

## SB263 INTRODUCED



1 SB263  
2 YMZTW22-1  
3 By Senators Sessions, Williams, Shelnutt, Melson  
4 RFD: Agriculture, Conservation, and Forestry  
5 First Read: 05-Feb-26



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4 SYNOPSIS:

5           Under existing law, it is a crime for a person  
6           to be cruel to an animal.

7           This bill would establish a crime for abandoning  
8           an animal.

9           This bill would authorize law enforcement  
10          officers and local government agents to seize or order  
11          care be rendered to an abandoned animal.

12          This bill would also provide procedures for a  
13          hearing on the seizure of or order to render care to an  
14          abandoned animal when the owner is known.

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19                   A BILL  
20                   TO BE ENTITLED  
21                   AN ACT  
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23          Relating to crimes and offenses; to establish the crime  
24          of abandoning an animal; to authorize law enforcement officers  
25          and local government agents to seize and order care for  
26          abandoned animals; and to provide procedures for hearings on  
27          such seizures and orders.

28 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:



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Section 1. (a) For purposes of this section, the following terms have the following meanings:

(1) ABANDON. To intentionally, knowingly, or with criminal negligence leave an animal at any location in any condition without providing for its continued care thereby subjecting the animal to risk of injury, starvation, dehydration, exposure, or death.

(2) ANIMAL. A live non-human vertebrate.

(b) A person may not abandon an animal.

(c) (1) Subject to subdivision (2), a person shall be guilty of a Class A misdemeanor for violating subsection (b).

(2) A person shall be guilty of a Class D felony for violating subsection (b) if:

a. He or she has been previously convicted of violating this section or Sections 13A-11-14, 13A-11-14.1, or 13A-11-241, Code of Alabama 1975;

b. The abandonment of the animal causes serious physical injury or death to the animal; or

c. Five or more animals are abandoned at one time.

(d) (1) Any law enforcement officer or local government agent who reasonably believes, has evidence, or has found that an animal has been abandoned may:

a. Remove the animal from its location; or

b. Order the animal owner to provide care to the animal.

(2) A local government or an employee or agent of the local government acting in good faith is not liable for any action taken pursuant to this subsection.



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(e) If the owner of an animal is known, a law enforcement officer or local government agent who has seized the animal, without the requirement of any fee or charge for court costs, shall immediately petition the district court of the county in which the animal is found for a hearing to be set within 20 days after seizing the animal or the issuance of an order to provide care. The hearing shall be held not more than 10 days after the setting of the date to determine whether the owner is able to provide adequately and protectively for the animal and is fit to have custody of the animal. The hearing shall conclude and the court order entered not more than 30 days after the date that the hearing commences. The owner shall be notified of the date of the hearing at least five days before the date of the hearing.

(f) A law enforcement agency or local government may provide care for a seized animal until:

(1) The animal is returned to the owner by the court;  
(2) The court refuses to return the animal to the owner and implements one of the procedures provided by subsection (h); or

(3) Thirty days have passed since seizure of the animal and the animal's owner remains unknown, at which time the law enforcement agency or local government may euthanize or transfer the animal to animal control, a humane shelter, or similar facility designated by the county or the municipality or other appropriate person.

(g) If the owner is found by the court, with certification from a licensed veterinarian, to be able to



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85 provide adequately for and have custody of the animal, the  
86 animal shall be returned to the owner.

87 (h) If the court finds that the owner of the animal is  
88 unable, unwilling, or unfit to adequately provide for the best  
89 interests of, protect, and have custody of the animal the  
90 court may order the following:

91 (1) Upon the testimony of the individual who seized the  
92 animal, a licensed veterinarian, or another qualified witness  
93 that the animal requires euthanizing or other disposition for  
94 humane reasons or is of no commercial value, the animal be  
95 euthanized or transferred to animal control, a humane shelter,  
96 or similar facility designated by the local government or  
97 other appropriate person to be euthanized by the person in a  
98 humane manner.

99 (2) Upon proof of the costs incurred by the agency or  
100 local government that seized the animal, the owner pay any  
101 costs incurred for the care of the animal and in euthanizing  
102 the animal. A separate hearing may be held by the judge on the  
103 assessment of costs, which shall include all costs of notice  
104 and hearing. In the event the court finds the owner innocent  
105 of charges, the owner may not be charged with costs of the  
106 care of the animal in custody.

107 (3) The owner to complete five hours of community  
108 service or education related to animal care and well-being.

109 (i) If the court determines that the owner is unable,  
110 unwilling, or unfit to adequately provide for and protect any  
111 other animal in his or her custody, the court may enjoin the  
112 owner from possessing any other animal for a period not



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113 exceeding five years.

114 (j) This section shall not apply to any of the  
115 following:

116 (1) Lawful hunting, fishing, and trapping.

117 (2) Generally accepted animal husbandry, agricultural,  
118 and wildlife management practices.

119 (3) The practice of veterinary medicine.

120 (4) Pest control.

121 (5) Research that complies with applicable federal and  
122 state laws.

123 (k) This section is in addition to, and not a  
124 substitute for, the crimes provided by Sections 13A-11-14,  
125 13A-11-14.1, and 13A-11-241, Code of Alabama 1975.

126 Section 2. This act shall become effective on October  
127 1, 2026.