

House Bill 573

By: Representative Gullett of the 19th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 11 of Title 4 of the Official Code of Georgia Annotated,
2 relating to animal protection generally, so as to prohibit the marketing and transferring of
3 certain domestic animals at certain locations; to provide for definitions; to provide for related
4 matters; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Article 1 of Chapter 11 of Title 4 of the Official Code of Georgia Annotated, relating to
8 animal protection generally, is amended by adding a new Code section to read as follows:

9 "4-11-10.1.

10 (a) As used in this Code section, the term 'transfer' means:

11 (1) A transfer or an offer for consideration, in which 'for consideration' means any
12 payment of consideration, including, but not limited to, any fee, property, rights, or
13 services, or any payment occurring in connection with any other commercial transaction;

14 (2) A lease or offer to lease; or

15 (3) To display for a commercial purpose.

16 (b) It shall be unlawful for any person to transfer any dog, cat, or domestic rabbit on any
17 roadside, public right-of-way, parkway, median, park, other recreation area, fair, flea
18 market or other outdoor market, or commercial or retail parking lot, regardless of whether
19 such activity is otherwise authorized by any person.

20 (c) This Code section shall not apply to:

21 (1) The transfer of any dog, cat, or domestic rabbit at an established retail location that
22 provides space for such purpose, with written permission from the property owner or
23 lawful possessor of the retail location for such activity, by an entity that has and is
24 displaying a valid animal shelter license issued by the Commissioner;

25 (2) The transfer of a dog, cat, or domestic rabbit by a paid entrant as part of a nationally
26 sanctioned event or fair show, 4-H program, or similar agricultural exhibition; or

27 (3) A prearranged transfer between a transferor and a specific transferee that takes place
28 at a police department, sheriff's office, or other similar peace officer facility during
29 daylight hours, unless otherwise prohibited.

30 (d) An animal control officer who is an employee of state or local government or any
31 sheriff, deputy sheriff, or other peace officer is authorized to enforce the provisions of this
32 Code section and to impound any animal transferred in violation of this Code section.

33 (e)(1) A person found guilty of violating this Code section shall be subject to a fine not
34 to exceed:

35 (A) One hundred dollars for the first offense;

36 (B) Two hundred and fifty dollars for a second offense; or

37 (C) Five hundred dollars for a third or subsequent offense.

38 (2) In the event that multiple violations of this Code section occur during the same event,
39 such violations shall be treated as a single offense for the purpose of determining the
40 amount of the fine pursuant to this subsection."

41

SECTION 2.

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