

ASSEMBLY BILL NO. 208—ASSEMBLYMEN COLLINS, CLABORN, DE BRAGA, VON TOBEL, ANDERSON, ANGLE, ARBERRY, BEERS, BROWN, CARPENTER, CEGAVSKE, CHOWNING, DINI, FREEMAN, GIBBONS, GOLDWATER, GUSTAVSON, HETTRICK, HUMKE, KOIVISTO, LEE, LESLIE, MARVEL, MORTENSON, NEIGHBORS, NOLAN, OCEGUERA, PARKS, PARNELL, PERKINS, PRICE, SMITH, TIFFANY AND WILLIAMS

FEBRUARY 20, 2001

JOINT SPONSORS: SENATORS O'CONNELL, RAWSON, AMODEI, NEAL, COFFIN, JACOBSEN, MATHEWS, MCGINNESS, O'DONNELL, RAGGIO, RHOADS, SCHNEIDER, SHAFFER AND WASHINGTON

Referred to Committee on Natural Resources, Agriculture, and Mining

SUMMARY—Revises provisions governing treatment of animals. (BDR 50-206)

FISCAL NOTE: Effect on Local Government: No.
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; prohibiting an agency, board, commission or political subdivision of this state or an agency, board, commission or governing body of a local government in this state from imposing certain requirements or restrictions concerning the treatment of animals or from regulating certain events in a manner that causes the event to be economically infeasible to conduct; and providing other matters properly relating thereto.

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 thereto a
2 new section to read as follows:

3 *1. An agency, board, commission or political subdivision of this state,*
4 *including any agency, board, commission or governing body of a local*
5 *government, shall not:*

6 *(a) Impose more stringent restrictions concerning the handling, care,*
7 *transporting, use or other treatment of an animal than the restrictions*
8 *that are set forth in this chapter;*

9 *(b) Require an animal to be spayed or neutered;*



* A B 2 0 8 *

(c) *Prohibit:*

(1) *The ownership or possession of an animal; or*

(2) *The conducting of any rodeo, livestock show, circus, exhibition or other event in which an animal is used; or*

(d) *Regulate an event specified in subparagraph (2) of paragraph (c) in a manner that causes the event to be economically infeasible to conduct.*

2. *As used in this section, "animal" has the meaning ascribed to it in NRS 574.050.*

Sec. 2. NRS 244.359 is hereby amended to read as follows:

244.359 1. ~~Each~~ *Except as otherwise provided in section 1 of this act, each* board of county commissioners may enact and enforce an ordinance: ~~for ordinances:~~

(a) Fixing, imposing and collecting an annual license fee on dogs and providing for the capture and disposal of all dogs ~~on~~ *for* which the license fee is not paid.

(b) Regulating or prohibiting the running at large *of domestic animals* and *the* disposal of all kinds of animals.

(c) Establishing a pound, appointing a poundkeeper and prescribing his duties.

(d) Prohibiting cruelty to animals.

2. Any ordinance ~~for ordinances~~ enacted pursuant to the provisions of paragraphs (a) and (b) of subsection 1 may apply throughout an entire county or govern only a limited area within the county which ~~shall~~ *must* be specified in the ordinance. ~~for ordinances.~~

Sec. 3. NRS 266.325 is hereby amended to read as follows:

266.325 ~~The~~ *Except as otherwise provided in section 1 of this act, the* city council may:

1. Fix, impose and collect an annual license fee on all *domestic* animals and provide for the capture and disposal of all *domestic* animals ~~on~~ *for* which the license fee is not paid.

2. Regulate or prohibit the running at large *of domestic animals* and *the* disposal of all kinds of animals and poultry.

