

SENATE BILL NO. 243—SENATORS KIECKHEFER AND ROBERSON

MARCH 11, 2015

Referred to Committee on Natural Resources

SUMMARY—Revises provisions relating to animal shelters.
(BDR 50-280)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to animals; requiring, with limited exceptions, an animal shelter to hold an impounded animal for not less than 5 consecutive business days before making it available for adoption; requiring an animal shelter to provide certain alternative methods of payment for applicable fees and charges owed to the animal shelter by the owner of an impounded animal; requiring, with limited exceptions, an animal shelter to make available for adoption an impounded animal for not less than 5 consecutive business days before destroying it; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 This bill requires, with limited exceptions, an animal shelter that has taken
2 possession of an animal to hold the animal for not less than 5 consecutive business
3 days, one of which must be a Saturday, before making the animal available for
4 adoption. If the owner does not claim the animal within that time period, this bill,
5 with limited exceptions: (1) requires the animal shelter to make the animal
6 available for adoption; and (2) prohibits the animal shelter from destroying the
7 animal unless the animal shelter makes the animal available for adoption for not
8 less than 5 consecutive business days, one of which must be a Saturday.

9 This bill also requires the owner of an impounded animal to pay any applicable
10 fee or charge owed to the animal shelter before retrieving the animal, except that if
11 the owner is unable to pay the fee or charge, the animal shelter must accept: (1)
12 payment on a sliding schedule of fees based upon the owner’s ability to pay; (2)
13 installment payments; or (3) both payment on a sliding schedule of fees and
14 installment payments.



THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** Chapter 574 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 1. *Except as otherwise provided in subsection 4, an animal*
4 *shelter that takes possession of an animal must hold the*
5 *animal for not less than 5 consecutive business days, one of which*
6 *must be a Saturday, before the animal shelter makes the animal*
7 *available for adoption.*

8 2. *Except as otherwise provided in this subsection, if the*
9 *owner of the animal claims the animal, the owner must pay any*
10 *applicable fee or charge owed to the animal shelter before*
11 *retrieving the animal. If, because of financial hardship, the owner*
12 *of an animal is unable to pay any applicable fee or charge, the*
13 *animal shelter must accept payment:*

14 (a) *On a sliding schedule based upon the ability of the owner*
15 *to pay; or*

16 (b) *Pursuant to an installment agreement,*
17 *↪ or both. If the owner of the animal pays the applicable fees and*
18 *charges on a sliding schedule, enters into an installment*
19 *agreement with the animal shelter, or both, the animal shelter*
20 *must immediately return the animal to the owner.*

21 3. *If the owner of an animal does not claim the animal in the*
22 *possession of the animal shelter during the time set forth in*
23 *subsection 1, except as otherwise provided in subsection 4, the*
24 *animal shelter:*

25 (a) *Must make the animal available for adoption; and*
26 (b) *May not destroy the animal unless the animal shelter*
27 *places the animal up for adoption for a period of not less than 5*
28 *consecutive business days, one of which must be a Saturday.*

29 4. *An animal shelter may humanely destroy an animal before*
30 *the deadlines set forth in subsections 1 and 3 if the animal:*

31 (a) *Poses a danger to other animals or persons at the animal*
32 *shelter; or*

33 (b) *Is in pain or discomfort due to injury or disease.*

34 **Sec. 2.** NRS 574.210 is hereby amended to read as follows:

35 574.210 As used in NRS 574.210 to 574.510, inclusive, *and*
36 *section 1 of this act*, unless the context otherwise requires, the
37 words and terms defined in NRS 574.220 to 574.330, inclusive,
38 have the meanings ascribed to them in those sections.

39 **Sec. 3.** NRS 574.340 is hereby amended to read as follows:

40 574.340 1. The provisions of NRS 574.210 to 574.510,
41 inclusive, *and section 1 of this act* do not apply to:



1 (a) The exhibition, production, marketing or disposal of any
2 livestock, poultry, fish or other agricultural commodity or animal.

3 (b) Activities for which a license is required by the provisions of
4 chapter 466 of NRS.

5 (c) The housing of domestic cats or dogs kept as pets or cared
6 for, without remuneration other than payment for reasonable
7 expenses relating to the care of the cats or dogs, on behalf of another
8 person in a home environment.

9 (d) The exhibition of dogs or cats.

10 2. As used in this section:

11 (a) "Animal" has the meaning ascribed to it in NRS 564.010.

12 (b) "Livestock" has the meaning ascribed to it in NRS 569.0085.

13 **Sec. 4.** NRS 574.350 is hereby amended to read as follows:

14 574.350 No member, agent or officer of a society for the
15 prevention of cruelty to animals may enforce the provisions of NRS
16 574.210 to 574.510, inclusive ~~§~~, *and section 1 of this act.*

17 **Sec. 5.** This act becomes effective upon passage and approval.

