

House Bill 574 (AS PASSED HOUSE AND SENATE)

By: Representatives Camp of the 131st, Cameron of the 1st, Hill of the 3rd, Houston of the 170th, Jenkins of the 132nd, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 4-11-3 of the Official Code of Georgia Annotated, relating to
2 licenses for pet dealers and kennel, stable, or animal shelter operators, requirement, issuance,
3 and application, so as to provide for a Local Government Companion Animal Trust Fund for
4 reimbursement of impoundment expenses incurred by local governments; to provide for
5 annual reporting; to provide for promulgation of regulations; to provide for compliance with
6 constitutional requirements; to provide for an effective date and automatic repeal; to provide
7 for related matters; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Code Section 4-11-3 of the Official Code of Georgia Annotated, relating to licenses for pet
11 dealers and kennel, stable, or animal shelter operators, requirement, issuance, and
12 application, is amended by revising subsection (c) and adding a new subsection to read as
13 follows:

14 "(c) Licenses shall be issued for a period of one year and shall be annually renewable. The
15 Commissioner may establish separate classes of licenses, including wholesale and retail
16 licenses. ~~The Commissioner shall fix fees for licenses so that the revenue derived from~~

17 ~~licenses shall approximate the total direct cost of administering this article. The~~
18 ~~Commissioner may establish different fees for the different classes of licenses established,~~
19 ~~but the annual fee for any such license shall be at least \$50.00 but shall not exceed \$400.00.~~
20 ~~Any fees collected pursuant to this Code section shall be retained pursuant to the provisions~~
21 ~~of Code Section 45-12-92.1.~~

22 (c.1)(1)(A) For the period beginning on July 1, 2021, and ending on June 30, 2031,
23 fees identified in subsection (c) of this Code section shall be renewed and, under the
24 authority granted and subject to the conditions imposed by Article III, Section IX,
25 Paragraph VI(r) of the Constitution of Georgia, no more than \$50,000.00 of such
26 collected fees shall be dedicated to the Local Government Companion Animal Trust
27 Fund as provided for in subparagraph (B) of this paragraph, provided that the total
28 amount of funds in such fund at any time shall not exceed \$200,000.00, and such
29 amounts shall not lapse as otherwise required by Article III, Section IX, Paragraph
30 IV(c) of the Constitution of Georgia.

31 (B) There is established the Local Government Companion Animal Trust Fund as a
32 separate fund of the department. The department shall accept applications from
33 qualified local governments as defined in paragraph (18) of subsection (a) of Code
34 Section 50-8-2 for reimbursement of expenses incurred by such local governments
35 impounding more than 29 dogs or cats or more than 9 equines as part of any
36 investigation of a violation of Code Section 4-11-9.2, 16-12-4, or 16-12-37, or
37 otherwise providing care for more than 29 dogs or cats or more than 9 equines
38 impounded pursuant to this article or local ordinance. The department shall provide
39 reimbursement to such local governments of such expenses as it deems reasonably and
40 appropriately incurred.

41 (2)(A) The Commissioner shall administer the provisions of this subsection and shall
42 prepare, by February 1 of each year, an accounting of the funds received and expended
43 pursuant to this subsection. The report shall be made available to the House Committee

44 on Agriculture and Consumer Affairs and the Senate Agriculture and Consumer Affairs
45 Committee.

46 (B) The Commissioner shall retain annually up to \$10,000.00 of the funds collected
47 pursuant to this subsection to offset the costs to the state of implementing and
48 administering this subsection.

49 (3) The department shall promulgate rules and regulations as necessary to implement the
50 provisions of this subsection.

51 (4) This subsection shall stand repealed and reserved on July 1, 2031."

52 **SECTION 2.**

53 In accordance with the requirements of Article III, Section IX, Paragraph VI(r) of the
54 Constitution of Georgia, this Act shall not become law unless it receives the requisite
55 two-thirds' majority vote in both the Senate and the House of Representatives and the amount
56 of the funds dedicated by this Act do not equal or exceed 1 percent of the previous fiscal
57 year's state revenues subject to appropriations.

58 **SECTION 3.**

59 Except as provided for in Section 2 of this Act, this Act shall become effective on
60 July 1, 2021.

61 **SECTION 4.**

62 All laws and parts of laws in conflict with this Act are repealed.