

Senate Engrossed

animal abuser registration; penalties

State of Arizona
Senate
Fifty-sixth Legislature
Second Regular Session
2024

SENATE BILL 1072

AN ACT

AMENDING TITLE 13, CHAPTER 29, ARIZONA REVISED STATUTES, BY ADDING SECTION 13-2910.13; RELATING TO ANIMAL ABUSE.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 13, chapter 29, Arizona Revised Statutes, is
3 amended by adding section 13-2910.13, to read:

4 13-2910.13. Central animal abuser registration; central
5 animal abuser registry; civil penalty;
6 violation; classification; good cause
7 exception; definitions

8 A. A PERSON WHO IS AT LEAST EIGHTEEN YEARS OF AGE AND WHO HAS BEEN
9 CONVICTED OF OR FOUND GUILTY EXCEPT INSANE FOR A VIOLATION OR ATTEMPTED
10 VIOLATION OF ANY OF THE FOLLOWING FELONY OFFENSES, WITHIN FIVE DAYS AFTER
11 THE CONVICTION, SHALL REGISTER WITH THE DEPARTMENT OF PUBLIC SAFETY:

12 1. CRUELTY TO ANIMALS PURSUANT TO SECTION 13-2910, SUBSECTION A,
13 PARAGRAPH 8, 9, 11, 14 OR 15.

14 2. ANIMAL FIGHTING PURSUANT TO SECTION 13-2910.01.

15 3. BESTIALITY PURSUANT TO SECTION 13-1411.

16 B. ON THE FIRST CONVICTION OF AN OFFENSE LISTED IN SUBSECTION A OF
17 THIS SECTION, A PERSON SHALL REGISTER FOR FIVE YEARS. ON THE PERSON'S
18 SECOND OR SUBSEQUENT CONVICTION OF AN OFFENSE LISTED IN SUBSECTION A OF
19 THIS SECTION, THE PERSON SHALL REGISTER FOR TEN YEARS.

20 C. THE CLERK OF THE COURT IN THE COUNTY IN WHICH A PERSON IS
21 CONVICTED OF OR FOUND GUILTY EXCEPT INSANE FOR AN OFFENSE LISTED IN
22 SUBSECTION A OF THIS SECTION SHALL PROVIDE THE DEPARTMENT OF PUBLIC SAFETY
23 WITH A COPY OF THE JUDGMENT AND THE CONVICTED PERSON'S DATE OF BIRTH
24 WITHIN FIVE DAYS AFTER ENTRY OF THE JUDGMENT.

25 D. AT THE TIME OF REGISTERING, THE PERSON SHALL SIGN OR AFFIX AN
26 ELECTRONIC FINGERPRINT TO A STATEMENT GIVING SUCH INFORMATION AS REQUIRED
27 BY THE DIRECTOR OF THE DEPARTMENT OF PUBLIC SAFETY, INCLUDING ALL NAMES BY
28 WHICH THE PERSON IS KNOWN, A CURRENT PHOTOGRAPH AND THE PHYSICAL LOCATION
29 OF THE PERSON'S RESIDENCE AND THE PERSON'S ADDRESS. IF THE PERSON HAS A
30 PLACE OF RESIDENCE THAT IS DIFFERENT FROM THE PERSON'S ADDRESS, THE PERSON
31 SHALL PROVIDE THE PERSON'S ADDRESS, THE PHYSICAL LOCATION OF THE PERSON'S
32 RESIDENCE AND THE NAME OF THE OWNER OF THE RESIDENCE IF THE RESIDENCE IS
33 PRIVATELY OWNED AND NOT OFFERED FOR RENT OR LEASE. IF THE PERSON RECEIVES
34 MAIL AT A POST OFFICE BOX, THE PERSON SHALL PROVIDE THE LOCATION AND
35 NUMBER OF THE POST OFFICE BOX. IF THE PERSON MOVES TO A NEW RESIDENCE,
36 THE PERSON SHALL PROVIDE THE DEPARTMENT OF PUBLIC SAFETY WITH THE PERSON'S
37 NEW RESIDENCE ADDRESS WITHIN THIRTY DAYS AFTER MOVING. A PERSON WHO IS
38 REQUIRED TO REGISTER FOR MORE THAN FIVE YEARS MUST PROVIDE THE DEPARTMENT
39 OF PUBLIC SAFETY WITH A CURRENT PHOTOGRAPH OF THE PERSON AT LEAST ONCE
40 EVERY FIVE YEARS.

