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## West's Arkansas Code Annotated. Title 20. Public Health and Welfare. Subtitle 2. Health and Safety (Chapters 6 to 44). Chapter 19. Animals.; West's Arkansas Code Annotated. Title 20. Public Health and Welfare. Subtitle 2. Health and Safety. Chapter 19. Animals.

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- **Primary Citation:** AR ST §§ 20-19-101 to 408; § 2-40-110; § 2-39-110; § 15-41-113; § 15-42-303; § 5-54-126
- **Country of Origin:** [United States](#)
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### Summary:

These Arkansas statutes comprise the state's dog laws. Among the provisions including licensing laws, rabies control, and mandatory sterilization laws. Also contained is the state's Wolf-Hybrid statutory section.

## Statute Text

Title 20. Public Health and Welfare. Subtitle 2. Health and Safety. Chapter 19. Animals.

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[§ 15-41-113.](#) Prohibited activities respecting dogs

**Title 15. Natural Resources and Economic Development. Subtitle 4. Wildlife Resources. Chapters 40 to 54). Chapter 42. Licenses. Subchapter 3. Hunting Dogs**

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**Title 5. Criminal Offenses. Subtitle 5. Offenses Against the Administration of Government (Chapters 50 to 59). Chapter 54. Obstructing Governmental Operations. Subchapter 1. General Provisions**

[§ 5-54-126.](#) Killing or injuring animals used by law enforcement or search and rescue dogs

**[Link to Chapter 97. Retail Pet Stores.](#)**

**[Does not contain Dog Racing Laws]**

### **Subchapter 1. General Provisions.**

#### **§ 20-19-101. Humane societies--Legislative findings**

(a) The General Assembly finds and declares that humane societies for the prevention of cruelty to animals organized under the laws of this state now or hereinafter in effect are public organizations necessary to protect the health, safety, and general welfare of the citizenry of this state and are discharging a government function.

(b) The General Assembly finds and declares that the appropriation of public funds for the use of humane societies in the maintenance and operation of shelters for stray, diseased, neglected, and other animals and in the protection of the public from disease among such animals is a public use of the funds in the discharge of a government function.

CREDIT(S)

Acts of 1939, Act 44, §§ 1, 2.

#### **§ 20-19-102. Domesticated animals--Injuries by dogs**

(a)(1) "Domesticated animals" includes, but is not limited to, sheep, goats, cattle, swine, and poultry.

(2) Any person owning or having in possession or under control any dog shall be liable in damages to the owner or owners of any domesticated animals killed or injured by the dog in the full value of the domesticated animal killed or injured.

(b)(1) Any person engaged in raising domesticated animals or owning any domesticated animals who shall sustain any loss or damages to his or her or their domesticated animals by any dog shall have a right of action against the owner, person, or controller of the dog.

(2) Any person knowing that any dog has killed or is about to catch, injure, or kill any domesticated animal shall have the right to kill the dog, without in any way being liable to the owner of the dog in any courts of this state.

(c) The person sustaining loss or damage as mentioned in this section and desiring remuneration therefor may go before some justice of the peace of the county wherein the loss or damage occurred and make oath of the character of the loss or damage sustained, the value of the loss or damage, the dog or dogs, and the owner, possessor, or controller of the dog and file the same with the justice of the peace, who shall issue a summons stating the nature of the plaintiff's claim, the amount claimed, and the cost accrued, which shall be served and returned as in ordinary actions.

(d)(1) If the defendant shall pay to the officer serving the summons the amount of damages claimed, the costs endorsed, and a further fee to the officer of twenty-five cents (25¢) for making the return, the summons shall be returned satisfied, and no further proceedings had.

(2) If the defendant fails, neglects, or refuses to pay that amount, the justice of the peace shall try the cause as in other ordinary actions and give judgment in favor of the plaintiff for the amount proved in the cause, for which the defendant may be liable under this section.

(e) In a second suit and recovery by any plaintiff against the same defendant on account of killing or injury done by the same dog, the justice of the peace shall render judgment for double the amount of damages proven.

CREDIT(S)

Acts of 1887, Act 136, §§ 1 to 4, p. 235; Acts of 1917, Act 155, §§ 1, 2; Acts of 1987, Act 393, §§ 1, 2.

