



House of Representatives

General Assembly

File No. 434

January Session, 2021

Substitute House Bill No. 6504

House of Representatives, April 14, 2021

The Committee on Environment reported through REP. GRESKO of the 121st Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING ANIMAL WELFARE.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subdivision (10) of section 22-327 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective from*
3 *passage*):

4 (10) "Poultry" [means all domestic fowl and any pheasants or other
5 game birds securely confined and lawfully owned and possessed by any
6 person under the provisions of section 26-40] has the same meaning as
7 provided in section 22-326s;

8 Sec. 2. Section 22-327 of the general statutes is amended by adding
9 subdivision (13) as follows (*Effective from passage*):

10 (NEW) (13) "Service animal" has the same meaning as provided in 28
11 CFR 35.104 and includes any animal in training to become a service
12 animal.

13 Sec. 3. Section 22-329 of the general statutes is repealed and the

14 following is substituted in lieu thereof (*Effective from passage*):

15 [The commissioner, the Chief Animal Control Officer, any animal
16 control officer, any municipal] Any animal control officer or regional
17 animal control officer appointed pursuant to section 22-328, 22-331, as
18 amended by this act, or 22-331a, as amended by this act, as applicable,
19 or any law enforcement officer may interfere to prevent any act of
20 cruelty upon any dog or other animal, and any person who interferes
21 with or obstructs or resists [the commissioner or] any such officer in the
22 discharge of such duty shall be guilty of a class D misdemeanor.

23 Sec. 4. Section 22-329a of the general statutes is repealed and the
24 following is substituted in lieu thereof (*Effective from passage*):

25 (a) [The Chief Animal Control Officer, any animal control officer or
26 any municipal or regional animal control officer] Any animal control
27 officer or regional animal control officer appointed pursuant to section
28 22-328, 22-331, as amended by this act, or 22-331a, as amended by this
29 act, as applicable, may take physical custody of any animal when such
30 animal control officer has reasonable cause to believe that such animal
31 is in imminent harm and is neglected or is cruelly treated in violation of
32 section 22-366, 22-415, 53-247, 53-248, 53-249, 53-249a, 53-250, 53-251 or
33 53-252, and, not later than ninety-six hours after taking physical
34 custody, shall proceed as provided in subsection (c) of this section,
35 except that if, in the opinion of a licensed veterinarian or the State
36 Veterinarian, at any time after physical custody of such animal is taken,
37 such animal is so injured or diseased that it should be [destroyed]
38 euthanized immediately, such officer may [humanely destroy or cause
39 such animal to be humanely destroyed] have such animal humanely
40 euthanized by a licensed veterinarian.

41 (b) [The Chief Animal Control Officer, any animal control officer or
42 any municipal or regional animal control officer] Any animal control
43 officer or regional animal control officer appointed pursuant to section
44 22-328, 22-331, as amended by this act, or 22-331a, as amended by this
45 act, as applicable, may take physical custody of any animal upon
46 issuance of a warrant finding probable cause that such animal is

47 neglected or is cruelly treated in violation of section 22-366, 22-415, 53-
48 247, 53-248, 53-249, 53-249a, 53-250, 53-251 or 53-252, and shall
49 thereupon proceed as provided in subsection (c) of this section except
50 that if, in the opinion of a licensed veterinarian or the State Veterinarian,
51 at any time after physical custody of such animal is taken, such animal
52 is so injured or diseased that it should be [destroyed] euthanized
53 immediately, such officer may [humanely destroy or cause such animal
54 to be humanely destroyed] have such animal humanely euthanized by
55 a licensed veterinarian.

56 (c) Such officer shall file with the superior court which has venue over
57 such matter or with the superior court for the judicial district of Hartford
58 at Hartford a verified petition plainly stating such facts of neglect or
59 cruel treatment as to bring such animal within the jurisdiction of the
60 court and praying for appropriate action by the court in accordance with
61 the provisions of this section. Upon the filing of such petition, the court
62 shall cause a summons to be issued requiring the owner or owners or
63 person having responsibility for the care of the animal, if known, to
64 appear in court at the time and place named.