41 E. BEGINNING FROM AND AFTER DECEMBER 31, 2024, THE DEPARTMENT OF
42 PUBLIC SAFETY SHALL ESTABLISH AND MAINTAIN A CENTRAL ANIMAL ABUSER
43 REGISTRY TO PROVIDE ANIMAL ABUSER INFORMATION TO THE PUBLIC. THE REGISTRY
44 SHALL INCLUDE THE NAMES AND REGISTRATION INFORMATION OF EVERY PERSON WHO
45 IS REQUIRED TO REGISTER PURSUANT TO THIS SECTION. THE DEPARTMENT OF

1 PUBLIC SAFETY SHALL MAKE THE CENTRAL ANIMAL ABUSER REGISTRY AVAILABLE ON
2 ITS WEBSITE. THE ANIMAL ABUSER'S INFORMATION SHALL REMAIN IN THE REGISTRY
3 FOR AS LONG AS THE PERSON IS REQUIRED TO REGISTER, UNLESS THE ABUSER'S
4 CONVICTION IS SET ASIDE PURSUANT TO SECTION 13-905. THE DEPARTMENT OF
5 PUBLIC SAFETY SHALL REMOVE THE PERSON'S NAME AND ALL OTHER INFORMATION
6 AFTER THE PERIOD OF TIME PRESCRIBED BY SUBSECTION B OF THIS SECTION UNLESS
7 THE PERSON IS SUBSEQUENTLY CONVICTED OF AN OFFENSE THAT REQUIRES
8 REGISTRATION.

9 F. THE CENTRAL ANIMAL ABUSER REGISTRY SHALL INCLUDE ALL OF THE
10 FOLLOWING INFORMATION:

11 1. THE CURRENT PHOTOGRAPH OF THE CONVICTED PERSON.

12 2. THE CONVICTED PERSON'S FULL LEGAL NAME AND CURRENT ADDRESS.

13 3. ANY OTHER INFORMATION THAT IS NECESSARY TO PROPERLY IDENTIFY THE
14 PERSON AS DETERMINED BY THE DEPARTMENT OF PUBLIC SAFETY.

15 G. THE CENTRAL ANIMAL ABUSER REGISTRY MAY NOT CONTAIN THE PERSON'S
16 SOCIAL SECURITY NUMBER, NONOPERATING IDENTIFICATION OR DRIVER LICENSE
17 NUMBER OR ANY OTHER STATE OR FEDERAL IDENTIFICATION NUMBER.

18 H. FROM AND AFTER DECEMBER 31, 2024, AN EMPLOYEE, VOLUNTEER OR
19 AUTHORIZED AGENT OF AN ORGANIZATION THAT GIVES OR ADOPTS OUT TO ANOTHER OR
20 THAT TRANSFERS OR EXCHANGES FOR COMPENSATION ANIMALS SHALL CONDUCT A
21 SEARCH OF THE CENTRAL ANIMAL ABUSER REGISTRY, CHECKING FOR THE NAME OF
22 EVERY PERSON WHO IS REQUESTING TO ADOPT, BUY OR OWN A COMPANION ANIMAL.

23 I. A PERSON MAY NOT INTENTIONALLY OR KNOWINGLY GIFT, ADOPT OUT OR
24 TRANSFER A COMPANION ANIMAL TO A PERSON WHO IS LISTED IN THE CENTRAL
25 ANIMAL ABUSER REGISTRY. THIS SUBSECTION DOES NOT APPLY TO A PET DEALER OR
26 AN EMPLOYEE OF A PET STORE.

27 J. A PERSON WHO FAILS TO REGISTER PURSUANT TO SUBSECTION A OF THIS
28 SECTION OR WHO FAILS TO UPDATE THE PERSON'S RESIDENCE ADDRESS OR
29 PHOTOGRAPH WITH THE DEPARTMENT OF PUBLIC SAFETY IS GUILTY OF A CLASS 1
30 MISDEMEANOR.

31 K. A PERSON WHO INTENTIONALLY OR KNOWINGLY GIFTS, ADOPTS OUT OR
32 TRANSFERS A COMPANION ANIMAL TO A PERSON WHO IS LISTED IN THE CENTRAL
33 ANIMAL ABUSER REGISTRY IS SUBJECT TO A CIVIL PENALTY OF AT LEAST \$250.

34 L. ANY REQUIREMENT TO REGISTER IS TOLLED DURING THE TIME THAT A
35 PERSON WHO IS REQUIRED TO REGISTER PURSUANT TO THIS SECTION IS
36 INCARCERATED IN THE STATE DEPARTMENT OF CORRECTIONS.

