

CHAPTER 574 - CRUELTY TO ANIMALS: PREVENTION AND PENALTIES

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SOCIETIES FOR PREVENTION OF CRUELTY TO ANIMALS

NRS 574.010 Incorporation. Any three or more citizens of the State of Nevada who incorporate as a body corporate under the general laws for corporations in this state set forth in [chapter 78](#) of NRS for the purpose of preventing cruelty to animals may, except as otherwise provided in [NRS 574.040](#), avail themselves of the privileges and benefits of [NRS 574.010](#) to [574.040](#), inclusive. [1:75:1873; B § 2482; BH § 4776; C § 4868; RL § 1373; NCL § 3231]—(NRS A [1973, 984](#); [2001, 1913](#))

NRS 574.020 Bylaws.

1. Such societies may make and adopt bylaws:
(a) Governing the admission of associates and members.
(b) Providing for meetings and assistant and district or local officers.
(c) Providing for means and systems for the effectual attainments of the objects contemplated by this chapter, for the regulation and management of its business affairs, and for the effectual working of the societies.
(d) Prescribing the duties of their officers, for the outlay of moneys, and the auditing of accounts.
2. Such bylaws shall not conflict with the laws of the State of Nevada or of the United States, or any provision of [NRS 574.010](#) to [574.040](#), inclusive. [2:75:1873; B § 2483; BH § 4777; C § 4869; RL § 1374; NCL § 3232]

NRS 574.030 Elections; reports. Such societies shall:

1. Elect officers and fill vacancies according to the provisions of their bylaws.
2. Make such reports of elections as are required of all corporations by law.
3. Report to the Legislature, at each of its regular sessions, a full account of all their acts. [3:75:1873; B § 2484; BH § 4778; C § 4870; RL § 1375; NCL § 3233]

NRS 574.040 Arrests by members, agents and officers of certain societies: Application; submission of fingerprints; exhibition of badge; resistance to officers unlawful.

1. Except as otherwise provided in this subsection and [NRS 574.350](#), a member, agent or local or district officer of a society so incorporating, if authorized in writing by the trustees of the society, approved by the district judge of the county, and sworn in the same manner as peace officers are sworn, may make arrests for a violation of the provisions of this chapter in the same manner as is provided for other officers. The provisions of this subsection apply only to a society that, on the date the society submits an application to the district judge for approval for a member, agent or local or district officer of the society to make arrests pursuant to this subsection:

(a) Has at least 25 members; and
(b) Has been incorporated in accordance with [NRS 574.010](#) for not less than 5 years immediately preceding the submission of the application.

2. Before submitting an application specified in subsection 1, the society shall require that each member, agent or local or district officer of the society to whom the application relates submit to the society a complete set of his or her fingerprints which the society shall submit to the sheriff of the county.

3. The sheriff shall:

(a) Upon receipt of the fingerprints, forward the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for a report concerning the criminal history of the member, agent or local or district officer of the society.

(b) Upon receipt of the report, forward the report to the society. The society shall include the report in the application submitted pursuant to subsection 1.

4. A member, agent or local or district officer who is authorized to make arrests pursuant to subsection 1 shall, when making those arrests, exhibit and expose a suitable badge, to be adopted by the society.

5. A person who resists such a specially appointed officer shall be punished for that resistance in the same manner as is provided for the punishment of resistance to other officers.

[5:75:1873; B § 2486; BH § 4780; C § 4872; RL § 1377; NCL § 3235]—(NRS A [1993, 2152](#); [2001, 1914](#); [2003, 2858](#))

CRUELTY TO ANIMALS

NRS 574.050 Definitions. As used in [NRS 574.050](#) to [574.200](#), inclusive:

1. “Animal” does not include the human race, but includes every other living creature.

2. “First responder” means a person who has successfully completed the national standard course for first responders.

3. “Police animal” means an animal which is owned or used by a state or local governmental agency and which is used by a peace officer in performing his or her duties as a peace officer.

4. “Torture” or “cruelty” includes every act, omission or neglect, whereby unjustifiable physical pain, suffering or death is caused or permitted.

[1:178:1919; 1919 RL p. 3393; NCL § 10569]—(NRS A [1999, 2517](#); [2001, 997](#); [2007, 1926](#); [2011, 1604](#); [2015, 1732](#))

NRS 574.053 Reporting acts of cruelty; penalty for releasing identity of person making report.

1. Any person who knows or has reasonable cause to believe that an animal has been subjected to an act of cruelty in violation of [NRS 574.100](#) may report the act of cruelty to any:

(a) Peace officer;

(b) Officer of a society for the prevention of cruelty to animals who is authorized to make arrests pursuant to [NRS 574.040](#); or

(c) Animal control officer.

2. Any person, law enforcement agency, society for the prevention of cruelty to animals or animal control agency that willfully releases data or information concerning the identity of a person who made a report pursuant to subsection 1, except for the purposes of a criminal investigation or prosecution, is guilty of a misdemeanor.

(Added to NRS by [2011, 1604](#); A [2013, 901](#))

NRS 574.055 Taking possession of animal being treated cruelly; notice to owner; lien for cost of care; disposition of animal; liability of officer; limitations and procedure when animal is located on agricultural land.

1. Any peace officer or officer of a society for the prevention of cruelty to animals who is authorized to make arrests pursuant to [NRS 574.040](#) shall, upon discovering any animal which is being treated cruelly, take possession of it and provide it with shelter and care or, upon obtaining written permission from the owner of the animal, may destroy it in a humane manner.

2. If an officer takes possession of an animal, the officer shall give to the owner, if the owner can be found, a notice containing a written statement of the reasons for the taking, the location where the animal will be cared for and sheltered, and the fact that there is a limited lien on the animal for the cost of shelter and care. If the owner is not present at the taking and the officer cannot find the owner after a reasonable search, the officer shall post the notice on the property from which the officer takes the animal. If the identity and address of the owner are later determined, the notice must be mailed to the owner immediately after the determination is made.

3. An officer who takes possession of an animal pursuant to this section has a lien on the animal for the reasonable cost of care and shelter furnished to the animal and, if applicable, for its humane destruction. The lien does not extend to the cost of care and shelter for more than 2 weeks.

4. Upon proof that the owner has been notified in accordance with the provisions of subsection 2 or, if the owner has not been found or identified, that the required notice has been posted on the property where the animal was found, a court of competent jurisdiction may, after providing an opportunity for a hearing, order the animal sold at auction, humanely destroyed or continued in the care of the officer for such disposition as the officer sees fit.

5. An officer who seizes an animal pursuant to this section is not liable for any action arising out of the taking or humane destruction of the animal.

6. The provisions of this section do not apply to any animal which is located on land being employed for an agricultural use as defined in [NRS 361A.030](#) unless the owner of the animal or the person charged with the care of the animal is in violation of paragraph (c) of subsection 1 of [NRS 574.100](#) and the impoundment is accomplished with the concurrence and supervision of the sheriff or the sheriff's designee, a licensed veterinarian and the district brand inspector or the district brand inspector's designee. In such a case, the sheriff shall direct that the impoundment occur not later than 48 hours after the veterinarian determines that a violation of paragraph (c) of subsection 1 of [NRS 574.100](#) exists.

7. The owner of an animal impounded in accordance with the provisions of subsection 6 must, before the animal is released to the owner's custody, pay the charges approved by the sheriff as reasonably related to the impoundment, including the charges for the animal's food and water. If the owner is unable or refuses to pay the charges, the State Department of Agriculture shall sell the animal. The Department shall pay to the owner the proceeds of the sale remaining after deducting the charges reasonably related to the impoundment.

(Added to NRS by [1981, 671](#); A [1989, 272](#); [1991, 10](#); [1993, 1758](#); [1999, 2517, 3698](#); [2001, 186](#); [2011, 1604](#))

NRS 574.060 Commission of certain acts concerning place kept or used for baiting or fighting birds or other animals unlawful; penalties.

1. A person shall not knowingly keep or use, or in any manner be connected with, or be interested in the management of, or receive money for the admission of any person to, a house, apartment, pit or place kept or used for baiting or fighting any bird or animal, or be an owner or occupant of a house, apartment, pit or place who willfully procures or permits the same to be used or occupied for such baiting or fighting.

2. A person who violates any provision of subsection 1 is guilty of:

(a) For a first offense, a category E felony and shall be punished as provided in [NRS 193.130](#).

(b) For a second or subsequent offense, a category D felony and shall be punished as provided in [NRS 193.130](#).

3. Upon complaint under oath or affirmation to any magistrate authorized to issue warrants in criminal cases that the complainant has just and reasonable cause to suspect that any provision of law relating to or in any way affecting animals is being or is about to be violated in any particular building or place, the magistrate shall immediately issue and deliver a warrant to any person authorized by law to make arrests for such offenses, authorizing the person to enter and search the building or place, to arrest any person there present found violating any such law and to bring the person before the nearest magistrate of competent jurisdiction to be dealt with according to law.

[2:178:1919; 1919 RL p. 3393; NCL § 10570]—(NRS A [1981, 772](#); [2001, 2887](#); [2013, 2112](#))

NRS 574.070 Instigating or attending fights between birds or other animals unlawful; owning, training, selling or purchasing animals to fight other animals unlawful; manufacturing, possessing, selling or purchasing certain implements designed for attachment to fighting birds unlawful; penalties; exceptions.

