

SENATE BILL NO. 58

BY SENATOR WOMACK

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

1 AN ACT

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

7 Be it enacted by the Legislature of Louisiana:

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

9 §2856. ~~Branding of animals impounded~~ **Identification of impounded animals**

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

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

18 **Art. 3419.1. Lost things; domestic animals**

19 **To claim ownership of a domestic animal pursuant to Articles 3419 or**  
20 **3490, the possessor shall prove that the animal when acquired lacked a**  
21 **microchip or other owner-identifying information such as a collar, rabies tag,**  
22 **or tattoo. The presence of owner-identifying information creates a rebuttable**  
23 **presumption that the possessor has not satisfied the requirements for ownership**  
24 **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.

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PRESIDENT OF THE SENATE

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_