

Natural Disaster Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jen Plumb

House Sponsor:

LONG TITLE**General Description:**

This bill amends provisions related to a natural disaster.

Highlighted Provisions:

This bill:

- requires a county, city, or town emergency operations plan to designate at least one emergency shelter in the county, city, or town, or a nearby county, city, or town, to accommodate an individual and an individual's household pet during an emergency subject to rules and guidelines established in the emergency operations plan;
- amends the offense of aggravated cruelty to an animal to include restraining a personal animal outside during a natural disaster; and
- makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

53-2a-1403 (Effective 05/06/26), as last amended by Laws of Utah 2024, Chapter 438

76-13-203 (Effective 05/06/26), as enacted by Laws of Utah 2025, Chapter 173

REPEALS:

53-2a-1401, as enacted by Laws of Utah 2021, Chapter 106

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **53-2a-1403** is amended to read:

53-2a-1403 (Effective 05/06/26). Emergency operations plan.

(1) As used in this section:

(a)(i) "Household pet" means a domesticated animal, such as a dog, cat, bird, rabbit,

rodent, or turtle, that:

(A) is traditionally kept in the home as a pet rather than for commercial purposes;

and

(B) can be housed in temporary facilities.

(ii) "Household pet" does not include:

(A) livestock or other farm animals;

(B) a reptile that is not a turtle;

(C) an amphibian;

(D) a fish;

(E) an insect;

(F) an arachnid; or

(G) an animal kept for racing purposes.

(b) "Livestock" means the same as that term is defined in Section 11-46b-101.

(2) Each county shall create and maintain an emergency operations plan.

[~~(2)~~] (3) Each city and town shall:

(a) create and maintain an emergency operations plan; or

(b) adopt the emergency operations plan created by the county in which the city or town is located.

(4)(a) Subject to Subsection (4)(c), an emergency operations plan created and maintained in accordance with this section shall designate at least one shelter to be available to individuals who are within the area covered by the emergency operations plan that allows for the accommodation of an individual and the individual's household pet.

(b) A county, city, or town creating an emergency operations plan may, in collaboration with another nearby county, city, or town, designate the shelter described in Subsection (4)(a) to be located outside of the county, city, or town creating the emergency operations plan.

(c) An emergency operations plan may establish rules and guidelines regarding the appropriate housing, care, and other related issues of household pets within or at the shelter designated under Subsection (4)(a).

Section 2. Section **76-13-203** is amended to read:

76-13-203 (Effective 05/06/26). Aggravated cruelty to an animal.

(1)(a) As used in this section:

(i) "Abandon" means the same as that term is defined in Section 76-13-202.

~~[(i)]~~ (ii) "Animal" means the same as that term is defined in Section 76-13-202.

~~[(ii)]~~ (iii) "Custody" means the same as that term is defined in Section 76-13-202.

~~[(iii)]~~ (iv) "Legal privilege" means the same as that term is defined in Section 76-13-202.

(v) "Natural disaster" means the same as that term is defined in Section 63G-6a-803.

(vi) "Personal animal" means the same as that term is defined in Section 78B-6-812.

~~[(iv)]~~ (vii) "Torture" means the same as that term is defined in Section 76-13-202.

(b) Terms defined in Sections 76-1-101.5, 76-13-101, and 76-13-201 apply to this section.

(2) Except as provided in Subsection (4), an actor commits aggravated cruelty to an animal if the actor:

(a) tortures an animal;

(b) administers, or causes to be administered, poison or a poisonous substance to an animal;~~[-or]~~

(c) kills an animal or causes an animal to be killed without having a legal privilege to do so~~[-]~~ ; or

(d) during a natural disaster:

(i) attaches a personal animal outside to a stationary object or trolley system using a chain, rope, tether, leash, cable, or other device; and

(ii) abandons the personal animal.

(3) A violation of Subsection (2) is:

(a) a class A misdemeanor if committed intentionally or knowingly;

(b) a class B misdemeanor if committed recklessly; or

(c) a class C misdemeanor if committed with criminal negligence.

(4) If an actor's conduct in violation of this section also constitutes a violation of Section 76-13-204, Torturing a companion animal, the actor's conduct shall be prosecuted under Section 76-13-204.

(5) It is a defense to prosecution under this section that the conduct of the actor towards the animal was:

(a) performed by a licensed veterinarian using accepted veterinary practice;

(b) directly related to bona fide experimentation for scientific research, provided that if the animal is to be destroyed, the manner employed will not be unnecessarily cruel unless directly necessary to the veterinary purpose or scientific research involved;

(c) permitted under Section 18-1-3;

- 99 (d) performed by an actor who humanely destroys an animal found suffering past
100 recovery for any useful purpose; or
- 101 (e) performed by an actor who humanely destroys an apparently abandoned animal
102 found on the actor's property.
- 103 (6) For purposes of Subsection (5)(d), before destroying the suffering animal, an actor who
104 is not the owner of the animal shall obtain:
- 105 (a) the judgment of a veterinarian of the animal's nonrecoverable condition;
- 106 (b) the judgment of two other individuals called by the actor to view the unrecoverable
107 condition of the animal in the actor's presence;
- 108 (c) the consent from the owner of the animal to the destruction of the animal; or
- 109 (d) a reasonable conclusion that the animal's suffering is beyond recovery, through the
110 actor's own observation, if the actor is in a location or circumstance where the actor is
111 unable to contact another individual.
- 112 (7) Upon conviction under this section, the court may in the court's discretion, in addition to
113 other penalties:
- 114 (a) order the actor to be evaluated to determine the need for psychiatric or psychological
115 counseling, to receive counseling as the court determines to be appropriate, and to
116 pay the costs of the evaluation and counseling;
- 117 (b) require the actor to forfeit any rights the actor has to the animal subjected to a
118 violation of this section and to repay the reasonable costs incurred by any person in
119 caring for each animal subjected to a violation of this section;
- 120 (c) order the actor to no longer possess or retain custody of any animal, as specified by
121 the court, during the period of the actor's probation or parole or other period as
122 designated by the court; and
- 123 (d) order the animal to be placed for the purpose of adoption or care in the custody of a
124 county or municipal animal control agency or an animal welfare agency registered
125 with the state to be sold at public auction or humanely destroyed.
- 126 (8) A veterinarian who, acting in good faith, reports a violation of this section to law
127 enforcement may not be held civilly liable for making the report.

128 Section 3. **Repealer.**

129 This bill repeals:

130 Section **53-2a-1401, Title.**

131 Section 4. **Effective Date.**

132 This bill takes effect on May 6, 2026.