1. Except as otherwise provided in this section, a person shall not begin, cause, instigate, promote, carry on or do any act as an assistant, umpire or principal, or in any way aid in or engage in the furtherance of any fight between animals in an exhibition or for amusement or gain which is premeditated by a person owning or having custody of the animals.

2. A person shall not:

- (a) Own, possess, keep, train, promote or purchase an animal with the intent to use it to fight another animal; or
- (b) Sell an animal knowing that it is intended to be used to fight another animal.

3. A person shall not:

- (a) Knowingly attend any fight between animals in an exhibition or for amusement or gain; or
- (b) Manufacture, own, possess, purchase, sell, barter or exchange, or advertise for sale, barter or exchange, any gaff, spur or other sharp implement designed for attachment to a cock or other bird with the intent that the implement be used in fighting another cock or other bird.

4. Except as otherwise provided in subsection 7, a person who violates any provision of subsection 1 is guilty of:

- (a) For a first offense, a category E felony and shall be punished as provided in [NRS 193.130](#).
- (b) For a second or subsequent offense, a category D felony and shall be punished as provided in [NRS 193.130](#).

5. A person who violates any provision of subsection 2 is guilty of:

- (a) For a first offense, a category E felony and shall be punished as provided in [NRS 193.130](#).
- (b) For a second or subsequent offense, a category D felony and shall be punished as provided in [NRS 193.130](#).

6. A person who violates any provision of subsection 3 is guilty of:

- (a) For a first offense, a gross misdemeanor.
- (b) For a second or subsequent offense, a category E felony and shall be punished as provided in [NRS 193.130](#).

7. If a violation of subsection 1 involves a dog, a person who commits such a violation is guilty of:

- (a) For a first offense, a category D felony and shall be punished as provided in [NRS 193.130](#).
- (b) For a second offense, a category C felony and shall be punished as provided in [NRS 193.130](#).
- (c) For a third or subsequent offense, a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years.

8. If a person who violates this section is not a natural person, the person shall be punished by a fine of not more than \$10,000.

9. This section does not prohibit the use of dogs or birds for:

- (a) The management of livestock by the owner thereof, the owner's employees or agents or any other person in the lawful custody of the livestock; or

- (b) Hunting as permitted by law.

[Part 6:75:1873; B § 2487; BH § 4781; C § 4873; RL § 1378; NCL § 3236] + [3:178:1919; 1919 RL p. 3394; NCL § 10571]—(NRS A [1981.772](#); [1989.1870](#); [1995.1303](#); [2001.2888](#); [2009.972](#); [2013.2112](#))

NRS 574.080 Officer may take possession of animals and implements used in fights among animals.

1. Any officer authorized by law to make arrests may lawfully take possession of any animals, or implements, or other property used or employed, or about to be used or employed, in the violation of any provision of law relating to fights among animals.

2. The officer shall state to the person in charge thereof, at the time of such taking, his or her name and residence, and also the time and place at which the application provided for by [NRS 574.090](#) will be made.

[4:178:1919; 1919 RL p. 3394; NCL § 10572]

NRS 574.090 Disposition of animals or implements used in fights among animals.

1. The officer, after taking possession of such animals, or implements or other property, pursuant to [NRS 574.080](#), shall apply to the magistrate, before whom the complaint is made against the offender violating such provision of law, for the order mentioned in subsection 2, and shall make and file an affidavit with such magistrate, stating therein:

- (a) The name of the offender charged in such complaint.

- (b) The time, place and description of the animals, implements or other property so taken, together with the name of the person who claims the same, if known.

- (c) That the affiant has reason to believe and does believe, stating the grounds of such belief, that the same were used or employed, or were about to be used or employed, in such violation, and will establish the truth thereof upon the trial of such offender.

2. The officer shall then deliver such animals, implements or other property to such magistrate, who shall thereupon, by order in writing, place the same in the custody of an officer or other proper person in such order named and designated, to be kept by him or her until the trial or final discharge of the offender, and shall send a copy of such order, without delay, to the district attorney of the county.

3. The officer or person so named and designated in the order shall immediately thereupon assume custody, and shall retain the same for the purpose of evidence upon the trial, subject to the order of the court before which the offender may be required to appear, until the offender's final discharge or conviction.

4. Upon the conviction of the offender, the animals, implements or other property shall be adjudged by the court to be forfeited.

5. In the event of the acquittal or final discharge, without conviction, of the offender, the court shall, on demand, direct the delivery of the property so held in custody to the owner thereof.

[5:178:1919; 1919 RL p. 3394; NCL § 10573]

NRS 574.100 Torturing, overdriving, injuring or abandoning animals; failure to provide proper sustenance; requirements for restraining dogs and using outdoor enclosures; horse tripping; penalties; exceptions.

1. A person shall not:

- (a) Torture or unjustifiably maim, mutilate or kill:

- (1) An animal kept for companionship or pleasure, whether belonging to the person or to another; or
- (2) Any cat or dog;

- (b) Except as otherwise provided in paragraph (a), overdrive, overload, torture, cruelly beat or unjustifiably injure, maim, mutilate or kill an animal, whether belonging to the person or to another;

- (c) Deprive an animal of necessary sustenance, food or drink, or neglect or refuse to furnish it such sustenance or drink;

- (d) Cause, procure or allow an animal to be overdriven, overloaded, tortured, cruelly beaten, or unjustifiably injured, maimed, mutilated or killed or to be deprived of necessary food or drink;

- (e) Instigate, engage in, or in any way further an act of cruelty to any animal, or any act tending to produce such cruelty; or

- (f) Abandon an animal in circumstances other than those prohibited in [NRS 574.110](#).

2. Except as otherwise provided in subsections 3 and 4 and [NRS 574.210](#) to [574.510](#), inclusive, a person shall not restrain a dog:

- (a) Using a tether, chain, tie, trolley or pulley system or other device that:

- (1) Is less than 12 feet in length;

- (2) Fails to allow the dog to move at least 12 feet or, if the device is a pulley system, fails to allow the dog to move a total of 12 feet; or

- (3) Allows the dog to reach a fence or other object that may cause the dog to become injured or die by strangulation after jumping the fence or object or otherwise becoming entangled in the fence or object;

- (b) Using a prong, pinch or choke collar or similar restraint; or

- (c) For more than 14 hours during a 24-hour period.

3. Any pen or other outdoor enclosure that is used to maintain a dog must be appropriate for the size and breed of the dog. If any property that is used by a person to maintain a dog is of insufficient size to ensure compliance by the person with the provisions of

paragraph (a) of subsection 2, the person may maintain the dog unrestrained in a pen or other outdoor enclosure that complies with the provisions of this subsection.

4. The provisions of subsections 2 and 3 do not apply to a dog that is:

- (a) Tethered, chained, tied, restrained or placed in a pen or enclosure by a veterinarian, as defined in [NRS 574.330](#), during the course of the veterinarian's practice;
- (b) Being used lawfully to hunt a species of wildlife in this State during the hunting season for that species;
- (c) Receiving training to hunt a species of wildlife in this State;
- (d) In attendance at and participating in an exhibition, show, contest or other event in which the skill, breeding or stamina of the dog is judged or examined;

(e) Being kept in a shelter or boarding facility or temporarily in a camping area;

(f) Temporarily being cared for as part of a rescue operation or in any other manner in conjunction with a bona fide nonprofit organization formed for animal welfare purposes;

(g) Living on land that is directly related to an active agricultural operation, if the restraint is reasonably necessary to ensure the safety of the dog. As used in this paragraph, "agricultural operation" means any activity that is necessary for the commercial growing and harvesting of crops or the raising of livestock or poultry; or

(h) With a person having custody or control of the dog, if the person is engaged in a temporary task or activity with the dog for not more than 1 hour.

5. A person shall not:

(a) Intentionally engage in horse tripping for sport, entertainment, competition or practice; or

(b) Knowingly organize, sponsor, promote, oversee or receive money for the admission of any person to a charreada or rodeo that includes horse tripping.

6. A person who willfully and maliciously violates paragraph (a) of subsection 1:

(a) Except as otherwise provided in paragraph (b), is guilty of a category D felony and shall be punished as provided in [NRS 193.130](#).

(b) If the act is committed in order to threaten, intimidate or terrorize another person, is guilty of a category C felony and shall be punished as provided in [NRS 193.130](#).

7. Except as otherwise provided in subsection 6, a person who violates subsection 1, 2, 3 or 5:

(a) For the first offense within the immediately preceding 7 years, is guilty of a misdemeanor and shall be sentenced to:

(1) Imprisonment in the city or county jail or detention facility for not less than 2 days, but not more than 6 months; and

(2) Perform not less than 48 hours, but not more than 120 hours, of community service.

Ê The person shall be further punished by a fine of not less than \$200, but not more than \$1,000. A term of imprisonment imposed pursuant to this paragraph may be served intermittently at the discretion of the judge or justice of the peace, except that each period of confinement must be not less than 4 consecutive hours and must occur either at a time when the person is not required to be at the person's place of employment or on a weekend.

