

CALIFORNIA FOOD AND AGRICULTURAL CODE
REFERENCE: CHAPTER HEADINGS
AB 1634 * AMENDS HIGHTLITED CHAPTERS

DIVISION 14. REGULATION AND LICENSING OF DOGS	
CHAPTER 1. GENERAL PROVISIONS	30501-30504
CHAPTER 1.5. SPECIAL PROVISIONS APPLICABLE TO COUNTIES WITH A POPULATION OF LESS THAN 100,000 PERSONS	30520-30525
CHAPTER 2. DISPOSITION OF FUNDS	30651-30656
CHAPTER 3. DOG TAGS	30801-30807
CHAPTER 3.5. GUIDE DOGS, SIGNAL DOGS, AND SERVICE DOGS	30850-30854
CHAPTER 4. REGULATION	30951-30956
CHAPTER 5. KILLING AND SEIZURE	
Article 1. Generally	31101-31109
Article 2. Optional Provisions	31151-31153
CHAPTER 6. FEES FOR IMPOUNDING	31251-31255
CHAPTER 7. VIOLATIONS	31401-31402
CHAPTER 8. CIVIL LIABILITY	31501-31508
CHAPTER 9. POTENTIALLY DANGEROUS AND VICIOUS DOGS	
Article 1. Findings, Definitions, and General Provisions	31601-31609
Article 2. Judicial Process	31621-31626
Article 3. Disposition of Potentially Dangerous or Vicious Dogs	31641-31646
Article 4. Penalties	31662-31663
Article 5. Miscellaneous	31681-31683
DIVISION 14.5. REGULATION OF CATS	
CHAPTER 1. REGULATION OF CATS GENERALLY	31751-31754
CHAPTER 2. SPECIAL PROVISIONS APPLICABLE TO COUNTIES WITH A POPULATION OF LESS THAN 100,000 PERSONS	31760-31765
DIVISION 14.8. ANIMALS	32000-32003

CHAPTER 3. DOG TAGS [30801-30807](#)

30801. (a) A board of supervisors may provide for the issuance of serially numbered metallic dog licenses pursuant to this section. The dog licenses shall be stamped with the name of the county and the year of issue.

(b) The board of supervisors or animal control department may authorize veterinarians to issue the licenses to owners of dogs who make application.

(c) The licenses shall be issued for a period of not to exceed two years.

(d) In addition to the authority provided in subdivisions (a), (b), and (c), a license may be issued, as provided by this section, by a board of supervisors for a period not to exceed three years for dogs that have attained the age of 12 months, or older, and who have been vaccinated against rabies. The person to whom the license is to be issued pursuant to this subdivision may choose a license period as established by the board of supervisors of up to one, two, or three years. However, when issuing a license pursuant to this subdivision, the license period shall not extend beyond the remaining period of validity for the current rabies vaccination.

30802. Each application for a dog license tag shall state the age, sex, color, and breed of the dog for which the license is desired and the address of the owner.

CA AB 1634, INTEGRATED DOG PROVISIONS, FOOD & AG CODE DIVISION 14

30803. (a) The animal control department shall endorse upon the application for a dog license tag the number of the license tag issued.

(b) All applications that have been endorsed shall be kept on file in the office of the animal control department open to public inspection.

30804. The fee for the issuance of the dog license tag is fifty cents (\$0.50). The board of supervisors may, however, increase the fee.

SEC. 2. Section 30804.5 of the Food and Agricultural Code is amended to read:

30804.5. Whenever dog license tags are issued pursuant to this division, any such tag shall be issued ~~for one-half or less of the fee required for a dog, if a certificate is presented from a licensed veterinarian that the dog has been spayed or neutered.~~

as follows:

(a) For **three-fourths or less of the fee required** for a dog, if the dog has been implanted with a **microchip** that can be used to positively identify the dog, its owner, and the owner's contact information.

(b) For one-half or less of the fee required for a dog, if a certificate is presented from a licensed veterinarian that the dog has been spayed or neutered.

