

REFERENCE TITLE: animal seizure; bond amount

State of Arizona
Senate
Fifty-seventh Legislature
First Regular Session
2025

SB 1033

Introduced by
Senator Kavanagh

AN ACT

AMENDING SECTION 13-4281, ARIZONA REVISED STATUTES; RELATING TO AUTHORITY TO SEIZE ANIMALS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 13-4281, Arizona Revised Statutes, is amended to
3 read:

4 13-4281. Animal seizure; notification; forfeiture; bond;
5 hearing; exceptions

6 A. A peace officer, county enforcement agent or animal control
7 officer who lawfully seizes an animal pursuant to section 13-2910 shall
8 affix a notice of seizure in a conspicuous place where the animal was
9 found or personally deliver the notice of seizure to the owner or keeper
10 of the animal, if known or ascertainable after reasonable investigation.
11 The officer or agent shall file proof of service with the court. If it is
12 determined that the suffering of the animal does not require humane
13 destruction, the notice shall include the following:

14 1. The name, business address and telephone number of the person
15 providing the notice.

16 2. A description of the seized animal.

17 3. The authority and purpose for the seizure, including the time,
18 place and circumstance under which the animal was seized.

19 4. A statement that in order to receive a postseizure hearing the
20 owner or person authorized to keep the animal, or the owner or person's
21 agent, shall request the hearing by signing and returning to the court an
22 enclosed declaration of ownership or right to keep the animal within ten
23 days, including weekends and holidays, after the date of the notice.

24 5. A statement that the owner is responsible for the cost of care
25 for an animal that was properly seized and that the owner is required to
26 post a bond in the amount of ~~twenty-five dollars~~ \$500 per animal with the
27 court to defray the cost of care.

28 6. A warning that if the owner fails to post a bond within ten days
29 after the seizure, the animal will be deemed abandoned and become the
30 property of the seizing agency.

31 B. On receipt of a declaration of ownership and postseizure hearing
32 request, the justice of the peace or city magistrate shall set a hearing
33 date within fifteen business days. At the hearing, the seizing agency
34 shall have the burden of establishing by a preponderance of evidence that
35 the animal was subjected to cruel mistreatment, cruel neglect or
36 abandonment in violation of section 13-2910 or will suffer needlessly if
37 humane destruction is delayed. On this finding, the court may terminate
38 the owner's rights in the animal and transfer the rights to the seizing
39 agency or a designated animal care agency and shall forfeit the bond to
40 pay the expenses incurred for the housing, care and treatment of the
41 animal. If at the conclusion of the hearing the animal is not forfeited
42 under this section, the court shall order the bond exonerated and returned
43 to the owner.

1 C. If the owner or person authorized to keep the animal fails to
2 post bond as prescribed by subsection A, paragraph 5 of this section,
3 fails to request a hearing or fails to attend a scheduled hearing, the
4 animal is deemed abandoned and all rights of the owner in the animal are
5 transferred to the seizing agency.

6 D. This section does not apply to any of the following:

7 1. Activities permitted by or pursuant to title 3.

8 2. The seizure of an equine pursuant to section 3-1721.

9 3. A city, town or county that adopts or has adopted an ordinance
10 or resolution providing for bonding and forfeiture of an animal that has
11 suffered cruel mistreatment or cruel neglect if the ordinance or
12 resolution imposes requirements that are equal to or more stringent than
13 this section.