

[#1] The following information in statement #3 is provided by the Georgia Department of Agriculture and is not part of “Title 4 Chapter 14 Sterilization of Dogs and Cats in Shelters”:

[#2] “Establishment” and “Person” in statement #3 are used as defined in the “Rules of Georgia Department of Agriculture 40-13-13-.01 Animal Protection”;

[#3] A Georgia Department of Agriculture licensed establishment or person that is operating with a Georgia Department of Agriculture Animal Shelter License is **NOT EXEMPT** from compliance with State of Georgia Law “Title 4 Chapter 14 Sterilization of Dogs and Cats in Shelters”;

.....

Title 4 Chapter 14. Sterilization of Dogs and Cats in Shelters

§ 4-14-1. Legislative intent

The General Assembly finds that the breeding of dogs and cats acquired from public or private animal shelters, animal control agencies operated by political subdivisions of this state, humane societies, or public or private animal refuges in the State of Georgia results in the birth of thousands of animals who become strays, suffer privation and death, constitute a public nuisance and health hazard, and, ultimately, are impounded and destroyed at great public expense. It is therefore declared to be the public policy of this state that preventing the breeding of dogs and cats acquired from such shelters, animal control agencies, humane societies, or public or private animal refuges be encouraged.

CREDIT(S)

Laws 1994, p. 999, § 1.

§ 4-14-2. Definitions

As used in this chapter, the term:

(1) “Animal shelter” means any facility operated by or under contract for the state or any county, municipal corporation, or other political subdivision of the state for the purpose of impounding or harboring seized, stray, homeless, abandoned, or unwanted dogs, cats, and other animals; any veterinary hospital or clinic operated by a veterinarian or veterinarians which operates for such purpose in addition to its customary purposes; and any facility operated, owned, or maintained by a duly incorporated humane society, animal welfare society, or other nonprofit organization for the purpose of providing for and promoting the welfare, protection, and humane treatment of animals.

(2) “Humane society” means any unincorporated nonprofit organization existing for the purpose of prevention of cruelty to animals.

(3) “Public or private animal refuge” means harborers of unwanted animals of any breed, including crossbreeds, who provide food, shelter, and confinement for a group of dogs, a group of cats, or a combination of dogs and cats.

(4) “Sexually mature animal” means any dog or cat that has reached the age of 180 days or six months or more.

(5) “Sterilization” means the surgical removal of the reproductive organs of a dog or cat in order to render the animal unable to reproduce.

CREDIT(S)

Laws 1994, p. 999, § 1.

§ 4-14-3. Procedure for sterilization; exception; costs

(a) Any public or private animal shelter, animal control agency operated by a political subdivision of this state, humane society, or public or private animal refuge shall make provisions for the sterilization of all dogs or cats acquired from such shelter, agency, society, or refuge by:

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

(2) Entering into a written agreement with the person acquiring such animal guaranteeing that sterilization will be performed by a licensed veterinarian within 30 days after acquisition of such animal in the case of an adult animal or within 30 days of the sexual maturity of the animal in the case of an immature animal;

provided, however, that the requirements of this Code section shall not apply to any privately owned animal which any such shelter, agency, society, or refuge may have in its possession for any reason if the owner of such animal claims or presents evidence that such animal is the property of such person.

(b) All costs of sterilization pursuant to this Code section shall be the responsibility of the person acquiring such animal and, if performed prior to acquisition, may be included in any fees charged by the shelter, agency, society, or refuge for such animal.

(c) Any person acquiring an animal from a public or private animal shelter, animal control agency operated by a political subdivision of this state, humane society, or public or private animal refuge, which animal is not sterile at the time of acquisition, shall submit to the animal shelter, animal control agency, humane society, or public or private animal refuge a signed statement from the licensed veterinarian performing the sterilization required by paragraph (2) of subsection (a) of this Code section within seven days after such sterilization attesting that such sterilization has been performed.

(d) Every public or private animal shelter, animal control agency operated by a political subdivision of this state, humane society, or public or private animal refuge selling or offering for sale or exchange any dog or cat shall maintain and furnish to any person acquiring an animal from such shelter, agency, society, or refuge a current list of veterinarians licensed in this state who have notified the shelter, agency, society, or refuge that they are willing to perform sterilizations and the cost for such procedures.

CREDIT(S)

Laws 1994, p. 999, § 1.

§ 4-14-4. Violations

It shall be a misdemeanor to fail or refuse to comply with the requirements of Code Section 4-14-3 and any person convicted of said misdemeanor shall be subject to a fine not to exceed \$200.00.

CREDIT(S)

Laws 1994, p. 999, § 1.

§ 4-14-5. More stringent shelter policies not prohibited

This chapter shall not prohibit the adoption by any political subdivision of this state of shelter policies which are more stringent than the requirements of this chapter.

CREDIT(S)

Laws 1994, p. 999, § 1.