

SESSION OF 2026

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2698

As Recommended by House Committee on
Local Government

Brief*

HB 2698 would provide for the removal of animals from owners found guilty of violating county resolutions regarding animal care, custody, or control. Under the bill, courts could order that such animals not be returned to or remain with the owner and may direct their disposal as provided by county resolution. The bill would clarify enforcement and prosecution of county animal control codes and resolutions.

Definitions

The bill would define the following terms:

- “Animal” would mean any vertebrate or invertebrate organism of the kingdom Animalia, including, but not limited to, dogs, cats, nonhuman primates, rabbits, mammals of any size, fowl (such as chickens, ducks, geese, turkeys, or pigeons), other birds, reptiles, fish, or bees;
 - “Animal” would include both tamed or domesticated and untamed or captive animals, but would not include livestock as defined in continuing law;
- “Dog” would mean any animal wholly or in part of the species *Canis familiaris*;

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <https://klrd.gov/>

- “Cat” would mean any animal wholly or in part of the species *Felis domesticus*;
- “Owner” would mean any person who possesses, harbors, keeps, feeds, shelters, maintains, offers refuge or asylum to, or professes to own or harbor an animal. A person signing a receipt as owner, keeper, or harbinger at a shelter or animal holding facility would be presumed to be the owner;
 - A parent or legal guardian would be considered the owner of animals kept by minor children under 18; and
 - “Owner” would also include any person who exercises control over or is in possession of the animal.

Enforcement and Remedies

The bill would authorize a court of competent jurisdiction, if an animal owner is found guilty of violating a county resolution regarding animal care, custody, or control, to order that the animal not be returned to or remain with the owner, provided the court is authorized by the resolution and finds that the animal:

- Displayed behaviors that present a substantial threat to public health, safety, or welfare;
- Would in the future be subjected to treatment or actions by the owner that violate any county resolution regarding care, custody, or control; or
- Is an animal prohibited to be kept within the county pursuant to a county resolution.

The bill would authorize a court, after finding that an animal should not be returned to or remain with its owner, to order that the animal be disposed of in the manner provided

by the county commission's resolution and as ordered by the court.

The bill would clarify that nothing shall be construed to limit the authority of the board of county commissioners to engage in any other method of enforcement of resolutions available in continuing law.

Background

The bill was introduced by the House Committee on Commerce, Labor and Economic Development at the request of a representative of Sedgwick County.

House Committee on Local Government

In the House Committee hearing, **proponent** testimony was provided by three private citizens. The proponents generally stated that the bill is necessary to give counties explicit authority to address dangerous or threatening animals outside city limits. Proponents highlighted past cases where county officials lacked tools to protect public safety, citing attacks on people and other animals, and emphasized that the bill allows courts to act to prevent future harm.

No other testimony was provided.

Fiscal Information

A fiscal note was not available at the time the House Committee took action on the bill.

Seizure; permanent seizure; animals; local control; dog; county home rule powers; board of county commissioners