

By: Senator(s) Hill

To: Judiciary, Division A

SENATE BILL NO. 2879

1 AN ACT TO REQUIRE ANY NONPROFIT ANIMAL SHELTER, HUMANE
2 ORGANIZATION OR ANIMAL CONTROL AGENCY OPERATED BY A HUMANE SOCIETY
3 TO PREPARE, MAINTAIN AND MAKE PUBLICLY AVAILABLE RECORDS
4 REFLECTING, IN SPECIFIED CATEGORIES, THE TOTAL NUMBER OF DOGS AND
5 CATS TAKEN IN, THE DISPOSITION OF ALL ANIMALS TAKEN IN AND
6 ADDITIONAL INFORMATION; TO REQUIRE THE STERILIZATION OF ALL DOGS
7 AND CATS SOLD OR RELEASED FOR ADOPTION FROM SUCH ENTITIES; TO
8 PROVIDE A CIVIL PENALTY FOR VIOLATIONS; TO PROVIDE THAT COSTS OF
9 STERILIZATION SHALL BE PAID BY THE PROSPECTIVE ADOPTER UNLESS
10 OTHERWISE PROVIDED FOR BY THE HUMANE SOCIETY GOVERNING BODY; TO
11 AMEND SECTION 73-39-61, MISSISSIPPI CODE OF 1972, TO ALLOW ANY
12 VETERINARIAN WHO HOLDS AN ACTIVE LICENSE TO PRACTICE VETERINARY
13 MEDICINE IN ANOTHER JURISDICTION IN THE UNITED STATES AND IS IN
14 GOOD STANDING TO PERFORM DOG OR CAT STERILIZATION SERVICES AS AN
15 UNPAID VOLUNTEER UNDER THE DIRECT OR INDIRECT SUPERVISION AND
16 CONTROL OF A VETERINARIAN LICENSED IN THIS STATE; AND FOR RELATED
17 PURPOSES.

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

19 **SECTION 1.** (1) Each nonprofit animal shelter, humane
20 organization or animal control agency operated by a humane society
21 shall prepare and maintain the following records and make them
22 available for public inspection and dissemination for the three
23 (3) preceding years. The following data shall be available on a
24 monthly basis commencing July 1, 2025:



(a) The total number of dogs and cats taken in by the nonprofit animal shelter, humane organization or animal control agency operated by a humane society, divided into species, in the following categories:

- (i) Surrendered by owner;
- (ii) Stray;
- (iii) Impounded;
- (iv) Confiscated;
- (v) Transferred from within Mississippi;
- (vi) Transferred into or imported from out of the state; and
- (vii) Born in shelter.

(b) The disposition of all animals taken in by the nonprofit animal shelter, humane organization or animal control agency operated by a humane society, divided into species. Such data shall include dispositions by:

- (i) Adoption;
- (ii) Reclamation by owner;
- (iii) Death in kennel;
- (iv) Euthanasia at the owner's request;
- (v) Transfer to another animal shelter, humane organization or animal control agency operated by a human society;
- (vi) Euthanasia;
- (vii) Released in field or Trapped-Neutered-Released (TNR);



(viii) Lost in care or missing animals or records;
and

(ix) Ending inventory or shelter count at the end
of the last day of the month.

(c) A nonprofit animal shelter, humane organization or
animal control agency operated by a humane society which routinely
euthanizes dogs based on size or breed alone must provide a
written statement of such policy. Dogs euthanized due to breed,
temperament or size must be recorded and included in the
calculation of the total euthanasia percentage.

(2) Provision shall be made for the sterilization of all
dogs and cats sold or released for adoption from any nonprofit
animal shelter, humane organization or animal control agency
operated by a humane society, by either:

(a) Providing sterilization by a licensed veterinarian
before relinquishing custody of the animal; or

(b) Entering into a written agreement with the adopter
or purchaser guaranteeing that sterilization will be performed
within (thirty) 30 days or prior to sexual maturity. The shelter
or animal control agency shall require a sufficient deposit from
the adopter or purchaser, which deposit shall be refundable upon
presentation to the shelter or animal control agency of written
evidence by the veterinarian performing the sterilization that the
animal has been sterilized. Failure by either party to comply
with the provisions of this paragraph shall be a civil penalty



punishable by a fine not to exceed Five Hundred Dollars (\$500.00) to be deposited into the general fund of the municipality or county in which the summons for the civil penalty was issued, and, in addition thereto, the deposit or donation shall be forfeited to the shelter or animal control agency. Any legal fees or court costs used for the enforcement of this paragraph shall be the responsibility of the adopter. Upon the request of a licensed veterinarian, and for a valid reason, the shelter or animal control agency shall extend the time limit within which the animal must be sterilized.

