

REFERENCE TITLE: **working animals; restrictions; prohibition**

State of Arizona
Senate
Fifty-sixth Legislature
First Regular Session
2023

SB 1251

Introduced by
Senators Shamp: Borrelli, Gowan, Kerr, Shope; Representatives Diaz, Dunn,
Gillette, Griffin, Montenegro, Smith

AN ACT

**AMENDING TITLE 9, CHAPTER 4, ARTICLE 8, ARIZONA REVISED STATUTES, BY
ADDING SECTION 9-500.49; AMENDING TITLE 11, CHAPTER 2, ARTICLE 4, ARIZONA
REVISED STATUTES, BY ADDING SECTION 11-269.27; RELATING TO WORKING
ANIMALS.**

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Title 9, chapter 4, article 8, Arizona Revised Statutes,
3 is amended by adding section 9-500.49, to read:
4 9-500.49. Working animals; restrictions; prohibition;
5 applicability; definition
6 A. A CITY OR TOWN MAY NOT ENACT ANY ORDINANCE, RESOLUTION OR POLICY
7 THAT PROHIBITS OR UNDULY RESTRICTS A PERSON FROM USING A WORKING ANIMAL IN
8 LAWFUL COMMERCE OR FOR AN ANIMAL ENTERPRISE.
9 B. THIS SECTION DOES NOT APPLY TO EITHER OF THE FOLLOWING:
10 1. ANY MUNICIPAL ZONING ORDINANCE ENACTED PURSUANT TO THIS TITLE.
11 2. ANY MUNICIPAL ORDINANCE OR RESOLUTION ENACTED RELATING TO PUBLIC
12 HEALTH OR PUBLIC SAFETY.
13 C. FOR THE PURPOSES OF THIS SECTION, "WORKING ANIMAL":
14 1. MEANS AN ANIMAL USED PRIMARILY TO PERFORM A SPECIFIC DUTY OR
15 FUNCTION IN COMMERCE OR FOR AN ANIMAL ENTERPRISE.
16 2. DOES NOT INCLUDE RABBITS, LLAMAS, CATTLE, SWINE, SHEEP, GOATS OR
17 POULTRY OR ANY OTHER ANIMAL THAT IS USED PRIMARILY TO PRODUCE FOOD.
18 Sec. 2. Title 11, chapter 2, article 4, Arizona Revised Statutes,
19 is amended by adding section 11-269.27, to read:
20 11-269.27. Working animals; restrictions; prohibition;
21 applicability; definition
22 A. A COUNTY MAY NOT ENACT ANY ORDINANCE, RESOLUTION OR POLICY THAT
23 PROHIBITS OR UNDULY RESTRICTS A PERSON FROM USING A WORKING ANIMAL IN
24 LAWFUL COMMERCE OR FOR AN ANIMAL ENTERPRISE.
25 B. THIS SECTION DOES NOT APPLY TO EITHER OF THE FOLLOWING:
26 1. ANY COUNTY ZONING ORDINANCE ENACTED PURSUANT TO THIS TITLE.
27 2. ANY COUNTY ORDINANCE OR RESOLUTION ENACTED RELATING TO PUBLIC
28 HEALTH OR PUBLIC SAFETY.
29 C. FOR THE PURPOSES OF THIS SECTION, "WORKING ANIMAL":
30 1. MEANS AN ANIMAL USED PRIMARILY TO PERFORM A SPECIFIC DUTY OR
31 FUNCTION IN COMMERCE OR FOR AN ANIMAL ENTERPRISE.
32 2. DOES NOT INCLUDE RABBITS, LLAMAS, CATTLE, SWINE, SHEEP, GOATS OR
33 POULTRY OR ANY OTHER ANIMAL THAT IS USED PRIMARILY TO PRODUCE FOOD.