

SEC. 1 Policy

(a) The County Commission finds and declares that public-private partnerships between municipal shelters, private shelters, and non-profit organizations reduce taxpayer expenditures by transferring costs from public agencies to private organizations, reduce costs associated with holding and killing animals, bring in additional revenues through adoption fees, and reduce the number of animals killed.

SEC. 2 Definitions

(a) Animal shelter.—The term ‘animal shelter’ means Cumberland County Animal Shelter; as well as a public or private facility that,

(1) Has a physical structure, other than a private home, that provides temporary or permanent shelter to stray, abandoned, abused, or owner-surrendered animals; and,

(2) Is operated, owned, or maintained by a society for the prevention of cruelty to animals, humane society, other non-profit organization, pound, dog control officer, government entity, or contractor for a government entity.

(b) Licensed veterinarian.—The term ‘licensed veterinarian’ means a veterinarian licensed to practice veterinary medicine in this State.

(c) Rescue organization.—The term ‘rescue organization’ means an organization that is—

(1) an organization described in section 501(c)(3) of the Internal Revenue Code and exempt from taxation under 501(a) of that Code; and

(2) an animal rescue organization, animal adoption organization, or organization formed for the prevention of cruelty to animals.

(d) Irremediable Suffering.—The term ‘irremediable suffering’ means an animal who has a poor or grave prognosis for being able to live without severe, unremitting physical pain even with comprehensive, prompt, and necessary veterinary care, as certified in writing by a licensed veterinarian.

SEC. 3(a) No animal shelter may kill an animal if, prior to the killing of that animal, a rescue organization indicates it will take custody of the animal.

(b) In addition to any required spay or neuter deposit, the pound or shelter, at its discretion, may assess a fee, not to exceed the standard adoption fee, for animals released.

(c) This section does not apply to:

(1) an animal which has bitten a person and is suspected to carry and exhibiting signs of rabies, as determined by a licensed veterinarian.

(2) a dog determined to be dangerous under T.C.A. §44-17-120.

(3) an animal experiencing irremediable suffering.