65 (d) If physical custody of an animal has been taken pursuant to
66 subsection (a) or (b) of this section and it appears from the allegations of
67 the petition filed pursuant to subsection (c) of this section and other
68 affirmations of fact accompanying the petition, or provided subsequent
69 thereto, that there is reasonable cause to find that the animal's condition
70 or the circumstances surrounding its care require that temporary care
71 and custody be immediately assumed to safeguard its welfare, the court
72 shall either (1) issue an order to show cause why the court should not
73 vest in some suitable state, municipal or other public or private agency
74 or person the animal's temporary care and custody pending a hearing
75 on the petition, or (2) issue an order vesting in some suitable state,
76 municipal or other public or private agency or person the animal's
77 temporary care and custody pending a hearing on the petition. A
78 hearing on the order issued by the court pursuant to subdivision (1) or
79 (2) of this subsection shall be held not later than fourteen days after the
80 issuance of such order. The service of such order may be made by any

81 officer authorized by law to serve process, state police officer or
82 indifferent person and shall be served not less than forty-eight hours
83 prior to the date and time of such hearing. If the owner or owners or
84 person having responsibility for the care of the animal is not known,
85 notice of the time and place of the hearing shall be given by publication
86 in a newspaper having a circulation in the town in which such officer
87 took physical custody of such animal not less than forty-eight hours
88 prior to the date and time of such hearing.

89 (e) If physical custody of an animal has not been taken pursuant to
90 subsection (a) or (b) of this section, and [the Chief Animal Control
91 Officer, any animal control officer or any municipal or regional animal
92 control] such officer has reasonable cause to believe that an animal is
93 neglected or is cruelly treated in violation of section 22-366, 22-415, 53-
94 247, 53-248, 53-249, 53-249a, 53-250, 53-251 or 53-252, such [animal
95 control] officer may file a petition with the superior court which has
96 venue over such matter or with the superior court for the judicial district
97 of Hartford at Hartford, plainly stating such facts of neglect or cruel
98 treatment as to bring the animal within the jurisdiction of the court and
99 praying for appropriate action by the court to ensure the welfare of the
100 animal including, but not limited to, physical removal and temporary
101 care and custody of the animal, authorization of an animal control
102 officer or regional animal control officer appointed pursuant to section
103 22-328, 22-331, as amended by this act, or 22-331a, as amended by this
104 act, as applicable, or a licensed veterinarian to provide care for the
105 animal on site, vesting of ownership of the animal, the posting of a bond
106 in accordance with subsection (f) of this section and the assessment of
107 costs in accordance with subsection (h) of this section. Upon the filing of
108 such petition, the court shall cause a summons for an order to show
109 cause to be issued requiring the owner or owners or person having
110 responsibility for the care of the animal, if known, to appear in court at
111 the time and place named. If the owner or owners or person having
112 responsibility for the care of the animal is not known, notice of the time
113 and place of the hearing shall be given by publication in a newspaper
114 having a circulation in the town where the animal is located not less than
115 forty-eight hours prior to the date and time of the hearing. If it appears

116 from the allegations of the petition filed pursuant to this subsection and
117 other affirmations of fact accompanying the petition, or provided
118 subsequent thereto, that there is reasonable cause to find that the
119 animal's condition or the circumstances surrounding its care require the
120 immediate removal of the animal from the owner or owners or person
121 having responsibility for the care of the animal to safeguard its welfare,
122 the court shall issue an order vesting in some suitable state, municipal
123 or other public or private agency or person the animal's temporary care
124 and custody pending a hearing on the petition which hearing shall be
125 held not later than ten days after the issuance of such order for such
126 temporary care and custody. The service of such order may be made by
127 any officer authorized by law to serve process, state police officer or
128 indifferent person and shall be served not less than forty-eight hours
129 prior to the date and time of such hearing.

130 (f) If the court issues an order vesting the animal's temporary care
131 and custody in some suitable state, municipal or other public or private
132 agency or person, the owner or owners shall either relinquish
133 ownership of the animal or post a surety bond or cash bond with the
134 agency or person in whom the animal's temporary care and custody was
135 vested. The surety bond or cash bond shall be in the amount of five
136 hundred dollars for each animal placed in the temporary care or custody
137 of such agency or person and shall secure payment for the reasonable
138 expenses of the agency or person having temporary care and custody of
139 the animal in caring and providing for such animal until the court makes
140 a finding as to the animal's disposition under subsection (g) of this
141 section. The requirement that a bond be posted may be waived if such
142 owner provides satisfactory evidence that such owner is indigent and
143 unable to pay for such bond.

144 (g) (1) If, after hearing, the court finds that the animal is neglected or
145 cruelly treated, it shall vest ownership of the animal in any state,
146 municipal or other public or private agency which is permitted by law
147 to care for neglected or cruelly treated animals or with any person found
148 to be suitable or worthy of such responsibility by the court.

149 (2) If, after hearing, the court finds that the animal is so injured or
150 diseased that it should be [destroyed] humanely euthanized, the court
151 may order that such animal be humanely [destroyed] euthanized by a
152 licensed veterinarian.

153 (3) If, after hearing, the court finds that the animal is not neglected or
154 cruelly treated, it may cause the animal to be returned to its owner or
155 owners or person having responsibility for its care or, if such owner or
156 owners or person is unknown or unwilling to resume caring for such
157 animal, it may vest ownership of the animal in any state, municipal or
158 other public or private agency or person found to be suitable or worthy
159 of such responsibility.