3. Establish a pound, appoint a poundkeeper and prescribe his duties.

4. Prohibit cruelty to animals.

Sec. 4. Section 2.250 of the charter of the City of Caliente, being chapter 31, Statutes of Nevada 1971, at page 62, is hereby amended to read as follows:

Sec. 2.250 Powers of city council: Animals and poultry. ~~The~~ *Except as otherwise provided in section 1 of this act, the* city council may:

1. Fix, impose and collect an annual license fee on all *domestic* animals and provide for the capture and disposal of all *domestic* animals ~~on~~ *for* which the license fee is not paid.

2. Regulate or prohibit the running at large *of domestic animals* and *the* disposal of all kinds of animals and poultry.

3. Establish a pound, appoint a poundkeeper and prescribe his duties.

4. Prohibit cruelty to animals.



1 **Sec. 5.** Section 2.270 of the charter of the City of Carlin, being
2 chapter 344, Statutes of Nevada 1971, at page 611, is hereby amended to
3 read as follows:

4 Sec. 2.270 Powers of board of councilmen: Animals and poultry.
5 ~~[[The]]~~ *Except as otherwise provided in section 1 of this act, the* board
6 of councilmen may:

7 1. Fix, impose and collect an annual per capita tax on all *domestic*
8 animals and provide for the capture and disposal of all *domestic*
9 animals ~~for~~ *for* which the tax is not paid.

10 2. Regulate or prohibit the running at large *of domestic animals*
11 and *the* disposal of all kinds of animals and poultry.

12 3. Establish a pound, appoint a poundkeeper and prescribe his
13 duties.

14 4. Prohibit cruelty to animals.

15 **Sec. 6.** Section 2.180 of the charter of Carson City, being chapter 213,
16 Statutes of Nevada 1969, as last amended by chapter 341, Statutes of
17 Nevada 1999, at page 1407, is hereby amended to read as follows:

18 Sec. 2.180 Power of board: Animals and poultry. ~~[[The]]~~ *Except*
19 *as otherwise provided in section 1 of this act, the* board may:

20 1. Fix, impose and collect an annual per capita tax on all dogs and
21 provide for the capture and disposal of all dogs ~~for~~ *for* which the tax
22 is not paid.

23 2. Regulate or prohibit the running at large within Carson City of
24 all ~~[[kinds of]]~~ *domestic* animals and poultry, establish a pound, appoint
25 a poundkeeper and prescribe his duties, distrain and impound
26 *domestic* animals and poultry running at large, and provide for the
27 disposition of ~~[[such]]~~ *all* animals and poultry. The proceeds arising
28 from the disposition of ~~[[such]]~~ *those* animals and poultry, after the
29 payment of all costs, must be deposited in the treasury to be disposed
30 of according to law.

31 3. Prohibit cruelty to animals.

32 **Sec. 7.** Section 2.300 of the charter of the City of Elko, being chapter
33 276, Statutes of Nevada 1971, at page 484, is hereby amended to read as
34 follows:

35 Sec. 2.300 Powers of board of supervisors: Animals and poultry.
36 ~~[[The]]~~ *Except as otherwise provided in section 1 of this act, the* board
37 of supervisors may:

38 1. Fix, impose and collect an annual per capita tax on all *domestic*
39 animals and provide for the capture and disposal of all *domestic*
40 animals ~~for~~ *for* which the tax is not paid.

41 2. Regulate or prohibit the running at large *of domestic animals*
42 and *the* disposal of all kinds of animals and poultry.

43 3. Establish a pound, appoint a poundkeeper and prescribe his
44 duties.

45 4. Prohibit cruelty to animals.

46 **Sec. 8.** Section 2.250 of the charter of the City of Gabbs, being
47 chapter 265, Statutes of Nevada 1971, at page 393, is hereby amended to
48 read as follows:



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1 Sec. 2.250 Powers of board of councilmen: Animals and poultry.
2 ~~The~~ *Except as otherwise provided in section 1 of this act, the* board
3 of councilmen may:

4 1. Fix, impose and collect an annual license fee on all *domestic*
5 animals and provide for the capture and disposal of all *domestic*
6 animals ~~on~~ *for* which the license fee is not paid.

