



# ARIZONA CITIZENS SUBJECT TO SEIZURE OF PETS UNDER NEW BILL

## The Issue:

Arizona [House Bill 2462](#) grants authority to peace officers, county enforcement agents and animal control officers to enter private property to seize animals, under certain circumstances, with NO liability for property damage.

## The Impact:

This legislation provides that “a peace officer, county enforcement agent or animal control officer may enter an enclosed area or yard, a structure outside of a residence or a vehicle to seize an animal that is in plain view. These officials may enter such properties if there is probable cause to believe that an animal is suffering from cruel mistreatment, cruel neglect or abandonment. HB 2462 grants a peace officer, county enforcement agent or animal control officer the authority to use reasonable force to gain access to an animal. These officials will NOT be held liable for any damage to the property resulting from the entry and/seizure of the animal.

Any official who seizes an animal must place a notice of seizure in a conspicuous place where the animal was found or personally deliver the notice to the owner or keeper of the animal. The notice will detail all post-seizure hearing information, inform the owner/keep know that he/she is responsible for the cost of care for a seized animal while and must post a \$200 per animal bond with the court. Owners/keepers will have 10 days to post bond or seized animals will become property of the seizing agent.

## PIJAC Position:

PIJAC supports the legal authority of properly trained governmental employed law officers to seize animals for which there is probable cause of cruel neglect, and a duly issued warrant as required by law. Such officers should not, however, be relieved of all liability for damages to private property, irrespective of their negligent or intentional conduct.

## Recommended Action:

PIJAC urges all pet owners and others concerned about property rights and appropriate restraints on police powers to contact members of the [House Military Affairs & Public Safety Committee](#) to communicate your concerns. PIJAC will post an updated *PetAlert* upon the scheduling of a hearing on this bill or other change in status.

If you have any additional questions feel free to contact PIJAC’s Bambi Nicole Osborne at 202-452-1525, ext. 105 or via email at [bambi@pijac.org](mailto:bambi@pijac.org).