(3) All costs of sterilization pursuant to this section shall be paid by the prospective adopter unless otherwise provided for by the humane society governing body.

SECTION 2. Section 73-39-61, Mississippi Code of 1972, is amended as follows:

73-39-61. This chapter shall not be construed to prohibit:

(a) Any employee of the federal, state or local government performing his official duties.

(b) Any student in an accredited college of veterinary medicine or an accredited program in veterinary technology performing duties or actions assigned by instructors or working under the direct supervision of a licensed veterinarian.

(c) Any person advising or performing acts that the board has designated by rule as accepted livestock management practices.



(d) Any person providing consultation to a licensed veterinarian in this state on the care and management of a patient.

(e) Any member in good standing of another licensed or regulated profession within any state, or any member of an organization or group approved by the board, providing assistance requested by a veterinarian licensed in the state, acting with informed consent from the client, and acting under the direct or indirect supervision and control of the licensed veterinarian. Providing assistance involves hands-on active participation in the treatment and care of the patient. The licensed veterinarian shall maintain responsibility for the veterinarian-client-patient relationship.

(f) Any veterinarian employed by an accredited college of veterinary medicine providing assistance requested by a veterinarian licensed in the state, acting with informed consent from the client, and acting under the direct or indirect supervision and control of the licensed veterinarian. Providing assistance involves hands-on active participation in the treatment and care of the patient. The licensed veterinarian shall maintain responsibility for the veterinarian-client-patient relationship.

(g) Any pharmacist, merchant or manufacturer selling at his regular place of business medicines, feed, appliances or other products used in the prevention or treatment of animal diseases as permitted by law.



125 (h) Any person lawfully engaged in horseshoeing.

126 (i) Any person rendering advice without expectation of
127 compensation.

128 (j) Any owner of an animal and any of the owner's
129 regular employees caring for and treating the animal belonging to
130 such owner, except when the ownership of the animal was
131 transferred for purposes of circumventing this chapter. A
132 veterinarian-client-patient relationship must exist when
133 prescription drugs or nonprescription drugs intended for
134 extralabel use are administered, dispensed or prescribed.

135 (k) Any instructor at an accredited college of
136 veterinary medicine or accredited program in veterinary technology
137 performing his regular functions or any person lecturing or giving
138 instructions or demonstrations at an accredited college of
139 veterinary medicine, accredited program in veterinary technology
140 or in a veterinary or veterinary technology continuing education
141 course or seminar.

142 (l) Any person selling or applying pesticides,
143 insecticides or herbicides as permitted by law.

144 (m) Any person engaging in bona fide scientific
145 research that reasonably requires experimentation involving
146 animals.

147 (n) Any certified veterinary technician or other
148 employee of a licensed veterinarian performing duties other than
149 diagnosis, prognosis, prescription or surgery under the direction



and supervision of the veterinarian who shall be responsible for the performance of the employee.

(o) Any graduate of a nonaccredited college of veterinary medicine who is in the process of obtaining educational equivalence and is performing duties or actions assigned by instructors in an accredited college of veterinary medicine.

(p) Any person who, without expectation of compensation, provides emergency veterinary care in an emergency or disaster situation.

(q) Any animal shelter employee acting under the supervision of a licensed veterinarian or authorized by the board to perform euthanasia in the course and scope of employment.

(r) Any wildlife rehabilitator that is licensed by a federal or state agency performing duties in accordance with its licensure authority.

(s) Any veterinarian who holds an active license to practice veterinary medicine in another jurisdiction in the United States and is in good standing in such jurisdiction and who performs dog or cat sterilization services or routine preventative health services at the time of sterilization as an unpaid volunteer under the direct or indirect supervision and control of a veterinarian licensed in this state. The supervising licensed veterinarian is responsible for all acts performed under this paragraph (s) by an out-of-state veterinarian under his or her direct or indirect supervision and control.



175 **SECTION 3.** This act shall take effect and be in force from
176 and after July 1, 2025.