(c) For **one-fourth or less of the fee required for a dog**, if a certificate is presented from a licensed veterinarian that the dog has been **spayed or neutered**, and the dog has been implanted with a **microchip** that can be used to positively identify the dog, its owner, and the owner's contact information.

AB 1634 SECTION 3. Section 30804.7 of the Food and Agricultural Code is amended to read:

30804.7. (a) The owner of a nonspayed or unneutered dog that is **impounded** once by a city or county animal control agency or shelter, society for the prevention of cruelty to animals, or humane society, shall be fined fifty dollars (\$50) on the first ~~occurrence~~ ~~and one hundred dollars (\$100) on the second occurrence.~~

~~occurrence. On the second occurrence, the owner shall be fined one hundred dollars (\$100) and the dog shall be microchipped, with the owner paying the cost of the procedure. On the third~~ occurrence, the dog shall be spayed or neutered, with the owner paying the cost of the procedure. These fines are for nonspayed or unneutered impounded animals only, and are not in lieu of any fines or impound fees imposed by any individual city, county, public animal control agency or shelter, society for the prevention of cruelty to animals shelter, or humane society shelter.

(b) An animal control officer, humane officer, police officer, peace officer, or any agency authorized to enforce the Penal Code **may write citations with a civil penalty stated in an amount**

corresponding to the violation as provided in subdivision (a). At the time that a citation is issued, the animal control officer, humane officer, police officer, peace officer, or any agency authorized to enforce the Penal Code shall provide the owner of the dog with information regarding the availability of spaying and neutering services, as well as written notification of the civil penalty for a second citation for the same dog, including microchipping of the dog with the owner paying the cost of the procedure, and the civil penalty for a third citation for the same dog, including the spaying or neutering of the dog with the owner paying the cost of the procedure. The fines shall be paid to the local municipality or public animal control agency or shelter, society for the prevention of cruelty to animals shelter, or humane society shelter. Any funds collected under this section shall be expended for the purpose of humane education, programs for low-cost spaying and neutering of dogs, and any additional costs incurred by the public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group in the administration of the requirements of this division. The city or county animal control agency or shelter, society for the prevention of cruelty to animals, or humane society shall waive the civil penalty if, within 14 calendar days of the citation, the owner of the dog presents written proof from a licensed veterinarian that the dog was spayed or neutered.

(c) This section applies to each county and cities within each county, regardless of population.

(d) No city or county, society for the prevention of cruelty to animals, or humane society is subject to any civil action by the owner of a dog that is spayed or neutered in accordance with this section.

(e) If an owner found in violation of subdivision (a) voluntarily elects to have the nonspayed or unneutered dog microchipped, a city or county animal control agency or shelter, society for the prevention of cruelty to animals, or humane society shall waive no less than thirty dollars (\$30) and may waive all of the corresponding fifty dollar (\$50) fine.

(f) Any dog owner who is not a resident of California shall be exempted from this section if the owner provides proof, as determined by the local jurisdiction or its authorized local animal control agency, that the dog is temporarily in California for training, showing, or any other lawful reason.

(g) A dog shall not be required to be microchipped if its owner provides a letter from a California licensed veterinarian stating that due to age, poor health, or illness, it is unsafe to microchip the animal. The letter shall include the veterinarian's license number, the name of the owner, a description of the dog in question, and, if this information is available, the duration of the condition of the dog, and the date by which the dog may be safely microchipped.

(h) A dog shall not be required to be spayed or neutered if its owner provides a letter from a California licensed veterinarian stating that due to age, poor health, or illness, it is unsafe to

spay or neuter the animal. The letter shall include the veterinarian's license number, the name of the owner, a description of the dog in question, and, if this information is available, the duration of the condition of the dog, and the date by which the dog may be safely spayed or neutered.

