

Chapter 1

Cruelty to Household Pet Animals Protection Account

Section 1. Authority.

These rules are promulgated by the Wyoming Attorney General under the authority given by Wyo. Stat. Ann. § 6-3-203(o) (2011 Senate Enrolled Act 83).

Section 2. Purpose and Applicability.

The purpose of these rules is to implement the Cruelty to Household Pet Animals Protection Account (“Account”). The Account was created to reimburse county law enforcement agencies for eligible expenses regarding household pet animal cruelty cases prosecuted under Wyo. Stat. Ann. § 6-3-203(p). These rules establish eligible expenses and set forth the procedures how county law enforcement agencies may be reimbursed for eligible expenses.

Section 3. Severability.

If any portion of these rules is found to be invalid or unenforceable, the remainder shall continue in effect.

Section 4. Eligible Expenses.

(a) Eligible expenses are those expenses necessarily incurred by a county law enforcement agency as a result of a household pet animal cruelty case prosecuted under Wyo. Stat. Ann. § 6-3-203(p). Eligible expenses include the following:

(i) Reasonable expenses that are necessary for the care of household pets which include, but are not limited to:

(a) Food;

(b) Veterinary care, including euthanasia if determined medically necessary by a veterinarian;

(c) Boarding if additional space is required beyond the ordinary capacity of the county’s animal control boarding facility; and

(d) Medication.

(ii) Reasonable and necessary testing performed upon a household pet in connection with a case prosecuted under Wyo. Stat. Ann. § 6-3-203(p).

(iii) Reasonable expenses paid to county law enforcement agency personnel as a result of a household pet animal cruelty case prosecuted under Wyo. Stat. Ann. § 6-3-203(p).

(iv) Reasonable expert witness fees if expert testimony was required to establish elements of a household pet animal cruelty case prosecuted under Wyo. Stat. Ann. § 6-3-203(p).

(v) Equipment/supplies leased or purchased as needed to prosecute a household pet animal cruelty case.

Section 5. Eligible Applicant.

Any county law enforcement agency, including a county attorney's office, may apply in writing to the Wyoming Attorney General to request reimbursement of eligible expenses incurred as a result of a household pet animal cruelty case prosecuted under Wyo. Stat. Ann. § 6-3-203(p). Each application shall follow the procedure set forth in Section 6.

Section 6. Application Procedure.

(a) An eligible applicant may submit a written application to the Wyoming Attorney General. The application shall clearly set forth:

(i) The facts and circumstances of the household pet animal cruelty case for which reimbursement is sought;

(ii) An itemized list of each eligible expense for which reimbursement is requested; and

(iii) A statement explaining the law enforcement agency's efforts to seek reimbursement of eligible expenses from the offender.

(b) The application shall also contain supporting documentation (receipt, voucher, contract, etc.) for each eligible expense.

(c) The application shall be signed by the head of the county law enforcement agency seeking reimbursement.

Section 7. Reimbursement of Eligible Expenses.

(a) The Attorney General will use his discretion to make reasoned decisions whether an applicant is eligible to receive funds from the Account and how much will be awarded, if any. In exercising his discretion, the Attorney General may consider such factors as the availability of funds in the Account, the competing needs of other

applicants for funds from the Account, the reasonableness of the eligible expenses and such other factors and circumstances deemed relevant by the Attorney General.

(b) The Attorney General will attempt to announce his decision on the amount of reimbursement of eligible expenses within thirty (30) days of receipt of the written application. In the event the Attorney General requires more information from the applicant, he may request it from the applicant, who will respond to the request within a reasonably prompt time. In cases where the Attorney General requests more information from the applicant, the Attorney General's thirty (30) day period for a decision will commence from the date of receipt of the additional information.

Section 8. Disbursing Funds.

The Attorney General may disburse an award in a single disbursement or multiple disbursements, as he finds appropriate. In the case of projected eligible expenses, the Attorney General may set aside or reserve funds in the Account to satisfy such expenses.

Section 9. Account Funds not Available to Supplant other Funds.

Funds from the Account shall not be used by the applicant for purposes not specified in these rules or Wyo. Stat. Ann. § 6-3-203(o), nor shall Account funds be used to supplant funds from other sources. If funds from other sources reimburse an eligible applicant for an eligible expense previously reimbursed by the Attorney General, the applicant shall within thirty (30) days refund to the Attorney General the amount of the eligible expense reimbursed with funds from other sources.