

House Bill 574

By: Representatives Camp of the 131<sup>st</sup>, Cameron of the 1<sup>st</sup>, Hill of the 3<sup>rd</sup>, Houston of the 170<sup>th</sup>, Jenkins of the 132<sup>nd</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 4-11-3 of the Official Code of Georgia Annotated, relating to  
2 licenses for pet dealers and kennel, stable, or animal shelter operators, requirement, issuance,  
3 and application, so as to provide for a Companion Local Government Animal Trust Fund for  
4 reimbursement of impoundment expenses incurred by local governments; to provide for  
5 annual reporting; to provide for promulgation of regulations; to provide for compliance with  
6 constitutional requirements; to provide for an effective date and automatic repeal; to provide  
7 for related matters; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Code Section 4-11-3 of the Official Code of Georgia Annotated, relating to licenses for pet  
11 dealers and kennel, stable, or animal shelter operators, requirement, issuance, and  
12 application, is amended by revising subsection (c) and adding a new subsection to read as  
13 follows:

14 "(c) Licenses shall be issued for a period of one year and shall be annually renewable. The  
15 Commissioner may establish separate classes of licenses, including wholesale and retail  
16 licenses. ~~The Commissioner shall fix fees for licenses so that the revenue derived from~~

17 ~~licenses shall approximate the total direct cost of administering this article. The~~  
18 ~~Commissioner may establish different fees for the different classes of licenses established,~~  
19 ~~but the annual fee for any such license shall be at least \$50.00 but shall not exceed \$400.00.~~  
20 ~~Any fees collected pursuant to this Code section shall be retained pursuant to the provisions~~  
21 ~~of Code Section 45-12-92.1.~~

22 (c.1)(1)(A) For the period beginning on July 1, 2021, and ending on June 30, 2031,  
23 fees identified in subsection (c) of this Code section shall be renewed and, under the  
24 authority granted and subject to the conditions imposed by Article III, Section IX,  
25 Paragraph VI(r) of the Constitution of Georgia, no more than \$50,000.00 of such  
26 collected fees shall be dedicated to the Companion Local Government Animal Trust  
27 Fund as provided for in subparagraph (B) of this paragraph, provided that the total  
28 amount of funds in such fund at any time shall not exceed \$200,000.00, and such  
29 amounts shall not lapse as otherwise required by Article III, Section IX, Paragraph  
30 IV(c) of the Constitution of Georgia.

31 (B) There is established the Companion Local Government Animal Trust Fund as a  
32 separate fund of the department. The department shall accept applications from  
33 qualified local governments as defined in paragraph (18) of subsection (a) of Code  
34 Section 50-8-2 for reimbursement of expenses incurred by such local governments  
35 impounding more than 29 dogs or cats or more than 9 equines as part of any  
36 investigation of a violation of Code Section 4-11-9.2, 16-12-4, or 16-12-37, or  
37 otherwise providing care for more than 29 dogs or cats or more than 9 equines  
38 impounded pursuant to this article or local ordinance. The department shall provide  
39 reimbursement to such local governments of such expenses as it deems reasonably and  
40 appropriately incurred.

41 (2)(A) The Commissioner shall administer the provisions of this subsection and shall  
42 prepare, by February 1 of each year, an accounting of the funds received and expended  
43 pursuant to this subsection. The report shall be made available to the House Committee

44 on Agriculture and Consumer Affairs and the Senate Agriculture and Consumer Affairs  
45 Committee.

46 (B) The Commissioner shall retain annually up to \$10,000.00 of the funds collected  
47 pursuant to this subsection to offset the costs to the state of implementing and  
48 administering this subsection.

49 (3) The department shall promulgate rules and regulations as necessary to implement the  
50 provisions of this subsection.

51 (4) This subsection shall stand repealed and reserved on July 1, 2031."

52 **SECTION 2.**

53 In accordance with the requirements of Article III, Section IX, Paragraph VI(r) of the  
54 Constitution of Georgia, this Act shall not become law unless it receives the requisite  
55 two-thirds' majority vote in both the Senate and the House of Representatives and the amount  
56 of the funds dedicated by this Act do not equal or exceed 1 percent of the previous fiscal  
57 year's state revenues subject to appropriations.

58 **SECTION 3.**

59 Except as provided for in Section 2 of this Act, this Act shall become effective on  
60 July 1, 2021.

61 **SECTION 4.**

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