

State of Arkansas  
94th General Assembly  
Regular Session, 2023

# A Bill

HOUSE BILL 1591

By: Representatives Ray, Beaty Jr.

By: Senator J. Dotson

## For An Act To Be Entitled

AN ACT TO AMEND THE ARKANSAS RETAIL PET STORE  
CONSUMER PROTECTION ACT OF 1991; TO CLARIFY THE  
APPLICABILITY OF THE ARKANSAS RETAIL PET STORE  
CONSUMER PROTECTION ACT OF 1991; TO PREEMPT CERTAIN  
LAWS CONCERNING RETAIL PET STORES; AND FOR OTHER  
PURPOSES.

## Subtitle

TO CLARIFY THE APPLICABILITY OF THE  
ARKANSAS RETAIL PET STORE CONSUMER  
PROTECTION ACT OF 1991; AND TO PREEMPT  
CERTAIN LAWS CONCERNING RETAIL PET  
STORES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 4-97-103, concerning the definitions used under the Arkansas Retail Pet Store Consumer Protection Act of 1991, is amended to add an additional subdivision to read as follows:

(12) "Local government" means a city of the first class, a city of the second class, an incorporated town, or a county.

SECTION 2. Arkansas Code § 4-97-109 is amended to read as follows:  
4-97-109. Applicability to other laws - Preemption.

(a) Nothing in Except as provided in subsection (b) of this section,  
this chapter shall not be construed to prevent or limit the application of



any other law.

(b) A local government shall not pass an ordinance, resolution, or regulation that prohibits a retail pet store from:

(1) Acquiring an animal from a:

(A) Cattery;

(B) Kennel; or

(C) Dealer as defined in 7 U.S.C. § 2132, as it existed on January 1, 2023; or

(2) Selling an animal that is acquired from a cattery, kennel, or dealer as defined in 7 U.S.C. § 2132, as it existed on January 1, 2023, to a person.

(c) An ordinance, resolution, or regulation of a local government shall be rendered invalid if it is found to be in conflict with the language set out within this section.

**APPROVED: 4/12/23**