

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

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

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

37 (b) A person may not abandon an animal.

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

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

42 a. He or she has been previously convicted of violating
43 this section or Sections 13A-11-14, 13A-11-14.1, or
44 13A-11-241, Code of Alabama 1975;

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

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

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

51 a. Remove the animal from its location; or

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

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



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

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

73 (1) The animal is returned to the owner by the court;

74 (2) The court refuses to return the animal to the owner
75 and implements one of the procedures provided by subsection
76 (h); or

83 (g) If the owner is found by the court, with
84 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.