

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
94th General Assembly
Regular Session, 2023

A Bill

SENATE BILL 339

By: Senator Caldwell
By: Representative Hawk

For An Act To Be Entitled

AN ACT TO AMEND THE LAW REGARDING WORKING ANIMAL PROTECTION; TO PROVIDE FOR WORKING ANIMAL PROTECTION IN COUNTIES; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE LAW REGARDING WORKING ANIMAL PROTECTION; AND TO PROVIDE FOR WORKING ANIMAL PROTECTION IN COUNTIES.

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

SECTION 1. Arkansas Code § 14-54-1105(d), concerning ordinances enacted by a municipality regarding animal care, public health, or public safety, is amended to read as follows:

(d) This section does not prohibit a municipality from establishing or altering an ordinance regarding animal care, public health, ~~or~~ public safety, or the sale of dogs and cats.

SECTION 2. Arkansas Code Title 14, Chapter 16, Subchapter 1, is amended to add an additional section to read as follows:

14-16-119. Working animal protection – Definition.

(a)(1) As used in this section, “working animal” means a nonhuman animal used for the purpose of performing a specific duty or function in commerce or animal enterprise, including without limitation human service, transportation, education, competition, or exhibition.

(2) As used in this section, “working animal” does not mean



poultry, swine, dairy cows, beef cattle, sheep, goats, or other similar nonperformance production enterprise.

(b)(1) Notwithstanding any other provision of law to the contrary, the right to utilize a working animal for the benefit and welfare of the working animal or the individual the working animal serves is guaranteed.

(2) A county shall not enact an ordinance that terminates, bans, effectively bans, or creates an undue hardship relating to the job or use of a working animal or animal enterprise in commerce, service, legal hunting, agriculture, husbandry, transportation, ranching, entertainment, education, or exhibition.

(c) This section does not alter state laws or rules that regulate animal care, public health, or public safety, including without limitation § 5-62-101 et seq. and § 14-54-103.

(d) This section does not prohibit a county from establishing or altering an ordinance regarding animal care, public health, public safety, or the sale of dogs and cats.

(e) This section supersedes a county ordinance, resolution, or rule that conflicts with this section but does not supersede a county zoning ordinance under § 14-17-201 et seq.