

1 licensing and inspection of equine facilities to ensure the safety
2 and welfare of equines, and to enable county humane officers or
3 animal control officers to identify equine abuse at an early stage
4 where those animals can be saved and spared needless suffering.

5 **§19-33-2. Definitions.**

6 For purposes of this article:

7 (1) "Commissioner" means the Commissioner of Agriculture.

8 (2) "Equine boarding facility" means a facility that charges
9 a daily, weekly, monthly, bi-annual, or annual fee for boarding
10 equines.

11 (3) "Equine breeding facility" means a farm or equine facility
12 that produces three or more (equine) foals annually.

13 (4) "Equine rescue facility" means a facility that is listed
14 as a nonprofit organization having a legitimate and current status
15 under 501(3)(C) of the Internal Revenue Code of 1986, as amended,
16 that fosters care to unwanted equines due to age, health, or other
17 circumstances that deem the equine homeless.

18 (5) "Equine riding academy facility" means a facility that
19 uses equines as mounts for humans and teaches humans proper riding
20 technique.

21 (6) "Equine therapy facility" means a facility where riding,
22 grooming and visiting equines are used for physical and mental
23 therapy for humans.

24 (7) "Equine training facility" means a farm, stable or area

1 designated as a place where equines are trained to perform certain
2 functions.

3 **§19-33-3. Licensing of equine facilities.**

4 No person may operate an equine facility as defined in section
5 two of this article without an Equine Facility License issued by
6 the Department of Agriculture. The annual fee for an Equine
7 Facility License is \$100, which shall be remitted by the
8 commissioner to the humane officer or animal control officer in the
9 county where the facility is located to offset the expense of
10 inspecting that facility. If the county does not have a humane
11 officer or animal control officer, the commissioner shall remit the
12 license fee to the sheriff of the county where the facility is
13 located.

14 **§19-33-4. Inspections of equine facilities.**

15 Upon application for an Equine Facility License, the
16 commissioner shall notify the county humane officer or animal
17 control officer in the county where the equine facility is located,
18 who shall inspect the facility prior to issuance of an Equine
19 Facility License, and thereafter, not less than twice annually. If
20 the county does not have a humane officer or animal control
21 officer, the sheriff of that county is responsible for inspections
22 of equine facilities in the county.

23 **§19-33-5. Legislative Rules.**

24 The commissioner shall propose rules for legislative approval

1 in accordance with the provisions of article three, chapter twenty-
2 nine-a of this code to provide for the following:

3 (1) The issuance of Equine Facility Licences and revocation of
4 such licenses for violations of the provisions of this article or
5 rules adopted hereunder;

6 (2) Notification of the application and issuance of an Equine
7 Facility License to the humane officer, animal control officer or
8 county sheriff in the county where the facility is located and
9 remittance of the annual Equine Facility License fee;

10 (3) Standards for maintenance of the premises, the care and
11 health of the horses kept at equine facilities, and standards for
12 inspection of those facilities and horses, using current guidelines
13 issued by the Humane Society of the United States and the Animal
14 Welfare Institute for equine facilities as a basis for those
15 standards; and

16 (4) Standards for closure of an equine facility and seizure of
17 horses at the facility where the health and welfare of the horses
18 are endangered.

19 **§19-33-6. Penalties.**

20 Any person violating a provision of this article or rules
21 adopted hereunder is guilty of a misdemeanor and, upon conviction
22 thereof, shall be fined not less than \$100 nor more than \$500 for
23 the first offense, and for the second or subsequent offense shall
24 be fined not less than \$500 nor more than \$2,500.

NOTE: The purpose of this bill is to create the Equine Early Intervention and Protection Act.

This article is new; therefore, strike-throughs and underscoring have been omitted.