### **20-19-103. Sterilization of impounded dogs and cats.**

(a) It shall be unlawful for any pound, shelter, humane organization, or animal rescue group to release any dog or cat which has not been sterilized to a new owner except as provided in subsection (b) of this section.

(b)(1) In any county in the state, it shall be unlawful for any pound, shelter, humane organization, or animal rescue group to release to a new owner any dog or cat over three (3) months of age which has not been sterilized except as provided in subdivision (b)(2) of this section.

(2)(A) An animal which in the opinion of a veterinarian licensed to practice veterinary medicine in the State of Arkansas is medically compromised to the extent that it cannot withstand immediate sterilization may be temporarily released pursuant to a foster care agreement until such time as it can safely be sterilized or until two (2) veterinarians licensed to practice veterinary medicine in the State of Arkansas certify that it is unlikely that the animal will ever recover to the extent that it can safely be sterilized.

(B)(i) At that time, ownership of the animal may be transferred to an owner who certifies that the animal will not be used for breeding.

(ii) An owner who violates the agreement shall be subject to the penalties set forth in subsection (c) of this section.

(c) Violations of this section are declared to be misdemeanors punishable by a fine of not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500).

#### CREDIT(S)

Acts of 1981, Act 869, §§ 1, 2; Acts of 1995, Act 839, § 1; Acts of 1999, Act 488, § 2, eff. July 30, 1999; Acts of 2011, Act 994, § 1, eff. July 27, 2011.

### **20-19-104. Voluntary certification of animal control officers and shelters and humane society counterparts**

(a) The Division of Health of the Department of Health and Human Services shall establish a voluntary certification program for animal control officers, animal shelters, and other humane society counterparts.

(b) The certification shall be based upon courses recommended by the National Animal Control Association or its equivalent.

(c) Certification of animal shelters shall be based upon compliance with shelter standards published by the Humane Society of the United States.

(d) Training shall be administered by the Arkansas Animal Control Association in cooperation with the division and utilizing qualified experts, including, but not limited to, licensed veterinarians and persons holding professional registrations or certifications in the appropriate areas of expertise.

#### CREDIT(S)

Acts of 2001, Act 1663, § 1, eff. Aug. 13, 2001.

## **Subchapter 2. Rabies Vaccinations Generally.**

**20-19-201. Municipal ordinances unaffected. - § 20-19-201. Repealed by Acts of 2009, Act 159, § 1, eff. July 31, 2009**

**20-19-202. Vaccination required. - § 20-19-201. Repealed by Acts of 2009, Act 159, § 1, eff. July 31, 2009**

**20-19-203. Administration. - Repealed by Acts of 2009, Act 159, § 1, eff. July 31, 2009**

### **Subchapter 3. Rabies Control Act.**

#### **20-19-301. Short title**

This subchapter shall be known as the “Rabies Control Act”.

CREDIT(S)

Acts of 1968 (1st Ex. Sess.), Act 11, § 1.

#### **§ 20-19-302. Definitions**

As used in this subchapter:

- (1) “Animal” means any animal other than dogs or cats that may be affected by rabies;
- (2) “Cats” means any domestic feline animal, species *Felis catus*;
- (3) “Dogs” means any domestic canine animal, species *Canis familiaris*;
- (4) “Has been bitten” means the skin has been penetrated by an animal's teeth and saliva has contacted a break or abrasion of the skin;
- (5) “Owner” means any person who:
  - (A) Has a right of property in a dog or cat or other animal;
  - (B) Keeps, harbors, cares for, or acts as the custodian of a dog or cat or other animal; or
  - (C) Knowingly permits a dog or cat or other animal to remain on or about any premises occupied by him or her; and
- (6) “Vaccination against rabies” means the injection, subcutaneously or otherwise, of antirabic vaccine, as approved by the United States Department of Agriculture or the State Board of Health and administered by a licensed veterinarian or agent of the Department of Health.

CREDIT(S)

Acts of 1968 (1st Ex. Sess.), Act 11, § 2; Acts of 1975, Act 725, § 1; Acts of 2009, Act 159, § 2, eff. July 31, 2009; Acts of 2011, Act 93, § 1, eff. July 27, 2011.

