

State Capitol Building
500 East Capitol Avenue
Pierre, SD 57501

Site Search:

2017 Bill Quickfind:

[Home](#) » [Laws](#) » [Codified Laws](#) »

Title List

Text Search

Statute Quick Find

[Printer Friendly](#)

40-1-5. Impoundment of neglected, abandoned, mistreated, or cruelly treated animal--Expenses of care as lien--Warrant or court order. Any law enforcement officer, agent of the board, or agent or officer of any humane society finding an animal neglected, abandoned, mistreated, or subjected to cruelty, may, pursuant to a warrant or court order, cause the animal to be impounded and properly cared for, and the expenses of such impoundment or care constitute a lien on the animal to be paid before the animal may be lawfully recovered. However, a warrant or court order is not necessary for law enforcement officers if the animal is severely injured, severely diseased, or suffering and any delay in impounding the animal would continue to cause the animal extreme suffering or if other exigent circumstances exist. If any animal is impounded or subjected to other action under this section without a warrant or court order, the officer shall subsequently show cause for the impoundment or other action to the court, and the court shall issue an order ratifying the impoundment or action; or, if sufficient cause for the impoundment or action is not shown, the court shall order the return of the animal to the owner or other appropriate remedy.

Source: SDC 1939, § 40.2202; SL 1991, ch 331, § 15; SL 2006, ch 211, § 8; SL 2014, ch 194, § 7.

[Chapter 40-1](#)

Capitol Building, 3rd Floor - 500 East Capitol Avenue - Pierre, SD 57501 - 605.773.3251

[Home](#) | [Contact](#) | [Help](#) | [Privacy Policy](#) | [SD Homepage](#)
Copyright © 2015 South Dakota Legislature