(b) For the second offense within the immediately preceding 7 years, is guilty of a misdemeanor and shall be sentenced to:

(1) Imprisonment in the city or county jail or detention facility for not less than 10 days, but not more than 6 months; and

(2) Perform not less than 100 hours, but not more than 200 hours, of community service.

Ê The person shall be further punished by a fine of not less than \$500, but not more than \$1,000.

(c) For the third and any subsequent offense within the immediately preceding 7 years, is guilty of a category C felony and shall be punished as provided in [NRS 193.130](#).

8. In addition to any other fine or penalty provided in subsection 6 or 7, a court shall order a person convicted of violating subsection 1, 2, 3 or 5 to pay restitution for all costs associated with the care and impoundment of any mistreated animal under subsection 1, 2, 3 or 5 including, without limitation, money expended for veterinary treatment, feed and housing.

9. The court may order the person convicted of violating subsection 1, 2, 3 or 5 to surrender ownership or possession of the mistreated animal.

10. The provisions of this section do not apply with respect to an injury to or the death of an animal that occurs accidentally in the normal course of:

(a) Carrying out the activities of a rodeo or livestock show; or

(b) Operating a ranch.

11. As used in this section, "horse tripping" means the roping of the legs of or otherwise using a wire, pole, stick, rope or other object to intentionally trip or intentionally cause a horse, mule, burro, ass or other animal of the equine species to fall. The term does not include:

(a) Tripping such an animal to provide medical or other health care for the animal; or

(b) Catching such an animal by the legs and then releasing it as part of a horse roping event for which a permit has been issued by the local government where the event is conducted.

[Part 6:75:1873; B § 2487; BH § 4781; C § 4873; RL § 1378; NCL § 3236] + [Part 6:178:1919; 1919 RL p. 3394; NCL § 10574]—
(NRS A [1981.672](#); [1991.491](#); [1999.2518](#); [2009.738](#); [2011.1605](#); [2013.2174](#))

NRS 574.105 Mistreatment of police animal and interference with duties of police animal or handler unlawful; penalties; exception.

1. A person shall not willfully and maliciously:

(a) Taunt, torment, tease, beat, strike or administer a desensitizing drug, chemical or substance to a police animal;

(b) Interfere with a police animal or a handler thereof in the performance of duties assigned to the police animal or handler; or

(c) Torture, mutilate, injure, poison, disable or kill a police animal.

2. A person who violates:

(a) Paragraph (a) or (b) of subsection 1 is guilty of a category D felony and shall be punished as provided in [NRS 193.130](#).

(b) Paragraph (c) of subsection 1 is guilty of:

(1) If the police animal is not totally disabled or killed, a category D felony and shall be punished as provided in [NRS 193.130](#), and may be further punished by a fine of not more than \$10,000.

(2) If the police animal is totally disabled or killed, a category C felony and shall be punished as provided in [NRS 193.130](#). In addition to the punishment imposed pursuant to this subparagraph, the court may require a person who is punished pursuant to this subparagraph to pay restitution to the agency that owns the police animal, including, without limitation, payment for veterinary services and the cost of replacing the police animal.

3. The provisions of this section do not prohibit a euthanasia technician licensed pursuant to [chapter 638](#) of NRS, a peace officer or a veterinarian from euthanizing a police animal in an emergency if the police animal is critically wounded and would otherwise endure undue suffering and pain.

(Added to NRS by [1999.2516](#); A [2001.2889](#))

NRS 574.107 Mistreatment of dogs used for certain events unlawful; penalties.

1. A person shall not:

(a) Willfully, unjustifiably and maliciously tamper or interfere with;

(b) Willfully and unjustifiably abuse or injure, or willfully and unjustifiably set on foot, instigate, engage in or in any way further an act of abusing or injuring; or

(c) Willfully and unjustifiably kill or willfully and unjustifiably set on foot, instigate, engage in or in any way further an act of killing, Ê a dog owned by another person that is used in an exhibition, show, contest or other event in which the skill, breeding or stamina of the dog is judged or examined.

2. A person who violates:
 - (a) Paragraph (a) of subsection 1 is guilty of a category D felony and shall be punished as provided in [NRS 193.130](#).
 - (b) Paragraph (b) of subsection 1 is guilty of a category D felony and shall be punished as provided in [NRS 193.130](#), and may be further punished by a fine of not more than \$10,000.
 - (c) Paragraph (c) of subsection 1 is guilty of a category C felony and shall be punished as provided in [NRS 193.130](#).(Added to NRS by [1999.2517](#); A [2001.2889](#))

NRS 574.110 Abandonment of disabled animal unlawful; penalty.

1. A person being the owner or possessor, or having charge or custody, of a maimed, diseased, disabled or infirm animal, who abandons such animal or leaves it to die in a public street, road or public place, or who allows it to lie in a public street, road or public place more than 3 hours after the person receives notice that it is left disabled, is guilty of a misdemeanor.

2. Any agent or officer of any society for the prevention of cruelty to animals, or of any society duly incorporated for that purpose, or any police officer, may lawfully destroy or cause to be destroyed any animal found abandoned and not properly cared for, appearing, in the judgment of two reputable citizens called by the agent or officer to view the same in his or her presence, to be glandered, injured or diseased past recovery for any useful purpose, or after such agent or officer has obtained in writing from the owner of such animal the owner's consent to such destruction.

3. When any person arrested is, at the time of such arrest, in charge of any animal or of any vehicle drawn by or containing any animal, any agent or officer of such society or societies or any police officer may take charge of such animal and of such vehicle and its contents and deposit the same in a safe place of custody, or deliver the same into the possession of the police or sheriff of the county or place wherein such arrest was made, who shall thereupon assume the custody thereof. All necessary expenses incurred in taking charge of such property shall be a charge thereon.

[Part 6:75:1873; B § 2487; BH § 4781; C § 4873; RL § 1378; NCL § 3236] + [7:178:1919; 1919 RL p. 3395; NCL § 10575]

NRS 574.120 Failure to provide proper air, food, shelter or water to impounded animal unlawful; penalties.

1. A person who has impounded or confined any animal shall not refuse or neglect to supply to the animal during its confinement a sufficient supply of good and wholesome air, food, shelter and water.

2. A person who violates subsection 1:

(a) For the first offense within the immediately preceding 7 years, is guilty of a misdemeanor and shall be sentenced to:

- (1) Imprisonment in the city or county jail or detention facility for not less than 2 days, but not more than 6 months; and
- (2) Perform not less than 48 hours, but not more than 120 hours, of community service.

È The person shall be further punished by a fine of not less than \$200, but not more than \$1,000. A term of imprisonment imposed pursuant to this paragraph may be served intermittently at the discretion of the judge or justice of the peace, except that each period of confinement must be not less than 4 consecutive hours and must occur at a time when the person is not required to be at the person's place of employment or on a weekend.

(b) For the second offense within the immediately preceding 7 years, is guilty of a misdemeanor and shall be sentenced to:

- (1) Imprisonment in the city or county jail or detention facility for not less than 10 days, but not more than 6 months; and
- (2) Perform not less than 100 hours, but not more than 200 hours, of community service.

Ê The person shall be further punished by a fine of not less than \$500, but not more than \$1,000.

(c) For the third and any subsequent offense within the immediately preceding 7 years, is guilty of a category C felony and shall be punished as provided in [NRS 193.130](#).

3. In addition to any other fine or penalty provided in subsection 2, a court shall order a person convicted of violating subsection 1 to pay restitution for all costs associated with the care and impoundment of any mistreated animal under subsection 1, including, without limitation, money expended for veterinary treatment, feed and housing.

4. If any animal is at any time impounded as provided in subsection 1, and continues to be without necessary food and water for more than 12 successive hours, any person may, as often as it is necessary, enter into and upon any pound in which the animal is so confined and supply it with necessary food and water, so long as it remains so confined. Such a person is not liable to any action for such entry, and the reasonable cost of such food and water may be collected by the person from the owner of the animal, and the animal is not exempt from levy and sale upon execution issued upon a judgment therefor.

[8:178:1919; 1919 RL p. 3395; NCL § 10576]—(NRS A [2001.2890](#))

NRS 574.130 Selling, offering to sell or exposing diseased animal unlawful; penalty. A person who willfully sells or offers to sell, uses, exposes, or causes or permits to be sold, offered for sale, used or exposed, any horse or other animal having the disease known as glanders or farcy, or other contagious or infectious disease dangerous to the life or health of human beings or animals, or which is diseased past recovery, or who refuses upon demand to deprive of life an animal affected with any such disease, is guilty of a misdemeanor.

[9:178:1919; 1919 RL p. 3395; NCL § 10577]

NRS 574.140 Sale of disabled horses unlawful. It shall be unlawful for any person to sell any horse which, by reason of disease, could not be worked in this state without violating the law against cruelty to animals.

[10:178:1919; 1919 RL p. 3395; NCL § 10578]

NRS 574.150 Poisoning or attempting to poison animals unlawful; penalties.