### **§ 20-19-303. Power of political subdivisions not limited--Applicability**

(a) This subchapter does not limit in any manner the power of any municipality or political subdivision to prohibit dogs or cats or other animals from running at large whether or not they have been vaccinated against rabies as provided in this subchapter.

(b) This subchapter does not limit in any manner the power of any municipality or other political subdivision to further control and regulate dogs or cats or other animals in such municipality or political subdivision.

CREDIT(S)

Acts of 1968 (1st Ex. Sess.), Act 11, § 7; Acts of 1975, Act 725, § 5; Acts of 2009, Act 159, § 3, eff. July 31, 2009.

### **§ 20-19-304. Penalties**

(a)(1) A person shall be guilty of a violation for:

(A) Violating or aiding in or abetting the violation of any provision of this subchapter;

(B) Making a misrepresentation in regard to any matter prescribed by this subchapter;

(C) Resisting, obstructing, or impeding any authorized officer in enforcing this subchapter; or

(D) Refusing to produce for inoculation against rabies any dog or cat in his or her possession.

(2) Upon conviction, the person shall be fined not less than five dollars (\$5.00) nor more than twenty-five dollars (\$25.00) for each offense.

(b) Any dog or cat termed a stray that is not vaccinated against rabies is subject to destruction.

(c)(1) Any officers failing, refusing, or neglecting to carry out the provisions of this subchapter shall be guilty of a violation.

(2) Upon conviction, the officer shall be fined in any sum not less than five dollars (\$5.00) nor more than twenty-five dollars (\$25.00) for each offense.

CREDIT(S)

Acts of 1968 (1st Ex. Sess.), Act 11, §§ 5, 9; Acts of 1975, Act 725, § 4; Acts of 2005, Act 1994, § 115, eff. Aug. 12, 2005.

### **§ 20-19-305. Vaccination for dogs, cats, and other animals required**

All dogs, cats, and other animals shall be vaccinated against rabies as required by the State Board of Health.

#### **CREDIT(S)**

Acts of 1968 (1st Ex. Sess.), Act 11, § 2; Acts of 1975, Act 725, § 1; Acts of 2009, Act 159, § 4, eff. July 31, 2009; Acts of 2011, Act 93, § 2, eff. July 27, 2011.

### **§ 20-19-306. Unlawful activities regarding animal bites**

(a) It is unlawful for any person bitten, the family, treating physician, or veterinarian that has knowledge of a person bitten by a dog or cat or other animal to refuse to notify the health authorities promptly.

(b) It is unlawful for the owner of the dog or cat or other animal to sell, give away, transfer, transport to another area, or otherwise dispose of the dog or cat or other animal that is known to have bitten a person until it is released by the health authorities.

(c)(1) It is unlawful for the owner of the dog or cat or other animal to refuse or fail to comply with the written or printed instructions of the health authorities in any particular case.

(2)(A) The written instructions shall be delivered in person by health authorities or their authorized agent.

(B) If instructions cannot be delivered in person, they shall be mailed by regular mail, postage prepaid, and addressed to the owner of the dog or cat or other animal.

(C) The affidavit or testimony of the health authorities or their authorized agent, who delivered or mailed such instructions, shall be prima facie evidence of the receipt of the instructions by the owner of the dog or cat or other animal.

#### **CREDIT(S)**

Acts of 1968 (1st Ex. Sess.), Act 11, § 3; Acts of 1975, Act 725, § 2.

### **§ 20-19-307. Confinement of animal when person bitten**

(a)(1) Whenever the health authorities, county sheriff's office, or municipal police officers in cooperation with health authorities receive information that any person has been bitten by a dog or cat or other animal, these local public officials acting in cooperation shall have the dog or other animal confined and observed.

(2) If there is no local facility available for confining the dog or cat or other animal, it shall be the owner's responsibility to make satisfactory arrangements or to prepare a facility for the purpose of confinement.



(b)(1) The offending dog or cat shall be confined for a period of ten (10) days by a veterinarian or owner or public pound.

