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## **OLR Bill Analysis**

### **sHB 6504**

#### ***AN ACT CONCERNING ANIMAL WELFARE.***

#### **SUMMARY**

This bill makes a number of unrelated changes to animal-related statutes. Among other things, it:

1. replaces references to guide dogs in certain environment statutes with the federally defined term “service animals” and applies existing provisions to service animals in training;
2. requires, when an animal control officer (ACO) seizes an animal that is neglected or cruelly treated and a veterinarian determines the animal is too injured or diseased to be treated, the ACO to have the animal humanely euthanized by a licensed veterinarian;
3. allows municipalities and regional animal control facilities to appoint a temporary ACO from another municipality for up to 90 days;
4. requires regional animal control facilities to meet the same construction, maintenance, and sanitation standards as municipal pounds must under state law and regulations;
5. requires animal shelters to have dogs and cats examined regularly by a licensed veterinarian and maintain records of veterinary services rendered, which existing law requires of animal importers, and revises fines for violations;
6. requires the agriculture commissioner to develop a process to allow an animal’s owner to request a reduction, from six months to four months, in the rabies quarantine period under specified circumstances;

7. increases, from 10% to 20%, the maximum amount of the animal population control account funds that may be used for sterilizing and vaccinating feral cats under the agriculture department's animal population control program (APCP); and
8. updates the reimbursement amount paid to veterinarians participating in the APCP.

The bill also makes technical and conforming changes.

EFFECTIVE DATE: Upon passage, except the APCP provisions are effective October 31, 2021.

### **§ 1 — POULTRY DEFINITION**

The bill makes a minor change to align the definition of poultry in the dog and companion animal statutes with the definition of poultry in the poultry dealer statute. (Under the poultry dealer statute, poultry is any domestic fowl or game bird raised for food production, breeding, exhibition, or sale (CGS § 22-326s).)

### **§§ 2, 9 & 10 — SERVICE ANIMALS**

The bill updates the terminology in the environment statutes concerning guide dogs to conform with the federal Americans with Disabilities Act (ADA). For example, it replaces the phrase "blind, deaf, or mobility impaired person" with "person with a disability" and the term "guide dog" with "service animal."

The bill broadens the applicability of related statutes by defining "service animal" as a dog that is (1) individually trained to do work or perform tasks for a person with a disability (which is the definition in the ADA regulations) or (2) in training to become a service animal.

Similar to current law, the bill requires a person with a disability to obtain a license and tag for his or her dog that is a service animal from the town clerk in the town where the animal is owned or kept. It eliminates a requirement that the animal's owner present written evidence that the dog is trained to perform services for the person.

Under current law, dog owners must keep control of their dogs when near a guide dog. The bill similarly requires dog owners to keep control of their dogs when near a service animal. Under current law, a guide dog must wear a harness or orange-colored leash and collar that readily identifies it as a guide dog. The bill instead requires a service animal to wear a harness, vest, or leash and collar that readily identifies it as a service animal.

### **§§ 3, 4 & 7 — ANIMAL CONTROL OFFICERS AND SEIZED ANIMALS**

Under current law, if an ACO takes physical custody of an animal that the ACO believes is in imminent harm and is neglected or cruelly treated and the animal is so injured or diseased in the opinion of a licensed veterinarian that it should be destroyed immediately, the ACO may humanely destroy it or cause it to be humanely destroyed. The bill instead allows the ACO to have the animal humanely euthanized by a licensed veterinarian under those circumstances.

Under current law, if a court is involved in a case of animal neglect or cruelty and determines that the animal is so injured or diseased that it should be destroyed, the court may order that the animal be humanely destroyed. The bill instead allows the court to order that the animal be humanely euthanized by a licensed veterinarian.

The bill also makes minor, technical, and conforming changes, including replacing references to “the chief ACO, any ACO, and any municipal ACO” with references to ACOs appointed under state law.

### **§ 5 — APPOINTMENT OF TEMPORARY ACO**

The bill allows a municipality’s chief elected official or a regional animal control facility (presumably the facility’s operator) to appoint an ACO from another municipality to act as the temporary ACO for the municipality or region for up to 90 days. The bill grants the temporary ACO the same powers and authority he or she has in the municipality or region from which he or she came.

