the
49 number of animals that:

50 (1) Have been taken from an animal shelter and placed with the rescue group;

51 (2) Have been adopted;

52 (3) Have died or have been euthanized;

53 (4) Remain in the care of the rescue group.

54 (g) Information required by an animal shelter pursuant to subsection (f) of this Code
55 section may be provided in an informal format, such as via e-mail. An animal shelter shall
56 not demand additional information other than that described in subsections (e) and (f) of
57 this Code section as a prerequisite for including a rescue group on the registry or for
58 continuing to maintain the rescue group on the registry.

59 (h) An animal shelter shall not euthanize an animal until the animal shelter has notified,
60 or made a reasonable attempt to notify, all rescue groups on the registry that have indicated
61 a willingness to take an animal of that type. The notification shall occur at least two full

62 business days before the animal is scheduled to be euthanized and shall include written
63 documentation. A rescue group desiring to take the animal shall respond to the notification
64 within 24 hours and shall then be given two full business days to take possession of the
65 animal.

66 (i) Notwithstanding the requirements of subsection (h) of this Code section:

67 (1) A diseased or disabled animal shall be euthanized without delay;

68 (2) A dangerous dog or vicious dog to be destroyed pursuant to Chapter 8 of this title
69 shall be euthanized without delay;

70 (3) An animal subject to the provisions of Code Section 44-14-490 shall be disposed of
71 in accordance with Code Section 44-14-491; and

72 (4) Upon the impoundment of an unweaned animal without its mother, an animal shelter
73 that has not placed the animal into foster care or is not able to provide supplemental
74 feeding shall immediately make an emergency appeal to a rescue group on the registry
75 that has indicated a willingness to care for unweaned animals and shall give the rescue
76 group a reasonable amount of time, but not less than eight hours, to respond to the appeal.

77 (j) An animal shelter shall provide for public inspection both a monthly and yearly
78 summary that includes the number of animals, by species type, during the previous month
79 or calendar year that:

80 (1) Were impounded;

81 (2) Were euthanized by the animal shelter;

82 (3) Died, were lost, or were stolen while in the direct or constructive care of the animal
83 shelter;

84 (4) Were returned to their owners;

85 (5) Were adopted;

86 (6) Were transferred to other organizations or rescue groups; or

87 (7) Remain in the custody of the animal shelter.

88 (k) The animal shelter may assess a fee, not to exceed the standard adoption fee, for each
89 animal released to a rescue group."

90 **SECTION 4.**

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