(2)(A) All other species of animals are to be confined and observed for rabies in the same manner, except the time element will vary so as to compensate for the difference in the incubation period of the disease.

(B) This adjusted time element is to be determined by consultation with the Department of Health.

(C) If there is no known incubation period, the animal may be euthanized and tested at the discretion of the department.

(3) The veterinarian, owner, or public pound management personnel shall notify the local public health authorities of the disposition of the dog or animal at the termination of the confinement.

(c)(1) Any confinement and observation expense incurred in the handling of any dog or cat or other animal under this subchapter shall be borne by the owner.

(2) If the dog or cat or other animal is a stray and has no owner, the confinement and observation expense shall be borne by the person bitten or, if a minor, by the head of the family.

#### CREDIT(S)

Acts of 1968 (1st Ex. Sess.), Act 11, § 3; Acts of 1975, Act 725, § 2; Acts of 2009, Act 159, § 5, eff. July 31, 2009.

#### **§ 20-19-308. Shipment to laboratory of head of animal suspected of being rabid**

Any person causing the death of an animal, either wild or domesticated, suspected of being rabid shall cause the head of the animal to be presented to a county health unit of the county in which the animal was killed.

#### CREDIT(S)

Acts of 1953, Act 238, § 1; Acts of 1968 (1st Ex. Sess.), Act 11, § 6; Acts of 2005, Act 1994, § 116, eff. Aug. 12, 2005; Acts of 2009, Act 159, § 6, eff. July 31, 2009.

#### **§ 20-19-309. Quarantine generally**

(a)(1) The Director of the Division of Health of the Department of Health and Human Services shall place certain areas under a rabies quarantine upon request of proper local officials.

(2) In serious situations, the director may place the area under quarantine without waiting for a local request.

(b) The occurrence of three (3) or more positive rabies cases in animals shall be sufficient basis for placing areas under quarantine.

(c) The positive rabies cases shall be laboratory-confirmed by the State Public Health Laboratory of the Division of Health of the Department of Health and Human Services or any other laboratory acceptable to or approved by the director.

CREDIT(S)

Acts of 1968 (1st Ex. Sess.), Act 11, § 4; Acts of 1975, Act 725, § 3.

### **§ 20-19-310. Spread of rabies--Prevention--Authority**

Whenever the proper officials or a government unit are convinced that the situation is conducive to the spread of rabies, additional measures may be imposed by the government unit if deemed necessary to prevent the spread of rabies among dogs and other animals. The government unit involved may require:

(1) That all dogs or cats or other animals in the locality be kept:

(A) Confined within an enclosure; or

(B) Muzzled and restrained by a leash composed of chain, wire, rope, or cable;

(2) That all owners or keepers of dogs or cats or other animals take such prophylactic measures as may be required and necessary to prevent the spread of rabies; or

(3) That other measures, in addition to annual vaccination against rabies, that may be necessary to control the spread of rabies in dogs, cats, and other animals be carried out.

CREDIT(S)

Acts of 1968 (1st Ex. Sess.), Act 11, § 4; Acts of 1975, Act 725, § 3.

### **§ 20-19-311. Director--Implementation**

The Director of the Division of Health of the Department of Health and Human Services or his or her official representative shall have the responsibility for carrying out the provisions of this subchapter.

CREDIT(S)

Acts of 1968 (1st Ex. Sess.), Act 11, § 2; Acts of 1975, Act 725, § 1.

### **§ 20-19-312. State Board of Health's authority to regulate**

(a) The State Board of Health [shall adopt rules](#) necessary to carry out t [FN1] this subchapter, with subsequent amendments as needed.

(b) The Arkansas Livestock and Poultry Commission may adopt rules as are necessary pertaining to dogs and cats transported or moved into Arkansas for any purpose.

CREDIT(S)

Acts of 1968 (1st Ex. Sess.), Act 11, § 8; Acts of 2011, Act 93, § 3, eff. July 27, 2011.

