House Bill 574 (AS PASSED HOUSE AND SENATE)
By: Representatives Camp of the 131st, Cameron of the 1st, Hill of the 3rd, Houston of the 170th, Jenkins of the 132nd, and others

A BILL TO BE ENTITLED
AN ACT

To amend Code Section 4-11-3 of the Official Code of Georgia Annotated, relating to licenses for pet dealers and kennel, stable, or animal shelter operators, requirement, issuance, and application, so as to provide for a Local Government Companion Animal Trust Fund for reimbursement of impoundment expenses incurred by local governments; to provide for annual reporting; to provide for promulgation of regulations; to provide for compliance with constitutional requirements; to provide for an effective date and automatic repeal; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 4-11-3 of the Official Code of Georgia Annotated, relating to licenses for pet dealers and kennel, stable, or animal shelter operators, requirement, issuance, and application, is amended by revising subsection (c) and adding a new subsection to read as follows:

"(c) Licenses shall be issued for a period of one year and shall be annually renewable. The Commissioner may establish separate classes of licenses, including wholesale and retail licenses. The Commissioner shall fix fees for licenses so that the revenue derived from

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licenses shall approximate the total direct cost of administering this article. The Commissioner may establish different fees for the different classes of licenses established, but the annual fee for any such license shall be at least $50.00 but shall not exceed $400.00. Any fees collected pursuant to this Code section shall be retained pursuant to the provisions of Code Section 45-12-92.1.

(c.1)(1)(A) For the period beginning on July 1, 2021, and ending on June 30, 2031, fees identified in subsection (c) of this Code section shall be renewed and, under the authority granted and subject to the conditions imposed by Article III, Section IX, Paragraph VI(r) of the Constitution of Georgia, no more than $50,000.00 of such collected fees shall be dedicated to the Local Government Companion Animal Trust Fund as provided for in subparagraph (B) of this paragraph, provided that the total amount of funds in such fund at any time shall not exceed $200,000.00, and such amounts shall not lapse as otherwise required by Article III, Section IX, Paragraph IV(c) of the Constitution of Georgia.

(B) There is established the Local Government Companion Animal Trust Fund as a separate fund of the department. The department shall accept applications from qualified local governments as defined in paragraph (18) of subsection (a) of Code Section 50-8-2 for reimbursement of expenses incurred by such local governments impounding more than 29 dogs or cats or more than 9 equines as part of any investigation of a violation of Code Section 4-11-9, 16-12-4, or 16-12-37, or otherwise providing care for more than 29 dogs or cats or more than 9 equines impounded pursuant to this article or local ordinance. The department shall provide reimbursement to such local governments of such expenses as it deems reasonably and appropriately incurred.

(2)(A) The Commissioner shall administer the provisions of this subsection and shall prepare, by February 1 of each year, an accounting of the funds received and expended pursuant to this subsection. The report shall be made available to the House Committee
on Agriculture and Consumer Affairs and the Senate Agriculture and Consumer Affairs Committee.

(B) The Commissioner shall retain annually up to $10,000.00 of the funds collected pursuant to this subsection to offset the costs to the state of implementing and administering this subsection.

(3) The department shall promulgate rules and regulations as necessary to implement the provisions of this subsection.

(4) This subsection shall stand repealed and reserved on July 1, 2031.”

SECTION 2.

In accordance with the requirements of Article III, Section IX, Paragraph VI(r) of the Constitution of Georgia, this Act shall not become law unless it receives the requisite two-thirds' majority vote in both the Senate and the House of Representatives and the amount of the funds dedicated by this Act do not equal or exceed 1 percent of the previous fiscal year's state revenues subject to appropriations.

SECTION 3.

Except as provided for in Section 2 of this Act, this Act shall become effective on July 1, 2021.

SECTION 4.

All laws and parts of laws in conflict with this Act are repealed.