

Cost of Animal Care Law

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GA Cost of Animal Care Law for Animals

O.C.G.A § 4-11-9.8, Enacted May 2016

What does the new law do?

Shifts the financial burden of caring for animals seized in animal cruelty cases from Georgia counties to the animal owner during the pendency of a case where the owner has not relinquished his/her rights to the animal(s).

How does it work?



- When a Georgia law enforcement agency or animal shelter takes custody of an animal(s) from a cruelty case (puppy mill, hoarding, animal fighting, etc.), the agency may file a petition with the court to request that the defendant be required to pay all anticipated costs of impoundment and care of the animal(s).
- The court shall set a hearing on the petition to determine the cost of care for the animal(s) pending the disposition of the case. The hearing shall be conducted no less than 10 and no more than 15 business days after the court's receipt of return of service of process of the petition to the owner.
- The scope of the hearing shall be limited to whether the impounding of the animal(s) was authorized. Upon such showing, the court shall require payment from the owner of the animal(s) for an amount sufficient to cover all costs of impoundment and care of the animals for 30 days, for a period beginning at the date of impoundment.
- The owner shall be ordered to deposit an amount equal to the original payment every 30 days until the owner relinquishes the animals or until final disposition of the case.
- Upon payment of funds by the owner, the petitioning agency may immediately draw from the funds to pay for costs incurred by the petitioning agency in keeping and caring for the animal(s).
- If the defendant fails to deposit the funds within five business days of the original order, or five business days after each 30 day period, the animal(s) is forfeited to the petitioning agency by operation of law.
- Where only one animal is impounded and the owner is able to prove indigency, the court, in its discretion, may reduce or waive the requirement that the owner pay the costs of impoundment and care.
- NOTE: If the owner is adjudicated not guilty of all charges specified in the petition, such owner may request from the agency that filed the petition a refund of all costs paid by the owner pursuant to such petition.

For additional questions, please contact: Animal Law Source at info@animallawsource.org.
Visit AnimalLawSource.org for a sample petition and order.