## **Subchapter 4. Ownership and Breeding of Wolves and Wolf-Dog Hybrids.**

### **§ 20-19-401. Purpose of regulations**

The General Assembly finds that:

- (1) Wolves and wolf-dog hybrids are now present in this state but remain unregulated;
- (2) The Compendium of Animal Rabies Control advises that no vaccination has been approved for use in wolves or wolf-dog hybrids;
- (3) However, wolves and dogs are scientifically classified as the same species;
- (4) “Off” and “Extra” label use of vaccines approved for use in dogs are widely used to vaccinate wolves and wolf-dog hybrids, even by the federal government, to prevent diseases such as rabies;
- (5) Failure to vaccinate wolves and wolf-dog hybrids raises the possibility of creating a large pool of animals that could serve as reservoirs for rabies; and
- (6) Due to the neglect and irresponsibility of their owners, some wolves and wolf-dog hybrids could pose a threat to public safety in this state.

CREDIT(S)

Acts of 2001, Act 1768, § 1, eff. Aug. 13, 2001.

### **§ 20-19-402. Definitions**

As used in this subchapter, “wolf-dog hybrid” means any animal which is publicly acknowledged by its owner as being the offspring of a wolf and domestic dog. No animal may be judged to be a wolf or wolf-dog hybrid based strictly on its appearance.

CREDIT(S)

Acts of 2001, Act 1768, § 2, eff. Aug. 13, 2001.

### **§ 20-19-403. Records**

- (a) Owners of wolves and wolf-dog hybrids shall maintain all health records of each wolf and wolf-dog hybrid, including health certificates, records of immunization, and any other documentary evidence pertaining to the health and welfare of the animal.
- (b) The owner shall maintain records of acquisitions and disposals of wolf-dog hybrids, including the name and address of the person with whom a transaction is conducted, with entries being made on the day of the transaction.
- (c) Records shall be available for inspection by law enforcement personnel at reasonable hours.

### **CREDIT(S)**

Acts of 2001, Act 1768, § 3, eff. Aug. 13, 2001.

### **§ 20-19-404. Confinement, care, and inspections**

- (a) Wolves and wolf-dog hybrids shall be provided adequate confinement and adequate feeding.
- (b) Adequate confinement shall include at least:
  - (1) A brick, concrete, or chain-link enclosure surrounded by two (2) layers of fencing as follows:
    - (A) For a single animal:
      - (i) Either an inner chain-link fence a minimum of fifteen feet by eight feet by ten feet (15' x 8' x 10') or an electric fence that prevents climbing over, and either extending two feet (2') underground or employing some other means that prevents digging under; and
      - (ii) An outer fence eight feet (8') high with at least four feet (4') between the two (2) fences unless the inner fence is an electric fence posted with warning signs and the gate is locked at all times;
    - (B) For a pair, double the cage length for a single animal; or
    - (C) For more than two (2) animals, add ten feet (10') to the single animal length and width for each additional animal;
  - (2) A secluded den four feet (4') square for each animal; and
  - (3) No more than four (4) total of wolves or wolf-dog hybrids, or both, per acre.
- (c) Adequate confinement shall not include tethering of a wolf or wolf-dog hybrid not under the direct supervision and control of the owner or custodian.

(d)(1) Adequate feeding shall include daily feedings and provisions of water.

(2) The feed used shall consist of a minimum meat-based protein content of twenty-five percent (25%) and crude fat of fifteen percent (15%), with exceptions for geriatric and overweight animals or under the advice of a licensed veterinarian.

(e) Owners and custodians of wolves and wolf-dog hybrids shall allow inspections by law enforcement personnel at reasonable hours to ensure adequate confinement and adequate feeding.

(f) This section applies only to owners of four (4) or more adult wolf-dog hybrids or wolves, animals one (1) year of age or older.

CREDIT(S)

Acts of 2001, Act 1768, § 4, eff. Aug. 13, 2001.

### **§ 20-19-405. Entry into the state**

(a) Wolves and wolf-dog hybrids may enter into this state only if each animal is accompanied by a certificate of veterinary inspection indicating that the animal is free from disease or exposure to infectious or contagious disease.

(b) No animals from rabies-quarantined areas shall be admitted into this state.

CREDIT(S)

Acts of 2001, Act 1768, § 5, eff. Aug. 13, 2001.

### **§ 20-19-406. Vaccinations--Rabies**

(a) Wolves and wolf-dog hybrids are required to be vaccinated against rabies by a licensed veterinarian with a vaccine approved for dog use, and a rabies certificate may be issued.

