

28 Section 1. Section **4-2-903** is enacted to read:

29 **4-2-903. Animal care violations.**

30 (1) "Animal care facility" means the same as that term is defined in Section
31 76-9-301.9.

32 (2) "Dog breeder" means the same as that term is defined in Section 76-9-301.9.

33 (3) The department may, in accordance with this section and as resources allow,
34 respond to a complaint that a dog breeder or an animal care facility has violated Subsection
35 76-9-301(2)(a) or Section 76-9-301.9.

36 (4) If the department determines that a person has violated Subsection 76-9-301(2)(a)
37 or Section 76-9-301.9, the department may:

38 (a) impose a civil fine of up to ~~Ĥ~~ [\$1,000] \$500 ~~←Ĥ~~ per violation;

39 (b) seek a temporary restraining order;

40 (c) seek an injunction;

41 (d) seek an order of seizure or condemnation for an animal that is the subject of the
42 violation, if the department has identified a suitable animal care facility that accepts custody of
43 the animal; or

44 (e) report the circumstances to law enforcement or a prosecutor.

45 (5) An action by the department under Subsection (4) may precede and does not
46 preclude a criminal penalty or criminal prosecution under Section 76-9-301 or 76-9-301.9.

47 (6) The department shall deposit a fine imposed under Subsection (4) into the General
48 Fund as a dedicated credit to be used by the department for enforcement of this section.

49 Section 2. Section **76-9-301.9** is enacted to read:

50 **76-9-301.9. Animal care facilities and breeders -- Definitions -- Penalty.**

51 (1) As used in this section:

52 (a) "Animal care facility" means an animal rescue, animal sanctuary, or animal shelter.

53 (b) "Animal rescue" means a person that:

54 (i) accepts companion animals for the purpose of finding a permanent home for each
55 companion animal;

56 (ii) does not maintain a central facility for keeping companion animals; and

57 (iii) uses a system of temporarily fostering the companion animals in a private
58 residence or boarding facility.