

2018 Regular Session

HOUSE CONCURRENT RESOLUTION NO. 44

BY REPRESENTATIVE FOIL

A CONCURRENT RESOLUTION

To urge and request local governmental subdivisions to adopt ordinances to provide definitions for what constitutes proper shelters for animals and provide for penalties for leaving animals outside without proper shelter.

WHEREAS, animals are entitled to kind and respectful treatment from humans and must be protected under the law; and

WHEREAS, animals left outside without proper shelter during inclement weather are subject to illness, physical harm, and death; and

WHEREAS, R.S. 14:102(5) defines "proper shelter" as providing each animal with adequate shelter from the elements as required to prevent unnecessary or unjustifiable suffering by the animal; and

WHEREAS, R.S. 14:102.1(A)(1)(c), in pertinent part, provides that any individual having charge, custody, or possession of any animal who unjustifiably fails to provide it with proper shelter shall be guilty of simple cruelty to animals; and

WHEREAS, Louisiana law does not provide specific requirements for what constitutes adequate shelter; and

WHEREAS, the definition of "proper shelter" may vary across the state depending on factors such as geographic location, population density, and the likelihood of weather conditions such as flooding, tropical storms, hurricanes, tornadoes, and extreme temperatures; and

WHEREAS, local governmental subdivisions across the state have different entities charged with the enforcement of animal-related ordinances and various levels of funding dedicated to enforcement of the ordinances; and

WHEREAS, local governments are best equipped to determine the needs and limitations of their communities as it relates to the protection of animals.

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby urge and request local governmental subdivisions to adopt ordinances to provide definitions for what constitutes proper shelters for animals and provide for penalties for leaving animals outside without proper shelter.

BE IT FURTHER RESOLVED that a suitable copy of this Resolution be transmitted to the Louisiana Municipal Association and the Police Jury Association of Louisiana.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE