

HOUSE BILL NO. 355

INTRODUCED BY A. DOANE

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A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING A HORSE TO BE SURRENDERED TO THE DEPARTMENT OF LIVESTOCK AT A SITE MUTUALLY AGREED UPON BY THE HORSE'S OWNER AND THE DEPARTMENT; AND AMENDING SECTION 81-10-102, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 81-10-102, MCA, is amended to read:

"81-10-102. Horse owner amnesty for horse transferred to department at licensed livestock market -- fees. (1) A horse owner who is unable to provide food and water of sufficient quantity and quality to sustain the animal's health may surrender ownership of a horse to the department at:

(a) a licensed livestock market, as defined in 81-8-213, ~~if the owner is unable to provide food and water of sufficient quantity and quality to sustain the animal's normal health;~~ or

(b) a place mutually agreed upon by the horse's owner and the department.

(2) The owner shall pay to the department a fee to be set by rule by the department.

(3) Except as provided in subsections (4) and (5), the department shall sell the horse at a public auction.

(4) A licensed veterinarian may euthanize a horse if the veterinarian determines it to be medically necessary after an inspection of the horse.

(5) The department may allow a surrendered horse to be adopted if a suitable placement can be made and after payment of:

(a) a fee to be set by the department by rule; and

(b) the costs incurred by the department or the public livestock market to maintain the horse.

(6) The fees imposed and the proceeds collected under subsections (2), (3), and (5) must be deposited in the special revenue account provided for in 81-10-103.

(7) A person surrendering a horse to the department under the provisions of this section may not be charged with or prosecuted for cruelty ~~towards~~ toward animals pursuant to 45-8-211 or 45-8-217."

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