



# What areas of law entail spay/ neuter?

- •Sterilization requirements for adoption
- Differential licensing for sterilized animals
- •Dangerous dog provisions
- •Public housing policies
- •Statewide spay/ neuter funds
- •TNR programs
- •Impounded animals/ animals running at large provisions

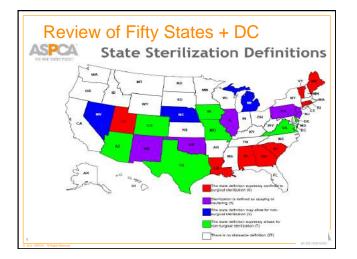
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# How do states and localities define "sterilization?"

- State definition expressly confined to surgical methods (9)
- State definition expressly allows for non-surgical methods (7)
- Sterilization defined as spaying or neutering (5)
- 4) State definition <u>may</u> allow for non-surgical methods (3)

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5) No statewide definition (27)



# State definition expressly confined to surgical methods:

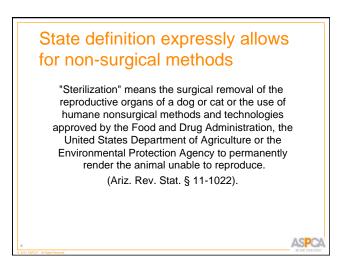
Code of Alabama § 3-9-1 (4) "Sterilization. The surgical removal of the reproductive organs of a dog or cat in order to render the animal unable to reproduce."

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## Review of fifty states + DC

DEFINITION CONFINED TO SURGICAL STERILIZATION

- 1 Alabama
- 2 Connecticut
- 3 Georgia
- 4 Louisiana
- 5 Maine
- 6 Rhode Island
- 7 South Carolina
- 8 Utah
- 9 Vermont



DE	EFINITION EXPLICITLY ALLOWS FOR ALTERNATIVES TO SURGERY	
1	Arizona	
2	Colorado	
3	Delaware	
4	lowa	
5	Missouri	
6	Texas	

# State definition <u>may</u> allow for non-surgical methods

- doesn't expressly allow or preclude

'Alteration' means a professional sterilization procedure performed by a veterinarian that renders a dog, cat, or ferret incapable of reproducing." Michigan Compiled Laws Annotated § 287.331.

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### Sterilization defined as spay/ neuter

Example 1:

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"Sterilization" means rendering an animal unable to reproduce, either by the spaying of a female animal or by the neutering of a male animal. (N.M. Stat. Ann. § 77-1-19).

### Sterilization defined as spay/ neuter

Example 2:

"Neuter" means to render a male dog or cat unable to reproduce;

"Spay" means to remove the ovaries of a female dog or cat in order to render said animal unable to reproduce; and

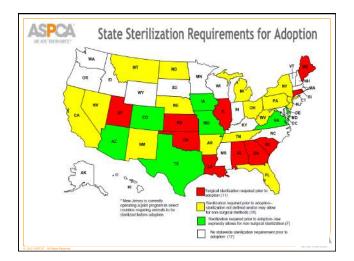
"Sterilization" means to spay or neuter a dog or cat.

Oklahoma Statutes§499.1

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# Review of Fifty States + DC - Sterilization defined as spaying or neutering STERILIZATION IS DEFINED AS SPAYING OR NEUTERING 1 Oklahoma 2 New Jersey 3 New Mexico 4 Pennsylvania

NO STATEWIDE DEFINITION OF STERILIZATION							
1	Alaska	10	Kentucky	19	North Dakota		
2	Arkansas	11	Maryland	20	Ohio		
3	California	12	Massachusetts	21	Oregon		
4	District of Columbia	13	Minnesota	22	South Dakota		
5	Florida	14	Mississippi	23	Tennessee		
6	Hawaii	15	Montana	24	Washington		
7	Idaho	16	New Hampshire	25	WestVirginia		
8	Indiana	17	New York	26	Wisconsin		
9	Kansas	18	North Carolina	27	Wyoming		



# State Sterilization Requirements for Adoption

•Many states do not define sterilization but require that animals be sterilized before adoption.

•Example: "It shall be unlawful for any pound, shelter, humane organization, or animal rescue group to release any dog or cat which has not been sterilized to a new owner ...." (Arkansas Code Annotated A.C.A 20-19-103.)

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### Model Language

"Sterilization" means the act of permanently rendering an animal incapable of reproduction. The term applies to surgical methods, including the procedures commonly referred to as spay and neuter, and nonsurgical methods and technologies approved by the United States Food and Drug Administration, the United States Department of Agriculture, or other appropriate designated federal authority.

(Colorado Revised Statutes 35-80-102)

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