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DIGEST

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SB 58 Engrossed

2021 Regular Session

Womack

Present law requires that every impounded horse, mule, donkey, or ass be branded with a distinctive brand that is burned into the hide of the animal. Present law further requires that records of the brand and a description of the animal be kept by the patrol and the pound keeper.

Proposed law deletes the branding requirement and instead requires every impounded animal to be permanently identified by branding, tattoo, electronic device, or other method of identification approved by the commissioner.

Proposed law requires records of the identification method, including a description of the animal, to be maintained by the impounding jurisdiction.

Present law provides that a person who finds a corporeal movable that has been lost must make a diligent effort to locate its owner or possessor and to return the thing to them. Present law also provides that one who has possessed a movable as a good faith owner under an act sufficient to transfer ownership, and without interruption for three years, acquires ownership by prescription.

Proposed law requires the possessor of a found domestic animal to prove the animal lacked a microchip or other owner-identifying information prior to claiming ownership under present law, and that the presence of owner-identifying information creates a rebuttable presumption that the possessor has not satisfied the requirements for ownership under present law.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 3:2856; Adds C.C. Art. 3419.1)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Agriculture, Forestry, Aquaculture, and Rural Development to the engrossed bill:

1. Add a provision that requires the possessor of a found domestic animal to prove the animal lacked a microchip or other owner-identifying information prior to claiming ownership under present law, and that the presence of owner-identifying information creates a rebuttable presumption that the possessor has not satisfied the requirements for ownership under present law.
2. Make technical changes.