

By: Representatives Rogers (14th), Akins,
Aldridge, Gadd, Ward

To: Local and Private
Legislation

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 797

1 AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF UNION COUNTY
2 TO ADOPT ORDINANCES REGULATING THE RUNNING AT LARGE OF DOGS AND
3 OTHER DOMESTIC ANIMALS THAT CREATE A NUISANCE OR POSE A THREAT TO
4 THE HEALTH, SAFETY OR WELFARE OF PERSONS OR OTHER ANIMALS IN THE
5 COUNTY; TO PRESCRIBE CERTAIN PROVISIONS THAT MUST BE INCLUDED AND
6 CERTAIN PROVISIONS THAT MAY BE INCLUDED WITHIN ANY SUCH
7 ORDINANCES; TO PROVIDE THAT NEITHER THE BOARD OF SUPERVISORS OF
8 UNION COUNTY NOR AN AGENT OR EMPLOYEE OF UNION COUNTY SHALL BE
9 LIABLE FOR THE INJURY OR DEATH OF ANY DOG OR ANIMAL IF REASONABLE
10 CARE IS EXERCISED IN CARRYING OUT THE POWERS AUTHORIZED AND DUTIES
11 REQUIRED UNDER THIS ACT; AND FOR RELATED PURPOSES.

12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

13 **SECTION 1.** (1) The Board of Supervisors of Union County, in
14 its discretion, by ordinance or ordinances duly adopted and
15 entered upon its minutes, may regulate the running at large of
16 dogs and other domestic animals that create a nuisance or pose a
17 threat to the health, safety or welfare of persons or other
18 animals in the county.

19 (2) If the board of supervisors adopts an ordinance under
20 subsection (1) of this section, the ordinance:

21 (a) May authorize the county to employ some person or
22 persons or to contract with some person, persons or entity as an
23 agent of the county to capture and impound such animals;

24 (b) Shall require such animals as are captured and
25 impounded to be provided reasonable, necessary and humane care and
26 treatment;

27 (c) Shall require that the owners of such animals, if
28 known, be given reasonable notice of the capture and impoundment
29 of such animals;

30 (d) May authorize the county to charge and collect from
31 the owner or person to whom an animal is released the actual

32 expenses incurred by the county in capturing, impounding and
33 keeping the animal;

34 (e) May authorize any such animal to be humanely
35 destroyed if after not less than five (5) county work days from
36 the giving of notice under paragraph (c) of this subsection, the
37 animal has not been claimed by the owner or, if not claimed by the
38 owner within such time, has not been released to some other person
39 willing to assume responsibility for its care and custody; and

40 (f) May contain such other provisions as the board of
41 supervisors deems necessary or desirable to effectuate the
42 purposes of this section.

43 (3) Neither the Board of Supervisors of Union County, nor an
44 agent or employee of Union County shall be liable for any injury
45 to or death of any dog or animal if reasonable care is exercised
46 in carrying out the powers authorized and duties required under
47 this section.

48 **SECTION 2.** This act shall take effect and be in force from
49 and after its passage.