1. A person who unjustifiably administers any poisonous or noxious drug or substance to a horse, mule or domestic cattle, or unjustifiably exposes any such drug or substance with the intent that it be taken by a horse, mule or domestic cattle, whether the horse, mule or domestic cattle are the property of the person or another, is guilty of a category C felony and shall be punished as provided in [NRS 193.130](#). In addition to any other penalty, the court shall order the person to pay restitution.

2. A person who unjustifiably administers any poisonous or noxious drug or substance to any animal other than a horse, mule or domestic cattle, or unjustifiably exposes any such drug or substance with the intent that it be taken by an animal other than a horse, mule or domestic cattle, whether the animal is the property of the person or another, is guilty of a gross misdemeanor. In addition to any other penalty, the court shall order the person to pay restitution.

3. This section does not prohibit the destruction of noxious animals.

[1911 C&P § 510; RL § 6775; NCL § 10457] + [11:178:1919; 1919 RL p. 3396; NCL § 10579]—(NRS A 1961, 402; [1967.618](#); [1979.1487](#); [1995.1304](#); [2001.2890](#))

NRS 574.160 Throwing substance injurious to animals in public places unlawful; penalty. A person who willfully throws, drops or places, or causes to be thrown, dropped or placed, upon any road, highway, street or public place, any glass, nails, pieces of metal, or other substance which might wound, disable or injure any animal is guilty of a misdemeanor.

[12:178:1919; 1919 RL p. 3396; NCL § 10580]

NRS 574.170 Keeping cow or other milk-producing animal in unhealthy place or diseased condition; feeding resulting in impure milk; penalty. A person who keeps a cow or any animal for the production of milk in a crowded or unhealthy place, or in a diseased condition, or feeds such cow or animal upon any food that produces impure or unwholesome milk, is guilty of a misdemeanor.

[13:178:1919; 1919 RL p. 3396; NCL § 10581]

NRS 574.180 Running horses on highway; penalty. A person driving any vehicle upon any plank road, turnpike or public highway, who unjustifiably runs the horses drawing the same, or causes or permits them to run, is guilty of a misdemeanor. [15:178:1919; 1919 RL p. 3396; NCL § 10583]

NRS 574.190 Carrying animal in cruel manner; penalty. A person who carries or causes to be carried in or upon any vessel or vehicle or otherwise any animal in a cruel or inhuman manner, or so as to produce torture, is guilty of a misdemeanor. [Part 6:75:1873; B § 2487; BH § 4781; C § 4873; RL § 1378; NCL § 3236] + [16:178:1919; 1919 RL p. 3396; NCL § 10584]

NRS 574.195 Allowing cat or dog to remain unattended in motor vehicle during period of extreme heat or cold unlawful; removal of animal; exceptions; immunity from liability; penalty.

1. Except as otherwise provided in subsection 3, a person shall not allow a cat or dog to remain unattended in a parked or standing motor vehicle during a period of extreme heat or cold or in any other manner that endangers the health or safety of the cat or dog.

2. Any:

(a) Peace officer;

(b) Officer of a society for the prevention of cruelty to animals who is authorized to make arrests pursuant to [NRS 574.040](#);

(c) Animal control officer;

(d) Governmental officer or employee whose primary duty is to ensure public safety;

(e) Employee or volunteer of any organized fire department; or

(f) Member of a search and rescue organization in this State that is under the direct supervision of a sheriff,

may use any force that is reasonable and necessary under the circumstances to remove from a motor vehicle a cat or dog that is allowed to remain in the motor vehicle in violation of subsection 1.

3. The provisions of subsection 1 do not apply to:

(a) A police animal or an animal that is used by:

(1) A federal law enforcement agency to assist the agency in carrying out the duties of the agency; or

(2) A search and rescue organization specified in paragraph (f) of subsection 2 to assist the organization in carrying out the activities of the organization;

(b) A dog that is under the possession or control of:

(1) An animal control officer; or

(2) A first responder during an emergency;

(c) A dog that is under the possession or control of a person who:

(1) Is actively engaged in hunting a species of game mammal or game bird during the season for hunting that species of game mammal or game bird;

(2) Is using the dog for the purpose set forth in subparagraph (1); and

(3) Holds a license or tag to hunt that species of game mammal or game bird during that season; or

(d) A dog that is participating in:

(1) Training exercises relating to hunting; or

(2) Field trials relating to hunting.

4. A cat or dog that is removed from a motor vehicle pursuant to subsection 2 shall be deemed to be an animal being treated cruelly for the purposes of [NRS 574.055](#). The person who removed the cat or dog may take any action relating to the cat or dog specified in that section and is entitled to any lien or immunity from liability that is applicable pursuant to that section.

5. A person who violates a provision of subsection 1 is guilty of a misdemeanor.

(Added to NRS by [2007, 1925](#))

NRS 574.200 Intended applicability of provisions.

1. The provisions of [NRS 574.050](#) to [574.510](#), inclusive, do not:

(a) Interfere with any of the fish and game laws contained in title 45 of NRS or any laws for the destruction of certain birds.

(b) Interfere with the right to destroy any venomous reptiles or animals, or any animal known as dangerous to life, limb or property.

(c) Interfere with the right to kill all animals and fowl used for food.

(d) Prohibit or interfere with any properly conducted scientific experiments or investigations which are performed under the authority of the faculty of some regularly incorporated medical college or university of this State.

(e) Interfere with any scientific or physiological experiments conducted or prosecuted for the advancement of science or medicine.

(f) Prohibit or interfere with established methods of animal husbandry, including the raising, handling, feeding, housing and transporting of livestock or farm animals.

2. Nothing contained in subsection 1 shall be deemed to exclude a research facility from the provisions of [NRS 574.205](#).

[10:75:1873; B § 2491; BH § 4785; C § 4877; RL § 1381; NCL § 3239] + [Part 6:178:1919; 1919 RL p. 3394; NCL § 10574]—(NRS A [1989, 273](#); [1993, 2152](#); [2007, 1926](#); [2011, 1607](#); [2015, 1732](#))

ADOPTION OF DOGS AND CATS AT RESEARCH FACILITIES

NRS 574.205 Requirement to offer dog or cat for adoption before euthanization; immunity from civil liability.

1. A research facility that intends to euthanize a dog or cat for any purpose other than scientific, medical or educational research shall, before euthanizing the dog or cat, offer the dog or cat for adoption if the dog or cat is appropriate for adoption. A research facility may offer the dog or cat for adoption through a program of the research facility or enter into a collaborative agreement with an animal shelter that performs the work of an animal rescue organization or an animal rescue organization for the purpose of carrying out the provisions of this subsection. Any such animal shelter or animal rescue organization must be domiciled in Nevada and exempt from taxation pursuant to 26 U.S.C. § 501(c)(3).

2. A research facility and any officer, director, employee or agent of the research facility is immune from civil liability for any act or omission relating to the adoption of a dog or cat pursuant to subsection 1.

3. As used in this section:

(a) "Animal rescue organization" means a nonprofit organization established for the purpose of rescuing animals in need and finding permanent, adoptive homes for such animals.

(b) "Research facility" means an organization that is engaged in:

(1) Animal research for the purpose of testing the performance, safety or quality of a product; or

(2) Scientific research for scientific, medical or educational purposes.

(Added to NRS by [2015, 1731](#), [1732](#))

CARE OF ANIMALS

General Provisions

NRS 574.210 Definitions. As used in [NRS 574.210](#) to [574.510](#), inclusive, unless the context otherwise requires, the words and terms defined in [NRS 574.220](#) to [574.330](#), inclusive, have the meanings ascribed to them in those sections.

(Added to NRS by [1993, 2145](#); A [2011, 1595](#))

NRS 574.220 “Ambient temperature” defined. “Ambient temperature” means the temperature surrounding an animal.
(Added to NRS by [1993, 2145](#))

NRS 574.230 “Animal” defined. “Animal” includes every living creature that is not a human being.
(Added to NRS by [1993, 2145](#))

NRS 574.240 “Animal shelter” defined. “Animal shelter” means a facility:

1. For receiving and holding animals;
2. Designated by a local government for receiving and holding animals; or
3. Operated by a society for the prevention of cruelty to animals, which is in compliance with the provisions of [NRS 574.010 to 574.040](#), inclusive, for receiving and holding animals.

