

**RULES OF THE  
GEORGIA DEPARTMENT OF AGRICULTURE**

**CHAPTER 40-13-16  
LOCAL GOVERNMENT COMPANION ANIMAL TRUST FUND**

**TABLE OF CONTENTS**

40-13-16-.01	General Provisions
40-13-16-.02	Establishment and Contribution to Fund
40-13-16-.03	Disbursement Process

**40-13-16-.01                    Definitions**

- (1) “Department” – means the Georgia Department of Agriculture.
- (2) “Fund” – means the Local Government Companion Animal Trust Fund.
- (3) “Qualified Expenses” – means direct costs, including but not limited to the cost of transportation, veterinary care, and temporary boarding, reasonably and appropriately incurred by a Qualified Local Government due to:
  - (a) A Qualified Impoundment; or
  - (b) Qualified Provision of Care.

For the avoidance of doubt, no expense related to the impoundment of or provision of care to livestock, as defined in O.C.G.A. § 4-3-2(1), will constitute a Qualified Expense.

- (4) “Qualified Impoundment” – the physical seizure, by an animal control officer who is an employee of state or local government or any law enforcement officer, due to an investigation into a violation of O.C.G.A. §§ 4-11-9.2, 16-12-4, or 16-12-37, of either:
  - (a) More than 29 dogs or cats; or
  - (b) More than 9 equines.
- (5) “Qualified Local Government” – means as defined in O.C.G.A. § 50-8-2(18).
- (6) “Qualified Provision of Care” – means provision of care for more than 29 dogs or cats or more than 9 equines impounded pursuant to the Georgia Animal Protection Act, O.C.G.A. § 4-11-1, et seq., or a local ordinance, and subsequently cared for by a Qualified Local Government.
- (7) Statutory Period – means the period beginning on July 1, 2021, and ending on June 30, 2031, or as otherwise provided in O.C.G.A. § 4-11-3(c.1)(1)(A).

**Authority: O.C.G.A. Sec. 4-11-3**

**40-13-16-.02                    Establishment and Contribution to Fund**

- (1) During each year of the Statutory Period, the Department may contribute up to \$50,000 of fees collected pursuant to O.C.G.A. § 4-11-3(c) to the Fund, provided that at no point may the Fund exceed \$200,000.

- (a) The Department may make such yearly contributions to the Fund either in a lump sum or on a rolling basis.
- (2) By February 1 of each year in the Statutory Period, the Department shall prepare a report detailing the money received and expended by the Fund.

**Authority: O.C.G.A. Sec. 4-11-3**

**40-13-16-.03                      Disbursement Process**

- (1) A Qualified Local Government may apply for reimbursement from the Fund by submitting an accounting of proposed Qualified Expenses incurred during that year of the Statutory Period.
  - (a) Submitted expenses must be:
    - 1. Itemized; and
    - 2. Include a description of each individual expense's relation to a Qualified Impoundment or Qualified Provision of Care.
  - (b) Applications for reimbursement must be submitted through the Department's website and provide all information required therein.
- (2) The Department will distribute funds for Qualified Expenses after considering and approving proposed Qualified Expenses.
  - (a) The Department will not reimburse proposed Qualified Expenses it deems, in its sole discretion, not to have been reasonably and appropriately accrued. The Department's determination of the reasonableness and appropriateness of Qualified Expenses shall be final and not subject to appeal.
  - (b) In assessing the reasonableness and appropriateness of proposed Qualified Expenses, the Department may consider such factors as matching funds or other resources available to Qualified Local Governments, the severity of conditions at care facilities, and the duration of provision of care.
- (3) If the total amount of Qualified Expenses submitted by Qualified Local Governments and deemed reasonable and appropriate by the Department exceeds the total amount of the Fund, the Department may, in its sole discretion, divide the existing Funds for reimbursement between the Qualified Local Governments applying for reimbursement.
  - (a) The Department may divide funds for reimbursement on a pro rata basis or on any other reasonable basis. Department decisions on allocation of funds for reimbursement shall be final and not subject to appeal.

(b) No individual disbursement may exceed \$50,000.

**Authority: O.C.G.A. Sec. 4-11-3**