Temporary appointments must be in writing and include information on the ACO’s compensation, insurance, and use of

equipment, if any. The chief elected officials of the affected municipalities and the affected regional facilities must all approve of the temporary appointment. The agriculture commissioner must be notified in writing of a temporary appointment within five days after the appointment is made. (Presumably, the officials and facility operators provide this notice.)

## **§ 6 — REGIONAL ANIMAL CONTROL FACILITIES**

By law, any two or more towns with populations of less than 50,000 may share a regional pound and be served by a regional ACO. Under current law, the towns' legislative bodies must approve the regional pound. The bill instead specifies that if there is a board of selectmen or town council, then it approves the regional pound. Otherwise, approval lies with a town's governing body.

The bill also requires regional pounds to meet the same construction, maintenance, and sanitation standards as municipal pounds must under state law and regulations.

## **§ 8 — ANIMAL SHELTERS AND ANIMAL IMPORTERS**

### ***Veterinary Services Required***

The bill extends to animal shelter operators or maintainers the requirement that animal importers have dogs and cats examined by a licensed veterinarian within 48 hours of the animals entering the state and every 90 days thereafter until the animals are sold, adopted, or otherwise transferred. The shelter or importer cannot transfer an animal unless a veterinarian (1) examined it within 15 days before the transfer and (2) issued a written certificate of health that includes the shelter's or importer's name, address, and contact information.

Under current law, an animal importer who violates these requirements is subject to a fine of up to \$500 for each animal in violation. The bill instead subjects an animal importer or animal shelter operator or maintainer to a \$250 fine per animal for a first violation and \$500 fine per animal for subsequent violations.

### ***Record Maintenance***

The bill also requires animal shelter operators or maintainers to keep records of veterinary services rendered to each dog or cat it imported into the state for three years. Existing law requires the same of animal importers.

Under current law, an animal importer who does not maintain the records as required is subject to a \$500 fine. The bill instead subjects an animal importer or animal shelter operator or maintainer who violates this provision to a \$250 fine for a first violation and \$500 fine for subsequent violations.

#### **§ 11 — WAIVER FOR A RABIES QUARANTINE PERIOD REDUCTION**

The bill requires the agriculture commissioner to develop a waiver request process and form for an animal's owner, keeper, or veterinarian to request a reduction of a rabies quarantine period from six months to four months. This applies to an animal that was attacked and potentially exposed to rabies and only if the owner, keeper, or veterinarian submits proof with the request that the animal was vaccinated against rabies within 96 hours after the attack. The commissioner must post the waiver request process and form on the agriculture department's website and make them publicly available and accessible as well as known to veterinarians in Connecticut.

#### **§§ 12 & 13 — ANIMAL POPULATION CONTROL PROGRAM (APCP)**

The Department of Agriculture's APCP (1) provides low-income Connecticut residents discounted sterilization and vaccination options for their dogs and cats and (2) assists registered nonprofit rescue groups with the sterilization and vaccination of feral cats. The agriculture commissioner uses an established animal population control account for the APCP costs. The account funds come from a surcharge on dog licenses, certain animal adoption fees for pounds' unsterilized cats and dogs, and proceeds from commemorative APCP "Caring for Pets" license plates.

The bill increases, from 10% to 20%, the maximum amount of the

animal population control account funds that may be used for sterilizing and vaccinating feral cats under the APCP.

It also updates the reimbursement amount paid to veterinarians participating in the APCP. Under current law, a veterinarian receives, per sterilization, \$120 for a female dog, \$100 for a male dog, \$70 for a female cat, and \$50 for a male cat. The bill instead requires the agriculture commissioner to establish a reimbursement rate that is up to 75% of the market rate or fee charged by veterinarians in Connecticut as of October 31, 2021. When services to be performed include both sterilization and vaccination, the bill requires the reimbursement to be the amount designated for sterilization plus \$30, instead of \$20 as under current law.

## **BACKGROUND**

### ***Related Bill***

sHB 6318 (File 119), favorably reported by the Human Services Committee, makes changes throughout the general statutes with respect to service animals, including aligning state law with the federal definition.

## **COMMITTEE ACTION**

Environment Committee

Joint Favorable Substitute

Yea 32      Nay 0      (03/29/2021)