(Added to NRS by [1993, 2145](#))

NRS 574.245 “Breeder” defined. “Breeder” means a dealer, operator or other person who is responsible for the operation of a commercial establishment engaged in the business of breeding dogs or cats for sale or trade. The term does not include a person who breeds dogs or cats as a hobby.
(Added to NRS by [2011, 1593](#))

NRS 574.250 “Cattery” defined. “Cattery” means a place where at least 10 cats of not less than 6 months of age are kept, harbored or maintained for:

1. Boarding;
2. Training; or
3. Breeding for sale to a retailer or dealer.

È For the purposes of this section, spayed or neutered cats must not be counted when determining the number of cats that are being kept, harbored or maintained.
(Added to NRS by [1993, 2146](#))

NRS 574.260 “Dealer” defined. “Dealer” means a person who, for compensation or profit, buys, sells, breeds, trades or imports cats or dogs for resale.
(Added to NRS by [1993, 2146](#))

NRS 574.270 “Housing facility” defined. “Housing facility” means a building, room or other area which contains one or more primary enclosures.
(Added to NRS by [1993, 2146](#))

NRS 574.280 “Kennel” defined. “Kennel” means a place where at least 10 dogs of not less than 6 months of age are kept, harbored or maintained for:

1. Boarding;
2. Training; or
3. Breeding for sale to a retailer or dealer.

È For the purposes of this section, spayed or neutered dogs, dogs used by or being trained for use by the Armed Forces, police officers, search and rescue teams or other similar organizations, dogs used in farming or ranching, and dogs used by or being trained for use by persons with disabilities, including, but not limited to, dogs used to assist persons in wheelchairs, must not be counted when determining the number of dogs that are being kept, harbored or maintained.
(Added to NRS by [1993, 2146](#); A [2005, 631](#))

NRS 574.290 “Operator” defined. “Operator” means a person responsible for the operation of:

1. A cattery, kennel or commercial establishment engaged in the business of selling animals; or
2. An animal shelter.

(Added to NRS by [1993, 2146](#))

NRS 574.300 “Pet” defined. “Pet” means a domestic cat or dog commonly kept for pleasure.
(Added to NRS by [1993, 2146](#))

NRS 574.310 “Primary enclosure” defined. “Primary enclosure” means a structure used to restrict the immediate movement of a dog or cat to a limited amount of space, such as a room, pen, run, cage, compartment or hutch, and in which an animal is regularly so restricted for more than 7 hours during a 24-hour period.
(Added to NRS by [1993, 2146](#); A [2011, 1595](#))

NRS 574.320 “Retailer” defined. “Retailer” means a person who acquires pets for resale.
(Added to NRS by [1993, 2146](#))

NRS 574.330 “Veterinarian” defined. “Veterinarian” means a person authorized pursuant to [chapter 638](#) of NRS to practice veterinary medicine in this state.
(Added to NRS by [1993, 2146](#))

NRS 574.340 Applicability.

1. The provisions of [NRS 574.210 to 574.510](#), inclusive, do not apply to:
 - (a) The exhibition, production, marketing or disposal of any livestock, poultry, fish or other agricultural commodity or animal.
 - (b) Activities for which a license is required by the provisions of [chapter 466](#) of NRS.
 - (c) The housing of domestic cats or dogs kept as pets or cared for, without remuneration other than payment for reasonable expenses relating to the care of the cats or dogs, on behalf of another person in a home environment.
 - (d) The exhibition of dogs or cats.
2. As used in this section:
 - (a) “Animal” has the meaning ascribed to it in [NRS 564.010](#).
 - (b) “Livestock” has the meaning ascribed to it in [NRS 569.0085](#).

(Added to NRS by [1993, 2146](#); A [2011, 1595](#))

NRS 574.350 Enforcement by society for prevention of cruelty to animals prohibited. No member, agent or officer of a society for the prevention of cruelty to animals may enforce the provisions of [NRS 574.210 to 574.510](#), inclusive.
(Added to NRS by [1993, 2147](#); A [2011, 1595](#))

NRS 574.353 Annual permits: Application; fees; suspension, revocation or denial.

1. In addition to any ordinance adopted pursuant to [NRS 244.189](#), [244.335](#) or [244.359](#), the board of county commissioners of each county, if its jurisdiction to enact and enforce ordinances relating to animals is not limited by an interlocal agreement, shall adopt an ordinance requiring each breeder in an unincorporated area of the county to obtain an annual permit to act as a breeder issued by the board or by the animal control agency of the county, if any. Each such board of county commissioners may impose a fee for the issuance of the annual permit which does not exceed the approximate cost of providing the services associated with the issuance of the annual permits.

2. In addition to any ordinance adopted pursuant to [NRS 266.325](#) or [266.355](#), the city council or other governing body of each incorporated city, whether organized under general law or special charter, if its jurisdiction to enact and enforce ordinances relating to animals is not limited by an interlocal agreement, shall adopt an ordinance requiring each breeder in the incorporated area of the city to obtain an annual permit to act as a breeder issued by the city council or other governing body or by the animal control agency, if any. Each such city council or other governing body of an incorporated city may impose a fee for the issuance of the annual permit which does not exceed the approximate cost of providing the services associated with the issuance of the annual permits.

3. After a board of county commissioners or a city council or other governing body of an incorporated city adopts an ordinance pursuant to subsection 1 or 2, as applicable, the board or governing body shall issue a permit and assign a permit number to each breeder who:

- (a) Submits an application on a form and in the manner prescribed by the ordinance;
- (b) Pays a fee, if any, prescribed by the ordinance; and
- (c) Complies with any other requirements prescribed by the ordinance.

4. Each permit issued pursuant to subsection 3 must specify the address of the premises at which the person may act as a breeder.

5. The number of the permit assigned to a breeder pursuant to subsection 3 must be displayed in all advertising in which the breeder offers a dog or cat for sale and on any receipt of sale of a dog or cat sold by the breeder.

6. For the purpose of enforcing the provisions of [NRS 574.360](#) to [574.440](#), inclusive, as those provisions apply to breeders, any animal control agent of the issuing authority may enter and inspect the premises specified on the permit at any reasonable hour.

7. An ordinance adopted pursuant to subsection 1 or 2 may provide for the suspension, revocation or denial of a permit for a violation of the provisions of [NRS 574.360](#) to [574.440](#), inclusive, as those provisions apply to breeders.

(Added to NRS by [2011, 1594](#))

NRS 574.356 Prohibited acts. A breeder shall not:

1. Sell a dog or cat:

(a) Unless the dog or cat has had:

- (1) A registered microchip subcutaneously inserted into the dog or cat; and
- (2) All the required vaccinations for rabies which are appropriate based upon the age of the dog or cat; or

(b) Without providing a written sales contract to the purchaser; or

2. Breed a female dog:

(a) Before she is 18 months old; or

(b) More than once a year.

(Added to NRS by [2011, 1594](#))

Duties of Operators

NRS 574.360 Buildings and grounds; housing facilities. An operator shall ensure that:

1. The buildings and grounds at all locations where dogs or cats are kept:

(a) Are clean and in good repair; and

(b) Do not become accumulated with trash.

2. Housing facilities:

(a) Are constructed and maintained in such a manner as to:

- (1) Protect the dogs or cats inside from injury;
- (2) Prevent the dogs or cats inside from escaping; and
- (3) Restrict the entrance of other dogs and cats.

(b) Have adequate and reliable sources of electrical power and potable water available.

(Added to NRS by [1993, 2147](#))

NRS 574.370 Enclosures generally. An operator shall:

1. Provide all dogs and cats with primary enclosures located indoors, except dogs and cats that are acclimated to the outdoor environment.

2. Ensure that the interior of a housing facility for indoor primary enclosures is constructed and maintained in such a manner as to be substantially impervious to moisture and to facilitate regular cleaning.

3. Provide a suitable method to eliminate excessive water from the interior of a housing facility for indoor primary enclosures. Any drains must be constructed and maintained in such a manner as to avoid foul odors. Any closed system for drainage must be equipped with traps that prevent the release of sewage into the housing facility.

4. Ensure that indoor primary enclosures are constructed and maintained in such a manner as to:

(a) Protect the dogs or cats inside from excessive illumination while providing an ample amount of light, by natural or artificial means, or both, of a sufficient distribution and intensity to allow for routine inspection and cleaning.

(b) Provide a sufficient amount of heat when necessary to protect the dogs or cats inside from cold and to maintain their health and comfort. The ambient temperature of an indoor primary enclosure in which one or more cats or dogs are kept must not be allowed to fall below 50 degrees Fahrenheit, unless each cat or dog is acclimated to a lower temperature.

(c) Provide adequate ventilation at all times to maintain the health and comfort of the dogs or cats inside. The system of ventilation must provide fresh air by means of windows, doors, vents or air-conditioning, and be designed to maintain drafts, odors and the condensation of moisture at a minimum. If the ambient temperature reaches 85 degrees Fahrenheit or greater, air-conditioning, exhaust fans and vents, or other auxiliary ventilation must be provided.

(Added to NRS by [1993, 2147](#))

NRS 574.380 Dogs and cats kept outdoors. If dogs or cats are kept outdoors, an operator shall:

1. Provide a suitable method for the rapid drainage of surface water from the area where each dog or cat is kept.

2. Provide each dog or cat with a sufficient amount of shelter to:

(a) Remain dry from rain and snow;

(b) Have enough shade to protect itself from any direct sunlight that is likely to cause overheating or discomfort;

(c) Remain cool during a period for which the National Weather Service has issued a heat advisory;

(d) Protect the animal from wind which creates a wind chill below 50 degrees Fahrenheit or for which the National Weather Service has issued a high wind warning; and

(e) Remain warm when the atmospheric temperature falls below 50 degrees Fahrenheit. If the ambient temperature falls below 50 degrees Fahrenheit, the operator shall provide such an additional amount of clean bedding material or other protection as necessary for the dog or cat to remain warm.

3. After considering the ambient temperature, provide each dog or cat with a sufficient amount of food and water necessary to sustain it in a healthy condition at that temperature.

(Added to NRS by [1993,2147](#); A [2011,1595](#))

NRS 574.390 Primary enclosures generally.

