

Senate Engrossed

working animals; restrictions; prohibition

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

SENATE BILL 1251

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; definitions

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 FOR AN ANIMAL ENTERPRISE.

9 B. THIS SECTION DOES NOT APPLY TO ANY OF THE FOLLOWING:

10 1. A MUNICIPAL ZONING ORDINANCE ENACTED PURSUANT TO THIS TITLE.

11 2. A MUNICIPAL ORDINANCE OR RESOLUTION ENACTED RELATING TO PUBLIC
12 HEALTH, PUBLIC SAFETY, NOISE OR ANIMAL CRUELTY.

13 3. ANY OTHER LAW OF THIS STATE RELATING TO ANIMAL CARE, ANIMAL
14 CRUELTY, NOISE, PUBLIC HEALTH OR PUBLIC SAFETY, INCLUDING SECTION
15 44-1799.10.

16 C. FOR THE PURPOSES OF THIS SECTION:

17 1. "ANIMAL ENTERPRISE" MEANS A RODEO OR AGRICULTURAL OPERATIONS AS
18 DEFINED IN SECTION 3-111.

19 2. "WORKING ANIMAL":

20 (a) MEANS AN ANIMAL USED PRIMARILY TO PERFORM A SPECIFIC DUTY OR
21 FUNCTION IN LAWFUL COMMERCE FOR AN ANIMAL ENTERPRISE.

22 (b) DOES NOT INCLUDE RABBITS, LLAMAS, CATTLE, SWINE, SHEEP, GOATS
23 OR POULTRY OR ANY OTHER ANIMAL THAT IS USED PRIMARILY TO PRODUCE FOOD.

24 Sec. 2. Title 11, chapter 2, article 4, Arizona Revised Statutes,
25 is amended by adding section 11-269.27, to read:

26 11-269.27. Working animals; restrictions; prohibition;
27 applicability; definitions

28 A. A COUNTY MAY NOT ENACT ANY ORDINANCE, RESOLUTION OR POLICY THAT
29 PROHIBITS OR UNDULY RESTRICTS A PERSON FROM USING A WORKING ANIMAL IN
30 LAWFUL COMMERCE FOR AN ANIMAL ENTERPRISE.

31 B. THIS SECTION DOES NOT APPLY TO ANY OF THE FOLLOWING:

32 1. A COUNTY ZONING ORDINANCE ENACTED PURSUANT TO THIS TITLE.

33 2. A COUNTY ORDINANCE OR RESOLUTION ENACTED RELATING TO PUBLIC
34 HEALTH, PUBLIC SAFETY, NOISE OR ANIMAL CRUELTY.

35 3. ANY OTHER LAW OF THIS STATE RELATING TO ANIMAL CARE, ANIMAL
36 CRUELTY, NOISE, PUBLIC HEALTH OR PUBLIC SAFETY, INCLUDING SECTION
37 44-1799.10.

38 C. FOR THE PURPOSES OF THIS SECTION:

39 1. "ANIMAL ENTERPRISE" MEANS A RODEO OR AGRICULTURAL OPERATIONS
40 DEFINED IN SECTION 3-111.

41 2. "WORKING ANIMAL":

42 (a) MEANS AN ANIMAL USED PRIMARILY TO PERFORM A SPECIFIC DUTY OR
43 FUNCTION IN LAWFUL COMMERCE FOR AN ANIMAL ENTERPRISE.

44 (b) DOES NOT INCLUDE RABBITS, LLAMAS, CATTLE, SWINE, SHEEP, GOATS
45 OR POULTRY OR ANY OTHER ANIMAL THAT IS USED PRIMARILY TO PRODUCE FOOD.