

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

To: Local and Private
Legislation

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, AN EMPLOYEE OF UNION COUNTY NOR ANY PERSON WITH WHOM
9 THE COUNTY CONTRACTS SHALL BE LIABLE FOR THE INJURY OR DEATH OF
10 ANY DOG OR ANIMAL IF REASONABLE CARE IS EXERCISED IN CARRYING OUT
11 THE POWERS AUTHORIZED AND DUTIES REQUIRED UNDER THIS ACT; AND FOR
12 RELATED PURPOSES.

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

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

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

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

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

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

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

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

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

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

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

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