1. An operator shall ensure that a primary enclosure:

- (a) Has a solid floor;
- (b) Is not stacked on top of another primary enclosure; and
- (c) Is constructed and maintained in such a manner as to:
 - (1) Protect the dogs or cats inside from injury;
 - (2) Prevent the dogs or cats inside from escaping;
 - (3) Keep other dogs or cats out;
 - (4) Allow the dogs or cats inside convenient access to food and water;
 - (5) Enable the dogs or cats inside to remain clean and dry;
 - (6) Provide sufficient space for each dog or cat inside to turn about freely and to stand, sit and lie in a comfortable, normal position;

and

(7) Prevent the dogs or cats inside from biting or otherwise harming an animal or person outside of the primary enclosure.

2. The provisions of paragraphs (a) and (b) of subsection 1 do not apply to an animal shelter.

(Added to NRS by [1993,2148](#); A [2011,1596](#))

NRS 574.400 Floor space of primary enclosure. An operator shall ensure that a primary enclosure in which a dog or cat that is at least 6 months old is kept has a minimum amount of floor space which is calculated by finding the mathematical square of the sum of 6 inches plus the length of the dog or cat measured from the tip of its nose to the base of its tail, and dividing that amount by 144, to arrive at the minimum amount of square footage required for the floor space.

(Added to NRS by [1993,2148](#))

NRS 574.410 Dogs or cats kept in primary enclosures together. If dogs or cats are kept in primary enclosures, an operator shall ensure that:

1. Dogs placed together with other dogs and cats placed together with other cats are compatible.
2. A dog or cat that displays a vicious disposition is not placed together with any other dog or cat.
3. A female dog or cat is not placed together with any intact male dog or cat during periods of estrus, except for supervised breeding.
4. An immature dog or cat is not placed together with an adult dog or cat, except with its mother or when permanently maintained in a breeding colony.

(Added to NRS by [1993,2148](#))

NRS 574.420 Food and water. An operator shall ensure that:

1. Potable water is offered to each dog or cat at least twice daily for not less than 1 hour on each occasion, unless potable water is accessible to the dog or cat at all times or except as otherwise required to provide adequate care.

2. Each dog or cat is fed at least once each day, except as otherwise required to provide adequate care.

3. The food provided to a dog or cat is wholesome, palatable, free from contamination, and of sufficient quality and nutritive value to meet the normal daily requirements for the dog or cat, based upon its condition and size.

4. Supplies of perishable food are adequately refrigerated.

5. Containers of food are:

- (a) Durable, except that disposable receptacles may be used if they are discarded after each feeding; and
- (b) Located so as to be accessible to the dogs or cats while reducing to a minimum any contamination from excreta.

6. Containers of food and water are kept clean. Self-feeders must not be used for the feeding of dry food unless they are cleaned regularly to prevent molding, deterioration and the caking of food.

(Added to NRS by [1993,2148](#))

NRS 574.430 Sanitization. An operator shall ensure that:

1. Insects, ectoparasites and avian, mammalian and reptilian pests are kept under control.

2. Supplies of food and bedding material are stored in facilities that afford adequate protection from infestation or contamination by vermin.

3. For primary enclosures used to restrict the immediate movement of a dog or cat:

(a) Excreta are removed at least once daily to prevent contamination and to reduce to a minimum odors and the risk of disease; and

(b) Each such primary enclosure is disinfected at least once daily and before placing another dog or cat in the primary enclosure. If a hosing or flushing method of cleaning is used, all dogs and cats must be removed from the primary enclosure and adequate measures must be taken to protect the dogs and cats in other primary enclosures from being contaminated with water and other wastes.

4. Primary enclosures used to restrict the immediate movement of an animal other than a dog or cat are cleaned, washed and disinfected at least once every 2 weeks to prevent any accumulation of debris or excreta and to reduce to a practical minimum substances and organisms injurious to the health of animals or humans.

5. Pens or runs with hard surfaces, and cages and rooms, are sanitized at least once every 2 weeks by:

- (a) Washing them with water of a temperature not less than 120 degrees Fahrenheit and with soap or detergent;
- (b) Washing all soiled surfaces with a safe and effective disinfectant; or
- (c) Cleaning all soiled surfaces with live steam.

6. Pens or runs with gravel, sand or dirt surfaces are cleaned as often as necessary by removing and replacing the soiled gravel, sand or dirt.

7. Sewage, solid wastes, soiled bedding, dead animals and debris are removed from housing facilities regularly and disposed of properly.

8. Facilities for disposal are maintained in such a manner as to reduce to a minimum odors and the risk of disease or infestation by vermin.

9. Adequate facilities, such as washrooms, basins or sinks, are provided for the cleanliness of persons handling animals.

(Added to NRS by [1993,2149](#); A [2011,1596](#))

NRS 574.440 Program to control disease and care for health. An operator shall, with the approval of a veterinarian, establish and maintain a program to control disease and care for the health of dogs and cats. As part of this program, an operator shall ensure that:

1. Each dog and cat is observed daily by the person directly responsible for its care, or by someone else under that person's direct supervision.

2. Blind, lame, injured, ill or diseased dogs and cats are provided with the appropriate veterinary care that is consistent with the purposes for which a dog or cat is being kept or humanely euthanized.

3. Any dogs or cats under quarantine or being treated for a communicable disease are kept separate from other dogs and cats.

(Added to NRS by [1993,2149](#))

Retailers and Dealers

NRS 574.450 Examination by veterinarian; sale of cat or dog that requires immediate treatment prohibited; conditions under which presence of parasites requires treatment.

1. A retailer or dealer shall, after the acquisition of a cat or dog for resale, cause the cat or dog to be examined by a veterinarian. The retailer or dealer shall not sell the cat or dog before it is initially examined by a veterinarian.
2. A retailer or dealer shall cause a cat or dog acquired for resale to be reexamined by a veterinarian:
 - (a) Fourteen days after the date of its initial examination; and
 - (b) Every 30 days thereafter until sold.
3. If a veterinarian conducting an examination pursuant to this section finds that the cat or dog has no illness, disease or other condition that is terminal or requires immediate hospitalization or immediate surgical intervention, the veterinarian shall provide a written statement setting forth his or her findings to the retailer or dealer.
4. A retailer or dealer shall not knowingly sell a cat or dog if it has an illness, disease or other condition that is terminal or requires immediate hospitalization or immediate surgical intervention.
5. For the purposes of this section, the presence of internal or external parasites does not constitute an illness, disease or other condition that is terminal or requires immediate hospitalization or immediate surgical intervention unless the cat or dog is clinically ill as a result of the parasite.
(Added to NRS by [1993, 2149](#); A [1997, 2772](#))

NRS 574.460 Provision of written statement to purchaser of cat: Required disclosures; signature of seller and purchaser.

1. A retailer or dealer shall, before selling a cat, provide the purchaser of the cat with a written statement that discloses:
 - (a) The name, address and telephone number of the retailer or dealer.
 - (b) The date the cat was born, if known.
 - (c) The name and address of the person from whom the retailer or dealer obtained the cat and, if the person holds a license issued by the United States Department of Agriculture, the person's federal identification number.
 - (d) The name and address of the breeder of the cat and, if the breeder holds a license issued by the United States Department of Agriculture, the breeder's federal identification number.
 - (e) The registration numbers, if any, of the cat's sire and dam with the appropriate breed registry or any health certifications from a health certification organization such as the Orthopedic Foundation for Animals or its successor organization, if any.
 - (f) A record of any immunizations administered to the cat before the time of sale, including the type of vaccine, date of administration and name and address of the veterinarian who prescribed the vaccine.
 - (g) Any sterilization requirements for the cat required by local ordinance.
 - (h) The medical history of the cat, including, without limitation:
 - (1) The date that a veterinarian examined and, if applicable, reexamined the cat pursuant to subsections 1 and 2 of [NRS 574.450](#) and determined that the cat did not have any illness, disease or other condition that is terminal or requires immediate hospitalization or immediate surgical intervention. For the purposes of this subparagraph, the presence of internal or external parasites does not constitute an illness, disease or other condition that is terminal or requires immediate hospitalization or immediate surgical intervention, unless the cat is clinically ill as a result of the parasite.
 - (2) Whether any treatment or medication has been administered by the veterinarian who examined or, if applicable, reexamined the cat pursuant to subsections 1 and 2 of [NRS 574.450](#) and if such treatment or medication was administered, a statement indicating on what date it was administered and for what illness, disease or condition.
 - (3) The date on which the veterinarian sterilized the cat, if applicable.
 - (4) The name and address of the veterinarian who performed the examinations, reexaminations or sterilization or administered any treatments or medications.
 - (i) That a copy of the veterinarian's evaluation of the health of the cat made pursuant to [NRS 574.450](#) is available to the purchaser.
2. The written statement must be signed and dated by the retailer or dealer and contain a space for the purchaser to sign and date the statement as an attestation that the purchaser has read and understands the disclosures contained in the statement.
(Added to NRS by [1993, 2150](#); A [1997, 2773](#); [2009, 2019](#))

NRS 574.470 Provision of written statement to purchaser of dog: Required disclosures; signature of seller and purchaser.

