

SB0113S01 compared with SB0113

~~deleted text~~ shows text that was in SB0113 but was deleted in SB0113S01.

inserted text shows text that was not in SB0113 but was inserted into SB0113S01.

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Senator Scott D. Sandall proposes the following substitute bill:

LOCAL AGRICULTURAL AMENDMENTS

2023 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Scott D. Sandall

House Sponsor: _____

LONG TITLE

General Description:

This bill modifies the authority of a political subdivision to enact regulations regarding animal enterprises and working animals.

Highlighted Provisions:

This bill:

- ▶ defines terms, including "animal enterprise" and "working animal"; and
- ▶ except for certain exceptions, prohibits a municipality or a county from adopting or enforcing an ordinance or other regulation that prohibits or effectively prohibits the operation of an animal enterprise or the use of a working animal.

Money Appropriated in this Bill:

None

Other Special Clauses:

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None

Utah Code Sections Affected:

ENACTS:

11-46a-101, Utah Code Annotated 1953

11-46a-102, Utah Code Annotated 1953

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

Section 1. Section **11-46a-101** is enacted to read:

CHAPTER 46a. ANIMAL ENTERPRISE AND WORKING ANIMAL REGULATION

11-46a-101. Definitions.

As used in this chapter:

(1) "Animal" means any nonhuman vertebrate life form.

(2) (a) "Animal enterprise" means a commercial enterprise, an academic enterprise, or a competition that uses or sells animals or animal products for profit, food or fiber production, agriculture, education, research, sport, or testing.

(b) "Animal enterprise" includes an animal competition, exposition, fair, rodeo, farm, feedlot, furrier, ranch, or an event intended to exhibit or advance agricultural arts and sciences.

(c) "Animal enterprise" does not include an aquarium, circus, retail pet store, or zoo.

(3) "Political subdivision" means:

(a) a city, town, or metro township; or

(b) a county, as it relates to the licensing and regulation of an animal enterprise or working animal in the unincorporated area of the county.

(4) "Working animal" means an animal used for performing a specific duty or function in commerce, including an animal used for entertainment, transportation, education, or exhibition.

Section 2. Section **11-46a-102** is enacted to read:

11-46a-102. Limitations on animal enterprise and working animal regulations.

(1) A political subdivision may not adopt or enforce an ordinance or other regulation that prohibits or effectively prohibits the operation of an animal enterprise or the use of a working animal.

(2) Subsection (1) does not apply to an ordinance or other regulation adopted or

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enforced by a political subdivision if the ordinance or other regulation:

(a) enforces a state or federal law; ~~or~~

(b) is a land use regulation as that term is defined in Section 10-9a-103; or
~~17-27a-103.~~

(c) is adopted or enforced, in accordance with Section 10-8-15 or 19-4-113, to protect:

(i) drinking water or a source of drinking water from pollution; or

(ii) a waterworks system.