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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Curry Lann.

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DIGEST

SB 425 Original

2020 Regular Session

Carter

Present law (R.S. 14:102.6) provides for the seizure and destruction or disposition of dogs and equipment used in dogfighting. Authorizes any law enforcement officer to make arrests and lawfully take possession of all dogs on the premises where the arrest is made or in the immediate possession or control of the person being arrested and all paraphernalia, implements, equipment, or other property or things used or employed in violation of present law.

Proposed law authorizes a law enforcement officer to take possession of other animals on the premises where the arrest is made and otherwise retains present law.

Present law provides for legislative findings that fighting dogs are dangerous, vicious, and a threat to the health and safety of the public. Fighting dogs seized in accordance with present law are declared to be contraband and the officer, an animal control officer, or a licensed veterinarian may cause them to be humanely euthanized as soon as possible by a licensed veterinarian or a qualified technician and shall not be civilly or criminally liable for so doing. Fighting dogs not destroyed immediately shall be disposed of in accordance with present law.

Proposed law repeals present law.

Proposed law requires the seizing officer to appoint a licensed veterinarian or other suitable custodian to care for seized animals.

Proposed law requires each dog or other animal to be individually assessed by the veterinarian or custodian to determine whether the animal is suitable for placement.

Proposed law authorizes animals to be re-homed if the veterinarian or custodian has acquired legal possession of the dog and notified the adopting owner that the animal was seized in connection with a charge of dogfighting.

Proposed law requires the dog or other animal to be sterilized and microchipped at the expense of the new owner prior to placement.

Proposed law authorizes the veterinarian or custodian to euthanize a dog or other animal with no owner that is seized in connection with a charge of dogfighting if the animal is determined to be an unsuitable pet.

Proposed law requires any euthanization to be conducted in a humane manner by a licensed veterinarian or a certified animal euthanasia technician after the hold period has expired.

Proposed law does not preclude the accused from transferring ownership, in writing, to the custodian of the animal or the court from ordering such a transfer of ownership.

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

(Amends R.S. 14:102.6)