37 M. A PERSON WHO IS REQUIRED TO REGISTER PURSUANT TO THIS SECTION
38 MAY APPLY TO THE COURT FOR A GOOD CAUSE EXCEPTION THAT ALLOWS THE PERSON
39 TO PURCHASE, OWN, POSSESS OR ADOPT A SERVICE ANIMAL. A GOOD CAUSE
40 EXCEPTION IS VALID FOR ONE YEAR. A PERSON WHO IS REQUIRED TO REGISTER MAY
41 REQUEST THE COURT TO RENEW A GOOD CAUSE EXCEPTION SIXTY DAYS BEFORE THE
42 GOOD CAUSE EXCEPTION EXPIRES. THE COURT MAY GRANT A GOOD CAUSE EXCEPTION
43 OR RENEW A GOOD CAUSE EXCEPTION IF ALL OF THE FOLLOWING APPLY:

1 1. THE PERSON IS ON SUPERVISED OR UNSUPERVISED PROBATION, COMMUNITY
2 SUPERVISION OR PAROLE OR AGREES TO BE SUBJECT TO THE COURT'S JURISDICTION
3 AND SUPERVISION WHILE OWNING OR POSSESSING THE SERVICE ANIMAL.

4 2. THE COURT DETERMINES THAT IT IS IN THE BEST INTERESTS OF THE
5 SERVICE ANIMAL AND THAT THE PERSON'S NEED FOR A SERVICE ANIMAL OUTWEIGHS
6 ANY RISK TO THE SERVICE ANIMAL.

7 3. THE PERSON AGREES TO NOT PURCHASE, OWN, POSSESS OR ADOPT AN
8 ANIMAL THAT IS NOT A SERVICE ANIMAL.

9 N. SUBSECTIONS H, I AND K OF THIS SECTION DO NOT APPLY TO A PERSON
10 OR AN EMPLOYEE, VOLUNTEER OR AUTHORIZED AGENT OF AN ORGANIZATION THAT
11 GIVES OR ADOPTS OUT TO ANOTHER OR THAT TRANSFERS OR EXCHANGES FOR
12 COMPENSATION A SERVICE ANIMAL TO A PERSON WHO RECEIVES A GOOD CAUSE
13 EXCEPTION.

14 O. THIS SECTION DOES NOT PROHIBIT OR INTERFERE WITH THE SALE OF
15 LIVESTOCK AS DEFINED IN SECTION 3-1201 OR ACTIVITIES ALLOWED BY OR
16 PURSUANT TO TITLE 3 IN THE PURSUIT OF RAISING, CARING FOR OR SELLING
17 LIVESTOCK RAISED FOR COMMERCIAL PURPOSES.

18 P. FOR THE PURPOSES OF THIS SECTION:

19 1. "ADDRESS" MEANS THE LOCATION WHERE THE PERSON RECEIVES MAIL.

20 2. "ANIMAL":

21 (a) MEANS A COMPANION ANIMAL.

22 (b) DOES NOT INCLUDE LIVESTOCK AS DEFINED IN SECTION 3-1201 OR
23 WILDLIFE AS DEFINED IN SECTION 17-101.

24 3. "COMPANION ANIMAL" MEANS ANY DOMESTICATED DOG OR CAT THAT IS
25 KEPT AS A HOUSEHOLD PET OR COMPANION OR IS BRED TO BE A HOUSEHOLD PET OR
26 COMPANION.

27 4. "PET DEALER" MEANS A PERSON WHO OWNS A PET STORE.

28 5. "PET STORE":

29 (a) MEANS A COMMERCIAL ESTABLISHMENT THAT ENGAGES IN A FOR-PROFIT
30 BUSINESS THAT SELLS CATS, DOGS OR OTHER ANIMALS IN A RETAIL SETTING.

31 (b) DOES NOT INCLUDE EITHER OF THE FOLLOWING:

32 (i) A COMMERCIAL LIVESTOCK AUCTION MARKET.

33 (ii) A CHARITABLE NONPROFIT RESCUE OR HUMANE SOCIETY OR ANY ANIMAL
34 ADOPTION ACTIVITY THAT A RESCUE OR HUMANE SOCIETY CONDUCTS OFF-SITE AT ANY
35 PET STORE OR OTHER COMMERCIAL ENTERPRISE.

36 6. "SERVICE ANIMAL" HAS THE SAME MEANING PRESCRIBED IN SECTION
37 13-2910.

38 Sec. 2. Conditional enactment

39 This act does not become effective unless on or before July 1, 2024
40 the legislature appropriates monies to establish and maintain a central
41 animal abuser registry.