

## SB0113S02 compared with SB0113

~~deleted text~~ shows text that was in SB0113 but was deleted in SB0113S02.

inserted text shows text that was not in SB0113 but was inserted into SB0113S02.

**DISCLAIMER:** This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

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: ~~\_\_\_\_\_~~ Casey Snider

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#### 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

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*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~~ REGULATIONS

#### **11-46a-101. Definitions.**

As used in this chapter:

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

(b) "Animal" does not include domestic cats, domestic dogs, exotic animals, or reptiles.

(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, horse and carriage operation, retail pet store, or zoo.

(3) "Exotic animal" means a:

(a) member of the family Felidae not indigenous to Utah, except the species Felis catus (domestic cat);

(b) nonhuman primate;

(c) nonwolf member of the family Canidae not indigenous to Utah, except the species Canis familiaris (domestic dog);

(d) bear; and

(e) member of the order Crocodylia.

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~~(3)4~~ "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)5~~ (a) "Working animal" means an animal used for performing a specific duty or function in commerce, including an animal used for entertainment, herding, transportation, education, or exhibition.

(b) "Working animal" does not include a horse and carriage operation.

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

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

(1) ~~(A)~~ Subject to Subsection (2), a political subdivision may not adopt or enforce an ordinance or other regulation that prohibits or effectively prohibits:

(a) the operation of an animal enterprise ~~(or);~~

(b) the use of a working animal; or

(c) domestic dogs from:

(i) actively participating in an exposition or rodeo; or

(ii) performing a specific duty as a working animal.

(2) Subsection (1) does not apply to an ordinance or other regulation ~~adopted or enforced by~~ that a political subdivision adopts or enforces 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.