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## DIGEST

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HB 231 Reengrossed

2021 Regular Session

Marcelle

**Abstract:** Authorizes law enforcement officers to lawfully take possession of all dogs on premises where an arrest is made for dogfighting, and provides relative to the appointment of and assessment by licensed veterinarians or other custodians for the care of the seized dogs.

Present law (R.S. 14:102.5) provides for the crime of dogfighting.

Proposed law retains present law.

Present law (R.S. 14:102.6) authorizes law enforcement officers to lawfully take possession of all fighting dogs on the premises where an arrest is made or in the immediate possession or control of the person being arrested for dogfighting.

Proposed law amends present law to authorize law enforcement officers to lawfully take possession of all dogs on the premises where an arrest is made or in the immediate possession or control of the person being arrested for dogfighting.

Present law provides for legislative findings that fighting dogs are dangerous, vicious, and a threat to the health and safety of the public. Further provides that 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. Prohibits civil or criminal liability when a fighting dog is humanely euthanized.

Proposed law removes present law.

Present law requires the seizing officer to dispose of any dogs seized in the manner provided by present law (R.S. 14:102.2).

Proposed law retains present law and requires the seizing officer to appoint a licensed veterinarian or other suitable custodian to care for dogs that are seized and also requires the veterinarian or custodian to individually assess each dog to determine whether the dog is suitable for placement. Further provides that a dog may be rehomed if the veterinarian or custodian has acquired legal possession of the dog and has notified the adopting owner that the dog was seized in connection with a charge of dogfighting.

Proposed law also provides that the parish government where the dog is found shall pay the costs

for veterinarian care.

Proposed law authorizes the veterinarian or custodian to euthanize a dog with no owner that is seized in connection with a charge of dogfighting if the dog is determined to be an unsuitable pet. Provides that any euthanization shall be conducted in a humane manner by a licensed veterinarian or a certified animal euthanasia technician after the hold period, as provided by present law (R.S. 14:102.2), has expired.

Proposed law provides that a veterinarian who has determined that a dog is suitable to be rehomed shall not be liable to any individual for damages caused by such dog.

Present law provides that upon a person's conviction, all dogs seized shall be adjudged by the court to be forfeited and the court shall order a humane disposition. Authorizes the court to order the forfeiture of the bond posted, as well as payment of any reasonable or additional costs incurred in the boarding or veterinary treatment of any seized dog. Further provides that in the event of acquittal or final discharge, without conviction, of the accused, the court is required to direct the delivery of the animals and other property held in custody to the owner and order the return of any bond posted pursuant to present law (R.S. 14:102.2), less reasonable administrative costs.

Proposed law retains present law and provides that nothing shall preclude the accused from transferring ownership, in writing, to the custodian of the dog or the court from ordering such a transfer of ownership.

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

(Amends R.S. 14:102.6)

#### Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the original bill:

1. Remove references to other animals to make proposed law only applicable to dogs.
2. Specify that the parish government where the dog is found shall pay the costs for veterinarian care.

The House Floor Amendments to the engrossed bill:

1. Make technical changes.
2. Exempt from civil liability a veterinarian who has determined that a dog is suitable to be rehomed.