(b) Veterinarians shall inform the owner of the wolf or wolf-dog hybrid, preferably in writing, that the vaccination is considered "off label" and that protection against rabies is not guaranteed.

(c) If a wolf or wolf-dog hybrid bites a person, the following criteria shall be used by an official of the Division of Health of the Department of Health and Human Services in dealing with the animal:

(1) The decision shall consider, at least:

(A) The epidemiology and risk of rabies in the species of animal in question;

(B) Possible prior exposure to a rabies vector;

(C) Behavior of the animal at the time of the bite;

(D) Prior rabies vaccinations; and

(E) Other circumstances that may exist;

(2) In some situations, the division shall consider the initiative and willingness of the individual so exposed to submit to postexposure antirabies immunization after being adequately informed of all potential risks;

(3) Upon written order by the Director of the Division of Health of the Department of Health and Human Services or a specifically designated representative, any biting animal determined to be at significant risk for the transmission of rabies shall be humanely killed and the brain tissue submitted for testing; and

(4) The division has the authority to order the quarantine of an animal determined to be a very low risk for the transmission of rabies for a thirty-day observation period as an alternate method to euthanasia and testing.

(d) Owners shall be notified and given three (3) business days to provide proof to the division in their animal's defense before the animal can be euthanized.

(e) If in the future the United States Department of Agriculture approves the use of rabies vaccines in wolves or wolf-dog hybrids, or both, then wolves and wolf-dog hybrids will fall under the same regulations as dogs regarding biting humans and rabies control.

CREDIT(S)

Acts of 2001, Act 1768, § 6, eff. Aug. 13, 2001.

### **§ 20-19-407. Penalties**

(a) If a wolf or wolf-dog hybrid bites a person or injures or destroys another animal while out of its confined area, the person responsible for the adequate confinement of the animal upon conviction shall be guilty of a Class A misdemeanor.

(b) If a wolf or wolf-dog hybrid is not adequately confined or fed, the person responsible for adequate confinement or adequate feeding of the animal, or both adequate feeding and adequate confinement upon conviction shall be guilty of a Class A misdemeanor.

(c) A person who abandons or releases a wolf or wolf-dog hybrid into the wild upon conviction shall be guilty of a Class A misdemeanor.

CREDIT(S)

Acts of 2001, Act 1768, § 7, eff. Aug. 13, 2001.

### **§ 20-19-408. Local regulations not prohibited**

Nothing in this subchapter shall be construed to prohibit local regulation of the ownership, breeding, confinement, or feeding of wolves or wolf-dog hybrids.

CREDIT(S)

Acts of 2001, Act 1768, § 8, eff. Aug. 13, 2001.

## **Title 2. Agriculture. Subtitle 3. Livestock. Chapter 40. Control of Contagious Diseases**

### **Subchapter 1. General Provisions.**

#### **§ 2-40-110. Canine brucellosis.**

(a)(1) If a dog tests positive for canine brucellosis, the owner shall:

(A) Report the test results to the Arkansas Livestock and Poultry Commission; and

(B) Immediately have the dog neutered, spayed, or destroyed.

(2) If the owner is unknown, then the person having custody of the dog shall comply with this section.

(b) A violation of this section is a Class A misdemeanor.

CREDIT(S)

Acts of 2003, Act 1771, § 1, eff. July 16, 2003.

## **Title 2. Agriculture. Subtitle 3. Livestock (Chapters 32 to 40). Chapter 39. Fences.**

### **§ 2-39-110. Liability for injuring animals**

If any person damaged for the want of a sufficient fence shall hurt, wound, lame, or kill, or cause the same thing to be done by shooting, hunting with a dog, or otherwise, any animal mentioned in this chapter, with the exception of a feral hog, the person shall be liable to the owner of the animal for double damages, with costs.

CREDIT(S)

Acts of 1999, Act 457, § 2, eff. July 30, 1999.

