

Senate Bill No. 1176

Passed the Senate August 26, 2010

Secretary of the Senate

Passed the Assembly August 16, 2010

Chief Clerk of the Assembly

This bill was received by the Governor this _____ day
of _____, 2010, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to amend Section 17003 of the Food and Agricultural Code, relating to animals.

LEGISLATIVE COUNSEL'S DIGEST

SB 1176, Aanestad. Animals at large: estrays: stray laws.

Existing law provides that, except as specified, state provisions relating to estrays, as defined, do not affect any law or regulation regarding estrays, the poundkeeper, or other pound officer within the limits of any city or county where laws regarding estrays are in force.

This bill, instead, would provide that, except as specified, state provisions relating to estrays do not affect any law, ordinance, or regulation regarding estrays, the poundkeeper, or other pound officer, or a public animal control agency or shelter within the limits of any city or county where such laws, ordinances, or regulations are in force.

Existing law requires the poundkeeper or other pound officer to immediately notify the Secretary of Food and Agriculture upon the impounding of any bovine animal, horse, mule, or burro.

This bill would include a public animal control agency or shelter among those to which this provision applies.

The bill would provide that the use of the term “animal control agency or shelter” is intended to update terminology and shall not be construed to expand the application of the provisions in this act to persons other than poundkeepers or pound officers.

The bill would provide that a city, county, or city and county that establishes or has established laws, ordinances, or regulations regarding estrays may opt to follow those laws, ordinances, or regulations instead of state laws in the handling of estrays that are not bovine animals in accordance with the applicable laws, ordinances, or regulations of the city, county, or city and county.

The people of the State of California do enact as follows:

SECTION 1. Section 17003 of the Food and Agricultural Code is amended to read:

17003. (a) Except as provided in this section, this chapter does not affect any law, ordinance, or regulation regarding estrays, the poundkeeper, or other pound officer, or a public animal control agency or shelter within the limits of any city or county where such laws, ordinances, or regulations are in force.

(b) Upon the impounding of any bovine animal, horse, mule, or burro, the poundkeeper, other pound officer, or public animal control agency or shelter shall immediately notify the secretary. Upon receipt of that notice, the secretary shall take possession of any bovine animal and shall dispose of it pursuant to this chapter.

(c) Any city, county, or city and county that establishes or has established laws, ordinances, or regulations regarding estrays, may opt to follow those laws, ordinances, or regulations instead of this chapter in the handling of estrays that are not bovine animals in accordance with the applicable laws, ordinances, or regulations of the city, county, or city and county.

(d) This section does not authorize any act that violates Section 597 of the Penal Code.

SEC. 2. For purposes of this section, the use of the term, “animal control agency or shelter” is intended to update terminology and shall not be construed to expand the application of this section to persons other than poundkeepers or pound officers.

Approved _____, 2010

Governor