1. A retailer or dealer shall, before selling a dog, provide the purchaser of the dog with a written statement that discloses:
 - (a) The name, address and telephone number of the retailer or dealer.
 - (b) The date the dog was born, if known.
 - (c) The name and address of the person from whom the retailer or dealer obtained the dog and, if the person holds a license issued by the United States Department of Agriculture, the person's federal identification number.
 - (d) The name and address of the breeder of the dog and, if the breeder holds a license issued by the United States Department of Agriculture, the breeder's federal identification number.
 - (e) The registration numbers, if any, of the dog's sire and dam with the appropriate breed registry or any health certificates from a health certification organization such as the Orthopedic Foundation for Animals or its successor organization, if any.
 - (f) A record of any immunizations administered to the dog before the time of sale, including the type of vaccine, date of administration and name and address of the veterinarian who prescribed the vaccine.
 - (g) Any sterilization requirements for the dog required by local ordinance.
 - (h) The medical history of the dog, including, without limitation:
 - (1) The date that a veterinarian examined and, if applicable, reexamined the dog pursuant to subsections 1 and 2 of [NRS 574.450](#) and determined that the dog did not have any illness, disease or other condition that is terminal or requires immediate hospitalization or immediate surgical intervention. For the purposes of this subparagraph, the presence of internal or external parasites does not constitute an illness, disease or other condition that is terminal or requires immediate hospitalization or immediate surgical intervention, unless the dog is clinically ill as a result of the parasite.
 - (2) Whether any treatment or medication has been administered by the veterinarian who examined or, if applicable, reexamined the dog pursuant to subsections 1 and 2 of [NRS 574.450](#) and, if such treatment or medication was administered, a statement indicating on what date it was administered and for what illness, disease or condition.
 - (3) The date on which the veterinarian sterilized the dog, if applicable.
 - (4) The name and address of the veterinarian who performed the examinations, reexaminations or sterilization or administered any treatments or medications.
 - (i) That a copy of the veterinarian's evaluation of the health of the dog performed pursuant to [NRS 574.450](#) is available to the purchaser.
2. The written statement must be signed and dated by the retailer or dealer and contain a space for the purchaser to sign and date the statement as an attestation that the purchaser has read and understands the disclosures contained in the statement.
(Added to NRS by [1993, 2150](#); A [1997, 2774](#); [2009, 2020](#))

NRS 574.480 Posting of notice concerning dog or cat offered for sale. A retailer or dealer shall conspicuously post within close proximity to the primary enclosure of a dog or cat offered for sale the following notice printed in at least 48-point type upon paper that is at least 11 inches wide and 17 inches long:

NEVADA LAW REQUIRES THAT INFORMATION CONCERNING THE DATE OF BIRTH, SOURCE, LINEAGE AND MEDICAL HISTORY OF THESE DOGS (OR CATS) BE PROVIDED TO THE PURCHASER BEFORE THE COMPLETION OF ANY SALE.

(Added to NRS by [1993, 2151](#); A [1997, 2775](#))

NRS 574.485 Imposition of administrative fines for violation of [NRS 574.460](#), [574.470](#) or [574.480](#); deposit in State General Fund.

1. In addition to any other penalty provided by law, the Director of the State Department of Agriculture may impose an administrative fine on any retailer or dealer who violates the provisions of [NRS 574.460](#), [574.470](#) or [574.480](#) in an amount not to exceed:

For the first violation.....	\$250
For the second violation.....	500
For each subsequent violation.....	1,000

2. All fines collected by the Director pursuant to subsection 1 must be deposited with the State Treasurer for credit to the State General Fund.

(Added to NRS by [1997, 2772](#); A [1999, 3699](#))

NRS 574.490 Duties upon determination that pet was sold with condition that requires immediate treatment. If a person purchases a pet from a retailer or dealer and, within 10 days after the sale, a veterinarian determines that the pet has an illness, disease or other condition that is terminal or requires immediate hospitalization or immediate surgical intervention and that was in existence on the date of the sale, the retailer or dealer shall, at the option of the purchaser, either:

1. Refund the purchase price of the pet if the pet is returned or provide the purchaser with another pet of equal value; or
2. Reimburse the purchaser, in an amount not to exceed the purchase price of the pet, for expenses incurred by the purchaser in obtaining a diagnosis and treatment for the pet from a veterinarian chosen by the retailer or dealer.

(Added to NRS by [1993, 2151](#))

NRS 574.500 Separating dog or cat from mother; penalty.

1. A retailer, dealer or operator shall not separate a dog or cat from its mother until it is 8 weeks of age or accustomed to taking food or nourishment other than by nursing, whichever is later.

2. A person who violates the provisions of this section is guilty of a misdemeanor.

(Added to NRS by [1993, 2151](#); A [2009, 2020](#); [2011, 1608](#))

NRS 574.510 Knowingly selling dog or cat with condition requiring immediate treatment prohibited; penalties.

1. A retailer or dealer who sells a dog or cat that the retailer or dealer knows has any illness, disease or other condition that is terminal or requires immediate hospitalization or immediate surgical intervention and fails to disclose such information at the time of sale is guilty of a misdemeanor. In addition to any other penalty that may be imposed, the court may prohibit a person convicted of a violation of this section from selling any dogs or cats for not more than 1 year.

2. For the purposes of this section, the presence of internal or external parasites does not constitute an illness, disease or other condition that is terminal or requires immediate hospitalization or immediate surgical intervention unless the dog or cat is clinically ill as a result of the parasite.

(Added to NRS by [1993, 2151](#))

SWAP MEETS INVOLVING ANIMALS

NRS 574.550 Sale, attempted sale, offer for adoption or transfer of ownership of live animals prohibited at swap meets; exceptions; applicability.

1. Except as otherwise provided in subsections 2 and 3, a person who sells or attempts to sell, offers for adoption or transfers ownership of a live animal at a swap meet is guilty of a misdemeanor.

2. A person may sell, attempt to sell, offer for adoption or transfer ownership of a live animal at a swap meet if:

(a) The swap meet is conducted in a county or incorporated city in this State that has adopted an ordinance authorizing the sale of live animals at a swap meet;

(b) The person sells, attempts to sell, offers for adoption or transfers ownership of the animal in accordance with the ordinance; and

(c) The ordinance, at a minimum:

(1) Includes provisions which are substantially similar to the provisions of [NRS 574.360](#) to [574.510](#), inclusive, and are applicable to all animals offered for sale and all persons who sell, attempt to sell, offer for adoption or transfer ownership of an animal at the swap meet; and

(2) Does not authorize a person to commit an act of cruelty to an animal in violation of [NRS 574.050](#) to [574.200](#), inclusive.

3. The provisions of this section do not:

(a) Apply to any sale or transfer of ownership of any livestock.

(b) Apply to any event where the primary purpose is to sell or auction livestock or agricultural implements.

(c) Apply to any adoption of a dog or cat at an event held outdoors by an animal shelter or rescue organization that is recognized as exempt under section 501(c)(3) of the Internal Revenue Code, 26 U.S.C. § 501(c)(3).

(d) Apply to a person who offers for adoption or transfers ownership of a live animal at a swap meet if:

(1) A fee is not charged or collected for the adoption or transfer of ownership or otherwise in connection with the transaction; and

(2) The animal has had all the required vaccinations which are appropriate based upon the age of the animal.

(e) Exempt a person from complying with:

(1) Any requirement to obtain a license or other authorization to engage in a business in a county or incorporated city in this State;

or

(2) Any other requirement of the county or incorporated city to engage in business or to sell, attempt to sell, offer for adoption or transfer ownership of a live animal at a swap meet.

4. As used in this section:

(a) "Livestock" has the meaning ascribed to it in [NRS 569.0085](#).

(b) "Sell" means to barter, exchange, sell, trade, offer for sale, expose for sale, have in possession for sale, arrange the sale of or solicit for sale.

(c) "Swap meet" means a flea market, open-air market or other organized event at which two or more persons offer merchandise for sale or exchange.

(Added to NRS by [2013, 1863](#))

STERILIZATION OF PETS

Agreements for Sterilization

NRS 574.600 Definitions. As used in [NRS 574.600](#) to [574.660](#), inclusive, unless the context otherwise requires, the words and terms defined in [NRS 574.605](#) to [574.630](#), inclusive, have the meanings ascribed to them in those sections.
(Added to NRS by [1997.2553](#))

NRS 574.605 “Agreement for sterilization” defined. “Agreement for sterilization” means the written contract between a new owner and the releasing agency from which the new owner adopts a pet, in which the new owner agrees to have the pet sterilized.
(Added to NRS by [1997.2553](#))

NRS 574.610 “New owner” defined. “New owner” means a person who is adopting a pet from a releasing agency.
(Added to NRS by [1997.2554](#))

NRS 574.615 “Pet” defined.

