

Regular Session, 2012

HOUSE BILL NO. 231

BY REPRESENTATIVE LIGI

CRIME/MISDEMEANOR: Prohibits the sale of animals at certain public locations

1 AN ACT

2 To enact R.S. 14:102.27, relative to offenses affecting public sensibility; to create the crime
3 of unlawful sale of a live animal at certain locations; to provide for definitions; to
4 provide for penalties; to provide for exceptions; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:102.27 is hereby enacted to read as follows:

7 §102.27. Unlawful sale of a live animal at certain locations

8 A. It shall be unlawful for any person to offer for sale, sell, offer for
9 exchange, or exchange any animal on any highway, right-of-way, flea market,
10 commercial or retail parking lot, public park, public playground, public swimming
11 pool, any other public recreational area, or adjacent property to such locations,
12 regardless of whether or not access to those locations is authorized.

13 B. The provisions of this Section shall not apply to:

14 (1) Bona fide humane societies, animal welfare groups, animal control
15 agencies, or nonprofit organizations sponsoring animal adoption events.

16 (2) The offering of animals for sale at a private residence.

17 (3) The offering of animals for sale by a paid entrant to a competitive cat
18 show or dog show, horse show, livestock auction, bird or poultry fair, reptile and
19 amphibian exposition, exotic pet show, or any other animal exposition or show,
20 provided that the sale occurs on the premises and within the confines of the show.

21 (4) Any retail pet store or licensed breeder.

1 C.(1) Whoever violates the provisions of this Section shall be fined not more
2 than two hundred fifty dollars for a first offense.

3 (2) Whoever violates the provisions of this Section for a second or
4 subsequent offense shall be fined not more than one thousand dollars per violation.

5 D. For the purposes of this Section:

6 (1) "Animal" means any living species of animal bred, kept, maintained,
7 raised, or used for profit, that is used in agriculture, aquaculture, agritourism,
8 competition, leisure activities, hobbyist breeding, silvaculture, or for recreational
9 use, zoological or biological research, or for any other purposes. This definition
10 shall include but is not limited to dogs, cats, domesticated rodents, insects,
11 arthopods, invertebrates, crustaceans, mollusks, amphibians, reptiles, cattle, buffalo,
12 bison, oxen, and other bovine, horses, mules, donkeys, and other equine, goats,
13 sheep, swine, chickens, turkeys, and other poultry, domestic rabbits, imported exotic
14 deer and antelope, elk, farm-raised white-tailed deer, farm-raised ratites, and other
15 farm-raised exotic animals and fish and any hybrid, mixture, or mutation of any such
16 animal.

17 (2) "Highway" means the entire width between the boundary lines of every
18 way or place of whatever nature publicly maintained and open to the use of the
19 public for the purpose of vehicular travel, including bridges, causeways, tunnels, and
20 ferries; synonymous with the word "street".

21 (3) "Right-of-way" means the privilege of the immediate use of the highway.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Ligi

HB No. 231

Abstract: Creates the crime of unlawful sale of live animals at certain locations.

Proposed law provides that it shall be unlawful for any person to offer for sale, sell, offer for exchange, or exchange any live animal on any highway, right-of-way, public park, public playground, public swimming pool, any other public recreational area, flea market, commercial or retail parking lot, or adjacent property to such locations.

Proposed law creates exceptions for animal adoption days sponsored by animal welfare groups and sales occurring entirely on private property.

Proposed law provides penalties of a fine of not more than \$250 for a first violation and not more than \$1,000 for second or subsequent violations.

(Adds R.S. 14:102.27)

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the original bill.

1. Added exception for retail pet stores and registered breeders.
2. Amended proposed law to make it applicable to all animals.
3. Added definition of "animal".
4. Deleted proposed law provisions regarding donations of animals.