**Title 15. Natural Resources and Economic Development. Subtitle 4. Wildlife Resources (Chapters 40 to 54). Chapter 41. Administration and Enforcement of Wildlife Regulations. Subchapter 1. Arkansas State Game and Fish Commission.**

### **§ 15-41-113. Prohibited activities respecting dogs**

The General Assembly declares that any employee of the Arkansas State Game and Fish Commission enforcing or attempting to enforce the existing regulations of the commission with respect to dogs running at large shall immediately, upon conviction thereof, be discharged from employment and shall be ineligible for reemployment by the commission. In addition, any employee or official of the commission attempting to enforce such regulation in violation of this section shall be subject to a fine of not less than five hundred dollars (\$500) nor more than five thousand dollars (\$5,000) or imprisoned in the county jail not less than thirty (30) days nor more than ninety (90) days, or be both so fined and imprisoned. Each violation of this section shall constitute a separate offense and shall be punishable accordingly.

CREDIT(S)

Acts of 1969, Act 367, § 2.

### **Title 15. Natural Resources and Economic Development. Subtitle 4. Wildlife Resources. Chapters 40 to 54). Chapter 42. Licenses. Subchapter 3. Hunting Dogs**

#### **§ 15-42-303. Unlawful activities**

(a) It shall be deemed prima facie evidence that an attempt is being made to steal a dog if any person:

(1) Retains in his or her possession or permits to remain on his or her premises for a period of ten (10) or more days any dog that has been duly licensed under the regulations of the Arkansas State Game and Fish Commission and the license is in effect at the time of the theft or attempt of theft; and

(2) Fails to post or to advertise such dog by posting notices in five (5) public places or by advertising the dog for one (1) publication in a newspaper having a bona fide circulation of five hundred (500) or more subscribers in this state.

(b) Any person who conceals or attempts to conceal a dog from the owner of such dog as herein prescribed at any hunting camp or elsewhere shall be guilty of an attempt to steal such dog.

(c) On recovery of a licensed dog by its owner, the owner shall pay to the party responsible for recovery all costs of posting or advertising the dog. This fee shall not exceed twenty-five cents (25¢) per day for care and feeding of the dog recovered under provisions of this section.

(d) Any person found guilty of stealing or attempting to steal any licensed dog commits a felony theft and shall be punished as prescribed by law.

CREDIT(S)

Acts of 1943, Act 146, § 9; Acts of 1951, Act 380, §§ 1 to 4; Acts of 1975, Act 928, §§ 18, 19.



**Title 5. Criminal Offenses. Subtitle 5. Offenses Against the Administration of Government (Chapters 50 to 59). Chapter 54. Obstructing Governmental Operations. Subchapter 1. General Provisions**

**§ 5-54-126. Killing or injuring animals used by law enforcement or search and rescue dogs**

(a) Any person who:

- (1) Purposely kills or physically injures;
- (2) Purposely causes physical contact that is of a nature likely to cause physical injury to; or
- (3) Attempts to cause physical contact that is of a nature likely to cause physical injury to, any animal owned by or used by a law enforcement agency or any search and rescue dog upon conviction is guilty of a Class D felony.

(b) A person who purposely interferes with or obstructs an animal owned by or used by a law enforcement agency or a search and rescue dog used by a law enforcement officer in the discharge or attempted discharge of his or her duties upon conviction is guilty of a Class A misdemeanor.

(c) As used in this section, “search and rescue dog” means a dog:

- (1) In training for or trained for the purpose of search and rescue;
- (2) Owned by an independent handler or member of a search and rescue team;
- (3) Used in conjunction with a local law enforcement organization or an emergency services organization for the purpose of locating a missing person or evidence of arson;
- (4) Trained for the purpose of locating controlled substances; or
- (5) Trained to assist in the apprehension of persons alleged to have violated any law.

(d) A person guilty of violating this section is also required to make restitution to the law enforcement agency or owner of the animal that suffered a loss due to the violation, including without limitation reimbursement for veterinary bills, and the replacement cost of the animal if the animal is permanently disabled or killed as a result of the violation.

**Credits**

Acts of 1985, Act 446, §§ 1, 2; Acts of 1987, Act 884, § 1; Acts of 1999, Act 571, § 1, eff. July 30, 1999; Acts of 2009, Act 530, § 1, eff. July 31, 2009.



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