AB 1634 SEC. 4. Section 30804.8 is added to the Food and Agricultural Code, to read:

30804.8. (a) ~~The owner of a nonspayed or unneutered dog that is the subject of a complaint~~ A person who owns or possesses within the state any dog that is not licensed or is improperly licensed, as required by law, and that has not been spayed or neutered may be cited and, if cited, shall pay a civil penalty as provided in this section. A person who owns or possesses within the state any intact dog that is properly licensed, as required by law, but whose dog is at large may be cited, and, if cited, shall pay a civil penalty as provided in this section. This civil penalty shall be in addition to any fine, fee, or penalty imposed under any other provision of law or local ordinance.

(b) At the time that the citation is issued, the local animal control agency shall provide the owner of the dog with information regarding the availability of spaying and neutering services as well as written notification of the civil penalty for a second citation for the same dog, including microchipping of the dog with the owner paying the cost of the procedure, and a civil penalty for the third citation for the same dog, including the spaying or neutering of the dog by order of the local animal control agency, with the owner paying the cost of the procedure .

(c) The owner of the dog shall pay the civil penalty to the local animal control agency within 30 ~~business~~ calendar days of the citation. The local animal control agency shall waive the civil penalty if, within 14 ~~business~~ calendar days of the citation, the owner of the dog presents written proof from a licensed veterinarian that the dog was spayed or neutered.

(d) The civil penalties shall be as follows:

(1) On the first occurrence, fifty dollars (\$50).
(2) On the second occurrence for the same dog, one hundred dollars (\$100) and the dog shall be microchipped, with the owner paying the cost of the procedure .

(3) On the third occurrence for the same dog, the spaying or neutering of the dog by order of the local animal control agency, with the owner paying the cost of the procedure.

(e) As used in this section, the following terms apply:

~~(2)~~

~~(1) "Complaint" means an oral or written complaint to a local animal control agency that alleges that the dog or the owner of the dog has violated this division, any other provision of state law that relates to dogs, or a local animal control ordinance. "Complaint" also means the observation by an employee or officer of a local animal control agency of behavior by a dog or the owner of a dog that~~

~~violates this division, any other provision of state law that relates to dogs, or a local animal control ordinance. "Complaint" shall not include an allegation of excessive noise or barking.~~

(1) "Local animal control agency" means any city or county animal control agency or other entity responsible for enforcing animal-related laws or local animal control ordinances.

~~(3)~~

(2) "Spay" and "neuter" mean any procedure performed by a duly licensed veterinarian that permanently sterilizes a dog and makes it incapable of reproduction.

(f) If an owner found in violation of subdivision (a) voluntarily elects to have the nonspayed or unneutered dog microchipped, a local animal control agency shall waive no less than thirty dollars (\$30) and may waive all of the corresponding fifty dollar (\$50) fine.

(g) Any dog owner who is not a resident of California shall be exempted from this section if the owner provides proof, as determined by the local jurisdiction or its authorized local animal control agency, that the dog is temporarily in California for training, showing, or any other lawful reason.

(h) A dog shall not be required to be microchipped if its owner provides a letter from a California licensed veterinarian stating that due to age, poor health, or illness, it is unsafe to microchip the animal. The letter shall include the veterinarian's license number, the name of the owner, a description of the dog in question, and, if this information is available, the duration of the condition of the dog, and the date by which the dog may be safely microchipped.

(i) A dog shall not be required to be spayed or neutered if its owner provides a letter from a licensed California veterinarian stating that due to age, poor health, or illness, it is unsafe to spay or neuter the animal. The letter shall include the veterinarian's license number, the name of the owner, a description of the dog in question, and, if this information is available, the duration of the condition of the dog, and the date by which the dog may be safely spayed or neutered.

~~(f)~~

(j) This section shall not preclude any city or county from adopting a local ordinance that is more restrictive or imposes higher civil penalties.

30805. The board of supervisors shall fix the compensation of the animal control department for issuing dog license tags.

30807. Any licensed kennel may be exempted pursuant to regulation or ordinance from any requirement to obtain a license tag for each dog within the kennel.