

Jen Plumb proposes the following substitute bill:

Animal Crime Victim Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Verona Mauga

Senate Sponsor: Jen Plumb

LONG TITLE

General Description:

This bill modifies provisions related to animals that are seized as a result of animal abuse.

Highlighted Provisions:

This bill:

- amends provisions related to the placement of an animal that is seized as a result of an animal abuse offense; and
- makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

76-13-101, as enacted by Laws of Utah 2025, Chapter 173

76-13-102, as renumbered and amended by Laws of Utah 2025, Chapter 173

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

Section 1. Section **76-13-101** is amended to read:

76-13-101 . Definitions.

[Reserved.] As used in this chapter:

(1) "Animal control officer" means the same as that term is defined in Section 11-46-102.

(2) "Peace officer" means any officer certified in accordance with Title 53, Chapter 13,

Peace Officer Classifications.

Section 2. Section **76-13-102** is amended to read:

76-13-102 . Officer's authority to take possession of an abused animal -- Lien for care -- Humane destruction.

- 30 (1)(a) As used in this section:
- 31 (i) "Animal abuse offense" means an offense described in Section 76-13-202,
- 32 76-13-203, 76-13-204, 76-13-207, 76-13-212, or 76-13-213.
- 33 (ii) "Animal control officer" means the same as that term is defined in Section
- 34 11-46-102.
- 35 (iii) "Minimum care" means the following, taking into account the species, age, and
- 36 physical condition of the animal:
- 37 (A) appropriate and essential food and water; and
- 38 (B) adequate protection, including appropriate shelter, against extreme weather
- 39 conditions.
- 40 (iv) "Peace officer" means any officer certified in accordance with Title 53, Chapter
- 41 13, Peace Officer Classifications.
- 42 (b) Terms defined in Sections 76-1-101.5 and 76-13-101 apply to this section.
- 43 (2)(a) A [law enforcement] peace officer or animal control officer may take possession of
- 44 an animal [being treated cruelly] that is involved in an animal abuse offense and, after
- 45 reasonable efforts to notify the owner, may provide shelter and care for the animal at
- 46 any appropriate private or public facility or, upon permission from the owner, may:
- 47 (i) []destroy the animal[]; or
- 48 (ii) subject to Subsection (2)(b), place the animal:
- 49 (A) with any appropriate individual that does not reside with the owner;
- 50 (B) with a public or private entity or agency that demonstrates a willingness to
- 51 accept and care for the animal; or
- 52 (C) with any other appropriate animal care agency for further disposition in
- 53 accordance with accepted practices for humane treatment of animals.
- 54 (b) An individual, entity, or agency who receives an animal under Subsection (2)(a)(ii):
- 55 (i) obtains the ownership rights to the animal and shall execute an agreement to:
- 56 (A) provide minimum care to the animal; and
- 57 (B) not allow the former owner to possess, care for, or interact with the animal;
- 58 and
- 59 (ii) retains the right to resell or otherwise make disposition of the animal in
- 60 accordance with accepted practices for humane treatment of animals.
- 61 (3)(a) [An officer-] A peace officer or animal control officer caring for an animal under
- 62 this section has a lien for the reasonable value of the care provided to the animal and,
- 63 if applicable, the reasonable value for the destruction of the animal.

- 64 (b) A court, upon proof that the owner has been notified at least five days earlier of the
65 lien and amount due, and the owner has not voluntarily given up ownership rights
66 under Subsection (2)(a)(ii), shall order:
- 67 (i) [-]the animal sold at public auction or destroyed[-] ; or
68 (ii) the ownership rights to the animal be transferred to:
- 69 (A) any appropriate individual that does not reside with the owner;
70 (B) a public or private entity or agency that demonstrates a willingness to accept
71 and care for the animal; or
72 (C) an appropriate animal care agency for further disposition in accordance with
73 accepted practices for humane treatment of animals.
- 74 (c) An individual, entity, or agency who receives the rights to an animal under
75 Subsection (3)(b):
- 76 (i) shall execute an agreement to:
- 77 (A) provide minimum care to the animal; and
78 (B) not allow the former owner to possess, care for, or interact with the animal;
79 and
- 80 (ii) retains the right to resell or otherwise make disposition of the animal in
81 accordance with accepted practices for humane treatment of animals.
- 82 (4)(a) A [~~law enforcement~~] peace officer or animal control officer may humanely destroy
83 an animal found suffering past recovery for any useful purpose.
- 84 (b) Before destroying the animal under Subsection (4)(a), the peace officer or animal
85 control officer shall obtain:
- 86 (i) the judgment of a veterinarian or of two reputable citizens called by the officer to
87 view the animal in the officer's presence, of the animal's nonrecoverable
88 condition; or
- 89 (ii) consent to the destruction from the owner of the animal.

90 Section 3. **Effective Date.**

91 This bill takes effect on May 6, 2026.