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FILED MAR 18 1991

SENATE FILE 416  
BY PATE

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

A BILL FOR

1 An Act requiring the sterilization of dogs and cats adopted from  
2 animal shelters and pounds.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 416

1 Section 1. NEW SECTION. 162.20 MANDATORY STERILIZATION.

2 1. As used in this section, unless the context otherwise  
3 requires:

4 a. "Adoption" means the transfer of ownership of an animal  
5 from an animal shelter or pound to a person assuming the  
6 permanent care and custody of the animal. Adoption does not  
7 include the return of an animal to the custody of the animal's  
8 owner.

9 b. "Animal" means a domestic animal belonging to the  
10 feline or canine species which is capable of producing  
11 offspring.

12 c. "Sterilize" means to surgically neuter or spay an  
13 animal.

14 d. "Veterinarian" means a veterinarian licensed pursuant  
15 to chapter 169.

16 2. The release of an animal maintained at an animal  
17 shelter or pound to a person for adoption shall be conditioned  
18 upon the sterilization of the animal. The animal shelter or  
19 pound shall either arrange for the sterilization or require  
20 that the person adopting the animal arrange for the  
21 sterilization. The sterilization must be performed by a  
22 veterinarian. The animal shelter or pound shall require a  
23 deposit from the person adopting an animal and arranging for  
24 its sterilization. A deposit shall not be less than fifteen  
25 dollars for each animal adopted. The amount deposited shall  
26 be returned to the person upon presentation of a written  
27 statement signed by a veterinarian which certifies that the  
28 adopted animal has been sterilized by the veterinarian. An  
29 unclaimed deposit shall be forfeited to the animal shelter or  
30 pound sixty days following either the date of the adoption or  
31 the date that the animal reaches six months of age, whichever  
32 is later.

33 3. An animal shelter or pound may enter into a contract  
34 with a veterinarian to perform sterilizations. However, the  
35 animal shelter or pound shall not require that a person

1 arrange for the sterilization of an adopted animal with a  
2 specific veterinarian or from a list of veterinarians. The  
3 animal shelter or pound may recommend one or more  
4 veterinarians who perform sterilizations.

5 4. Upon violation of this section by an animal shelter or  
6 pound, the department may suspend or revoke a certificate of  
7 registration issued pursuant to section 162.3 or 162.4.

8 EXPLANATION

9 This bill requires that an animal shelter or pound must  
10 sterilize a dog or cat before releasing the animal for  
11 adoption. As an alternative, the shelter or pound may require  
12 that the person adopting the animal arrange for the  
13 sterilization. Any sterilization must be performed by a  
14 licensed veterinarian. If the alternative method is elected,  
15 the adopting person must deposit at least \$15 with the animal  
16 shelter or pound. The money must be returned upon  
17 presentation of a licensed veterinarian certification that the  
18 veterinarian performed the sterilization. The bill prohibits  
19 an animal shelter or pound from requiring that the adopting  
20 person seek a specific veterinarian to perform the  
21 sterilization. The bill also does not require sterilization  
22 of an animal returned to the custody of the animal's owner.

23 Upon violation of this section by an animal shelter or  
24 pound, the department of agriculture and land stewardship may  
25 suspend or revoke a certificate of registration issued to the  
26 shelter or pound.

27 The bill may include a state mandate as defined pursuant to  
28 chapter 25B.

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