

LOCAL AGRICULTURAL AMENDMENTS

2023 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Scott D. Sandall

House Sponsor: Casey Snider

LONG TITLE

General Description:

This bill modifies the authority of a political subdivision to enact regulations regarding animal enterprises and working animals.

Highlighted Provisions:

This bill:

- ▶ defines terms, including "animal enterprise" and "working animal"; and
- ▶ except for certain exceptions, prohibits a municipality or a county from adopting or enforcing an ordinance or other regulation that prohibits or effectively prohibits the operation of an animal enterprise or the use of a working animal.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

11-46a-101, Utah Code Annotated 1953

11-46a-102, Utah Code Annotated 1953

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

Section 1. Section **11-46a-101** is enacted to read:

CHAPTER 46a. ANIMAL ENTERPRISE AND WORKING ANIMAL REGULATIONS

29 11-46a-101. Definitions.

30 As used in this chapter:

31 (1) (a) "Animal" means any nonhuman vertebrate life form.

32 (b) "Animal" does not include domestic cats, domestic dogs, exotic animals, or
33 reptiles.

34 (2) (a) "Animal enterprise" means a commercial enterprise, an academic enterprise, or
35 a competition that uses or sells animals or animal products for profit, food or fiber production,
36 agriculture, education, research, sport, or testing.

37 (b) "Animal enterprise" includes an animal competition, exposition, fair, rodeo, farm,
38 feedlot, furrier, ranch, or event intended to exhibit or advance agricultural arts and sciences.

39 (c) "Animal enterprise" does not include an aquarium, circus, horse and carriage
40 operation, retail pet store, or zoo.

41 (3) "Exotic animal" means a:

42 (a) member of the family Felidae not indigenous to Utah, except the species Felis catus
43 (domestic cat);

44 (b) nonhuman primate;

45 (c) nonwolf member of the family Canidae not indigenous to Utah, except the species
46 Canis familiaris (domestic dog);

47 (d) bear; and

48 (e) member of the order Crocodylia.

49 (4) "Political subdivision" means:

50 (a) a city, town, or metro township; or

51 (b) a county, as it relates to the licensing and regulation of an animal enterprise or
52 working animal in the unincorporated area of the county.

53 (5) (a) "Working animal" means an animal used for performing a specific duty or
54 function in commerce, including an animal used for entertainment, herding, transportation,
55 education, or exhibition.

56 (b) "Working animal" does not include a horse and carriage operation.

57 Section 2. Section **11-46a-102** is enacted to read:

58 **11-46a-102. Limitations on animal enterprise and working animal regulations.**

59 (1) Subject to Subsection (2), a political subdivision may not adopt or enforce an
60 ordinance or other regulation that prohibits or effectively prohibits:

61 (a) the operation of an animal enterprise;

62 (b) the use of a working animal; or

63 (c) domestic dogs from:

64 (i) actively participating in an exposition or rodeo; or

65 (ii) performing a specific duty as a working animal.

66 (2) Subsection (1) does not apply to an ordinance or other regulation that a political
67 subdivision adopts or enforces if the ordinance or other regulation:

68 (a) enforces a state or federal law;

69 (b) is a land use regulation as that term is defined in Section [10-9a-103](#); or

70 (c) is adopted or enforced, in accordance with Section [10-8-15](#) or [19-4-113](#), to protect:

71 (i) drinking water or a source of drinking water from pollution; or

72 (ii) a waterworks system.