

20-19-103. Sterilization of impounded dogs and cats.

(a) It shall be unlawful for any pound, shelter, or humane organization supported wholly or partly by public funds to release any dog or cat which has not been sterilized to a new owner unless, except as provided in subsection (c) of this section, a promise to spay or neuter the animal has been signed by the person acquiring the animal.

(b)(1) The sterilization shall be performed by the date stipulated, except that the releasing agency may grant an extension of time not to exceed thirty (30) days upon the request of the owner.

(2)(A) The signed promise shall be binding, and failure to comply shall constitute a violation of this section.

(B) In such case, the animal described therein shall be returned to the releasing agency upon demand. Ownership of the animal reverts to the releasing agency in such instance. No claim may be made by the owner to recover expenses incurred for maintenance of the animal, including the initial procurement cost.

(c)(1) In any county in the state having a population of three hundred thousand (300,000) or more persons according to the most recent federal decennial census, it shall be unlawful for any pound, shelter, or humane organization to release to a new owner any dog or cat over two (2) months of age which has not been sterilized except as provided in subdivision (c)(2) of this section.

(2)(A) An animal which in the opinion of a veterinarian licensed to practice veterinary medicine in the State of Arkansas is medically compromised to the extent that it cannot withstand immediate sterilization may be temporarily released pursuant to a foster care agreement until such time as it can safely be sterilized or until two (2) veterinarians licensed to practice veterinary medicine in the State of Arkansas certify that it is unlikely that the animal will ever recover to the extent that it can safely be sterilized.

(B)(i) At that time, ownership of the animal may be transferred to an owner who certifies that the animal will not be used for breeding.

(ii) An owner who violates the agreement shall be subject to the penalties set forth in subsection (d) of this section.

(d) Violations of this section are declared to be misdemeanors punishable by a fine of not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500).

History. Acts 1981, No. 869, §§ 1, 2; A.S.A. 1947, §§ 78-214, 78-215; Acts 1995, No. 839, § 1; 1999, No. 488, § 2.