1. “Pet” means an animal that is kept by a person primarily for personal enjoyment.
 2. The term does not include an animal that is kept by a person primarily for:
 - (a) Hunting;
 - (b) Use in connection with farming or agriculture;
 - (c) Breeding;
 - (d) Drawing heavy loads; or
 - (e) Use as a service animal or a service animal in training, as those terms are defined in [NRS 426.097](#) and [426.099](#), respectively.
- (Added to NRS by [1997.2554](#); A [2003.2976](#))

NRS 574.620 “Releasing agency” defined. “Releasing agency” means:

1. A society incorporated pursuant to [NRS 574.010](#) to prevent cruelty to animals;
 2. An animal shelter designated by a local government for receiving and holding animals;
 3. A nonprofit entity that provides for the temporary shelter, care or placement of pets; or
 4. An organization that takes into custody pets which have been abandoned, abused or neglected and places those pets with new owners.
- (Added to NRS by [1997.2554](#))

NRS 574.625 “Sterilization” defined. “Sterilization” means a procedure performed by a veterinarian on a pet that permanently destroys the capacity of the pet to reproduce.
(Added to NRS by [1997.2554](#))

NRS 574.630 “Veterinarian” defined. “Veterinarian” has the meaning ascribed to it in [NRS 574.330](#).
(Added to NRS by [1997.2554](#))

NRS 574.640 Restrictions on release of certain pets; exceptions.

1. Except as otherwise provided in subsection 2, a releasing agency shall not release a pet that is:
 - (a) Four months old or older unless the pet has been sterilized; or
 - (b) Less than 4 months old unless the pet is released to a new owner who:
 - (1) Is of competent legal capacity;
 - (2) Pays to the releasing agency a deposit equal to the prevailing cost to sterilize that type of pet in the county in which the releasing agency is located, as determined by the releasing agency, or \$25, whichever is greater; and
 - (3) Signs an agreement for sterilization that meets the requirements set forth in [NRS 574.645](#).
 2. This section does not apply to:
 - (a) A pet that:
 - (1) Is reclaimed from a releasing agency by a person who already owns the pet; or
 - (2) Cannot be sterilized because it is exotic or for another legitimate reason, as determined by a veterinarian.
 - (b) A releasing agency that imposes higher or more stringent standards for the adoption of pets.
 - (c) The temporary transfer of the custody of a pet that requires medical attention from a releasing agency to a veterinarian.
 - (d) The temporary or permanent transfer of the custody of a pet from one releasing agency to another releasing agency.
- (Added to NRS by [1997.2554](#))

NRS 574.645 Required contents of agreement for sterilization; determination of date for sterilization and date for notification of sterilization.

1. An agreement for sterilization required pursuant to subsection 1 of [NRS 574.640](#) must contain:
 - (a) The date on which the agreement was executed;
 - (b) The date on which the new owner will receive the pet, if that date is different than the date on which the agreement was executed;
 - (c) The name and address of the new owner and the releasing agency;
 - (d) The signature of the new owner and the signature, official stamp or seal of the releasing agency;
 - (e) A physical description of the pet to be adopted;
 - (f) The date by which the pet must be sterilized, as determined pursuant to subsection 2;
 - (g) The date by which the new owner must notify the releasing agency that the pet has been sterilized, as determined pursuant to subsection 3;
 - (h) The conditions pursuant to which the releasing agency will return to the new owner the deposit paid pursuant to [NRS 574.640](#);
 - (i) A clause which provides that, if the new owner fails to comply with the terms of the agreement, the new owner must pay a penalty to the releasing agency in an amount equal to not less than three times the amount of the deposit required pursuant to [NRS 574.640](#), plus the amount of court costs incurred in the action to enforce the clause;
 - (j) A clause which provides that, if the new owner fails to comply with the terms of the agreement, the releasing agency may require the new owner to return the pet to the releasing agency within 5 days after the new owner receives from the releasing agency written notice of the intent of the releasing agency to enforce the clause;
 - (k) A clause which provides that a new owner is not released from his or her obligations under the agreement merely because the new owner is experiencing a financial hardship; and
- (l) A statement printed in at least 14-point bold type that a new owner who fails to comply with subsection 1 or 2 of [NRS 574.655](#):
 - (1) Will forfeit his or her deposit;
 - (2) May be required to pay a penalty to the releasing agency if the releasing agency brings a successful action to enforce the clause set forth in paragraph (i); and
 - (3) May be required to return the pet to the releasing agency within 5 days after the new owner receives written notice from the releasing agency of the intent of the releasing agency to enforce the clause set forth in paragraph (j).
2. The releasing agency shall determine the date by which each unsterilized pet that it releases for adoption must be sterilized. The date must be the date on which the pet is 4 months old, as estimated by the releasing agency. If the date determined pursuant to this subsection falls on a Saturday, Sunday or a legal holiday, the pet must be sterilized by 5 p.m. on the next following business day.

3. The date by which the new owner must notify the releasing agency that the pet has been sterilized must be the 14th day after the date by which the pet must be sterilized. If that date falls on a Saturday, Sunday or a legal holiday, the new owner must notify the releasing agency by 5 p.m. on the next following business day.

(Added to NRS by [1997.2555](#))

NRS 574.650 Postponement of date for sterilization: Letter signed by veterinarian required; modification of agreement for sterilization.

1. Except as otherwise provided in subsection 2, if a new owner presents to the releasing agency a letter signed by a veterinarian which includes:

(a) A statement that the life or health of the pet may be jeopardized by sterilization; and

(b) The veterinarian's medical reason for that determination.

The releasing agency may postpone for 30 days the date by which the pet must be sterilized. An additional 30-day postponement may be granted if the new owner presents a letter from a veterinarian stating the medical reason for the postponement. There is no limit on the number of postponements that may be granted pursuant to this subsection.

2. Before the releasing agency may grant a postponement pursuant to subsection 1, the agency and the new owner must modify the agreement for sterilization to provide amended dates by which the pet must be sterilized and the agency must be notified of the sterilization.

(Added to NRS by [1997.2556](#))

NRS 574.655 Notification of sterilization to releasing agency; exceptions; effect of failure to comply.

1. Except as otherwise provided in subsection 2, a new owner who signs an agreement for sterilization and receives an unsterilized pet from a releasing agency shall:

(a) Have that pet sterilized on or before the date specified in the agreement for sterilization; and

(b) Submit to the releasing agency, on or before the date by which notification is required in the agreement for sterilization:

(1) A letter signed by a veterinarian:

(I) Verifying that the pet has been sterilized;

(II) Stating the date on which the pet was sterilized; and

(III) Providing a physical description of the pet; and

(2) A bill or receipt from the veterinarian verifying that the pet has been sterilized.

2. A new owner shall be deemed to have complied with the provisions of subsection 1 if the new owner submits to the releasing agency, on or before the date by which notification is required in the agreement for sterilization, a signed affidavit in which the new owner sets forth a compelling reason why he or she is unable to have the pet sterilized, including, without limitation, that the pet has been lost or stolen. For the purposes of this subsection, financial hardship or the negligent or willful failure of the new owner to have the pet sterilized does not constitute a compelling reason.

3. A releasing agency shall refund to a new owner the deposit paid pursuant to [NRS 574.640](#) within 15 days after receipt of the letter and the bill or receipt required pursuant to subsection 1 or the affidavit required pursuant to subsection 2.

4. If a new owner fails to comply with subsection 1 or 2, the releasing agency:

(a) Shall retain the deposit paid by the new owner;

(b) May bring an action against the new owner in the Justice Court in whose jurisdiction the releasing agency is located to enforce the clause included in the agreement for sterilization pursuant to paragraph (i) of subsection 1 of [NRS 574.645](#); and

(c) May require the new owner to return the pet to the releasing agency pursuant to the clause included in the agreement for sterilization pursuant to paragraph (j) of subsection 1 of [NRS 574.645](#). The releasing agency must notify the new owner in writing of its intent to enforce the clause included in the agreement pursuant to paragraph (j) of subsection 1 of [NRS 574.645](#).

(Added to NRS by [1997.2556](#))

NRS 574.660 Duty of releasing agency to establish account; deposit of money; authorized expenditures.

1. Each releasing agency shall:

(a) Establish an account at a bank, credit union or savings and loan association that is located within the State of Nevada; and

(b) Place in that account:

(1) A deposit paid by a new owner pursuant to [NRS 574.640](#); and

(2) Money collected by the agency pursuant to subsection 4 of [NRS 574.655](#).

2. The releasing agency may expend money in such an account only to:

(a) Provide education and information regarding the sterilization of pets;

(b) Provide financial assistance to persons with financial need to enable such persons to have their pets sterilized; and

(c) Carry out and enforce [NRS 574.600](#) to [574.660](#), inclusive.

3. If a releasing agency is an agency or instrumentality of a local government, money in such an account at the end of the fiscal year does not revert to the general fund of the local government but remains in the account for expenditure pursuant to subsection 2.

(Added to NRS by [1997.2557](#))

Miscellaneous Provisions

NRS 574.670 Duty of veterinarians and governmental entities to post local sterilization requirements.

1. A licensed veterinarian shall post written notice in a conspicuous place in the veterinarian's office of any sterilization requirements for dogs or cats required by local ordinance.

2. A governmental entity with jurisdiction over a public park in which dogs or cats are allowed shall post written notice in a conspicuous place in the park of any sterilization requirements for dogs or cats required by local ordinance.

3. As used in this section, "licensed veterinarian" has the meaning ascribed to it in [NRS 638.007](#).

(Added to NRS by [2009.2018](#))