

SENATE BILL NO. 58

BY SENATOR WOMACK

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

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AN ACT

To amend and reenact R.S. 3:2856 and to enact Civil Code Article 3419.1, relative to the identification of impounded animals; to require permanent identification of certain impounded animals; to provide for recordkeeping requirements; to provide for effectiveness; to provide for determination of ownership of domestic animals; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 3:2856 is hereby amended and reenacted to read as follows:

§2856. ~~Branding of animals impounded~~ **Identification of impounded animals**

Every **impounded** animal ~~impounded~~ shall be ~~branded with a distinctive brand, burned into the hide of the animal, which, together with a description of the animal, shall be entered on a record to be kept by the patrol and the pound keeper.~~ **permanently identified by branding, tattoo, electronic device, or other method of identification approved by the commissioner. Records of the identification method, including a description of the animal, shall be maintained by the impounding jurisdiction.**

Section 2. Civil Code Article 3419.1 is hereby enacted to read as follows:

Art. 3419.1. Lost things; domestic animals

To claim ownership of a domestic animal pursuant to Articles 3419 or 3490, the possessor shall prove that the animal when acquired lacked a microchip or other owner-identifying information such as a collar, rabies tag, or tattoo. The presence of owner-identifying information creates a rebuttable presumption that the possessor has not satisfied the requirements for ownership under Articles 3419 or 3490.

1 Section 3. This Act shall become effective upon signature by the governor or, if not
2 signed by the governor, upon expiration of the time for bills to become law without signature
3 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
4 vetoed by the governor and subsequently approved by the legislature, this Act shall become
5 effective on the day following such approval.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____