7 2. Regulate or prohibit the running at large of ~~all kinds of~~
8 *domestic* animals and poultry.

9 3. Establish a pound, appoint a poundkeeper and prescribe his
10 duties.

11 4. Prohibit cruelty to animals.

12 **Sec. 9.** Section 2.250 of the charter of the City of Henderson, being
13 chapter 266, Statutes of Nevada 1971, as last amended by chapter 596,
14 Statutes of Nevada 1995, at page 2210, is hereby amended to read as
15 follows:

16 Sec. 2.250 Powers of city council: Animals and poultry. ~~The~~
17 *Except as otherwise provided in section 1 of this act, the* city council
18 may regulate and control *domestic* animals and poultry in the city and
19 may construct facilities for this purpose.

20 **Sec. 10.** Section 2.270 of the charter of the City of Las Vegas, being
21 chapter 517, Statutes of Nevada 1983, at page 1402, is hereby amended to
22 read as follows:

23 Sec. 2.270 Powers of city council: Animals and poultry. ~~The~~
24 *Except as otherwise provided in section 1 of this act, the* city council
25 may:

26 1. Fix, impose and collect an annual license tax on all *domestic*
27 animals and provide for the capture and disposal of all ~~of the animals~~
28 ~~with respect to which that~~ *domestic animals for which the* tax is not
29 paid.

30 2. Regulate or prohibit the running at large *of domestic animals*
31 and *the* disposal of all kinds of animals and fowl.

32 3. Establish, operate and maintain an animal shelter.

33 4. Prohibit cruelty to animals.

34 5. Provide regulations for the prevention of diseases of animals
35 and fowl.

36 **Sec. 11.** Section 2.250 of the charter of the City of North Las Vegas,
37 being chapter 573, Statutes of Nevada 1971, at page 1218, is hereby
38 amended to read as follows:

39 Sec. 2.250 Powers of city council: Animals and poultry. ~~The~~
40 *Except as otherwise provided in section 1 of this act, the* city council
41 may:

42 1. Fix, impose and collect an annual fee on all *domestic* animals
43 and provide for the capture and disposal of all *domestic* animals ~~on~~
44 *for* which the fee is not paid.

45 2. Regulate or prohibit the running at large *of domestic animals*
46 and *the* disposal of all kinds of animals and poultry.

47 3. Establish a pound.

48 4. Prohibit cruelty to animals.



1 **Sec. 12.** Section 2.270 of the charter of the City of Wells, being
2 chapter 275, Statutes of Nevada 1971, at page 465, is hereby amended to
3 read as follows:

4 Sec. 2.270 Powers of board of councilmen: Animals and poultry.
5 ~~The~~ *Except as otherwise provided in section 1 of this act, the* board
6 of councilmen may:

7 1. Fix, impose and collect an annual per capita tax on all *domestic*
8 animals and provide for the capture and disposal of all *domestic*
9 animals ~~on~~ *for* which the tax is not paid.

10 2. Regulate or prohibit the running at large *of domestic animals*
11 and *the* disposal of all kinds of animals and poultry.

12 3. Establish a pound, appoint a poundkeeper and prescribe his
13 duties.

14 4. Prohibit cruelty to animals.

15 **Sec. 13.** Section 2.250 of the charter of the City of Yerington, being
16 chapter 465, Statutes of Nevada 1971, at page 908, is hereby amended to
17 read as follows:

18 Sec. 2.250 Powers of city council: Animals and poultry. ~~The~~
19 *Except as otherwise provided in section 1 of this act, the* city council
20 may:

21 1. Fix, impose and collect an annual license fee on all *domestic*
22 animals and provide for the capture and disposal of all *domestic*
23 animals ~~on~~ *for* which the license fee is not paid.

24 2. Regulate or prohibit the running at large *of domestic animals*
25 and *the* disposal of all kinds of animals and poultry.

26 3. Establish a pound, appoint a poundkeeper and prescribe his
27 duties.

28 4. Prohibit cruelty to animals.

