AN ACT concerning animal shelters; amending K.S.A. 47-1731 and
repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:
Section 1. K.S.A. 47-1731 is hereby amended to read as follows: 47-
1731. (a) No dog or cat may be transferred to the permanent custody of a
prospective owner by a pound or animal shelter, as defined by K.S.A. 47-
1701, and amendments thereto, or by a humane society, unless:
(1) Such dog or cat has been surgically spayed or neutered before the
physical transfer of the animal occurs; or
(2) the prospective owner signs an agreement to have the dog or cat
spayed or neutered and deposits with the pound or animal shelter funds not
less than the lowest nor more than the highest cost of spaying or neutering
in the community. Any funds deposited pursuant to such an agreement
shall be refunded to such person upon presentation of a written statement
signed by a licensed veterinarian that the dog or cat has been spayed or
neutered. If such person does not reclaim the deposit within six months
after receiving custody of the animal, the pound or animal shelter shall
keep the deposit and may reclaim the unspayed or unneutered animal.
(b) No person shall spay or neuter any dog or cat for or on behalf of a
pound or animal shelter unless such person is a licensed veterinarian or a
student currently enrolled in the college of veterinary medicine, Kansas
state university, who has completed at least two years of study in the
veterinary medical curriculum and is participating in a spay or neuter
program as part of the curriculum under the direct supervision of a
licensed veterinarian who is a faculty member at the Kansas state
university veterinary medical center. The spay or neuter program shall
only be conducted at the surgery clinic at the Kansas state university
medical center in Manhattan, Kansas. No pound or animal shelter shall
designate the veterinarian which a person must use, or a list from which a
person must select a veterinarian, to spay or neuter a dog or cat transferred
by such person from such pound or animal shelter. Any premises located in
the state of Kansas where the spaying, neutering or any other practice of
veterinary medicine occurs shall register such premises with the board of
veterinary examiners.
(c) With the written approval of the livestock commissioner, any
pound or shelter may use an innovative spay or neuter program not
precisely meeting the requirements of subsection (a)(2), if the pound or
shelter can prove to the commissioner that it is actively enforcing the
spaying and neutering requirements set forth in this statute.

(d) Nothing in this section shall be construed to require sterilization
of a dog or cat which is being held by a pound or animal shelter and which
may be claimed by its rightful owner within the holding period established
in K.S.A. 47-1710, and amendments thereto.

(e) The livestock commissioner shall promulgate rules and
regulations as may be necessary to carry out the provisions of this section.

Sec. 2. K.S.A. 47-1731 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its
publication in the statute book.