160 (4) If the court makes a finding under subdivision (1) or (2) of this
161 subsection less than thirty days after the issuance of an order of
162 temporary care and custody and the owner of the animal has posted a
163 bond, the agency or person with whom the bond was posted shall return
164 the balance of such bond, if any, to the owner. The amount of the bond
165 to be returned to the owner shall be calculated at the rate of fifteen
166 dollars per day per animal or twenty-five dollars per day per animal if
167 the animal is a horse or other large livestock for the number of days less
168 than thirty that such agency or person has not had temporary care and
169 custody of the animal less any veterinary costs and expenses incurred
170 for the welfare of the animal.

171 (5) If the court makes a finding under subdivision (3) of this
172 subsection after the issuance of an order of temporary care and custody
173 and the owner of the animal has posted a bond, the agency or person
174 with whom the bond was posted shall return such bond to such owner.

175 (h) If the court finds that the animal is neglected or cruelly treated,
176 the expenses incurred by the state or a municipality in providing proper
177 food, shelter and care to an animal it has taken custody of under
178 subsection (a) or (b) of this section and the expenses incurred by any
179 state, municipal or other public or private agency or person in providing
180 temporary care and custody pursuant to an order vesting temporary
181 care and custody, calculated at the rate of fifteen dollars per day per

182 animal or twenty-five dollars per day per animal if the animal is a horse
183 or other large livestock until the date ownership is vested pursuant to
184 subdivision (1) of subsection (g) of this section shall be paid by the
185 owner or owners or person having responsibility for the care of the
186 animal. In addition, all veterinary costs and expenses incurred for the
187 welfare of the animal that are not covered by the per diem rate shall be
188 paid by the owner or owners or person having responsibility for the
189 animal.

190 (i) If the court vests ownership of the animal in the Commissioner of
191 Agriculture or a municipality, the commissioner or the municipality
192 may conduct or participate in a public auction of the animal under such
193 conditions the commissioner or the municipality deems necessary or the
194 commissioner or the municipality may consign the animal to an auction
195 or sell the animal through an open advertised bid process whereby bid
196 price and demonstration of sufficient knowledge and ability to care for
197 such animal are factors for the commissioner's or municipality's
198 consideration. All moneys collected from the sale of animals sold by the
199 Commissioner of Agriculture through such open advertised bid process
200 shall be deposited in the animal abuse cost recovery account established
201 in subsection (j) of this section. All moneys collected from the sale of
202 animals sold by a municipality through such open advertised bid
203 process shall be deposited by the town treasurer or other fiscal officer in
204 the town's general fund. The commissioner or the municipality may also
205 vest ownership of any such animal in an individual or a public or private
206 nonprofit animal rescue or adoption organization.

207 (j) There is established a separate, nonlapsing account within the
208 General Fund, to be known as the "animal abuse cost recovery account".
209 All moneys collected from sales at public auction of animals seized by
210 the Department of Agriculture pursuant to this section shall be
211 deposited into the account. Deposits of moneys may be made into the
212 account from public or private sources, including, but not limited to, the
213 federal government or municipal governments.

214 (k) Notwithstanding any provision of the general statutes, any

215 moneys received by the Department of Agriculture pursuant to
216 subsection (j) of this section shall be deposited in the General Fund and
217 credited to the animal abuse cost recovery account. The account shall be
218 available to the Commissioner of Agriculture for the purpose of the
219 housing, care and welfare of any animal seized by the department, until
220 final disposition of such animal. Additionally, the account may be used
221 for the purpose of providing reimbursement to any municipality for the
222 costs of providing temporary care to such animal if such temporary care
223 exceeded thirty days in duration and such costs exceeded the amount of
224 any surety bond or cash bond posted pursuant to subsection (f) of this
225 section provided the total annual reimbursement to municipalities from
226 said account for such purpose shall not exceed twenty-five thousand
227 dollars. Nothing in this section shall prevent the commissioner from
228 obtaining or using funds from sources other than the account for the
229 housing, care and welfare of any animal seized by the department
230 pursuant to this section.

231 Sec. 5. Section 22-331 of the general statutes is repealed and the
232 following is substituted in lieu thereof (*Effective from passage*):

233 (a) In each municipality of the state having a population of more than
234 twenty-five thousand which has adopted the provisions of chapter 113,
235 or otherwise provided for a merit system for its employees, the chief of
236 police, or such other appointing authority as the charter may designate,
237 shall, appoint a full-time municipal animal control officer and such
238 assistants as are deemed necessary, subject to the provisions of said
239 chapter 113 or other merit system, to administer and enforce the laws
240 relating to dogs or other domestic animals. Any person so appointed
241 may be or become a member of the police department and for such
242 purpose the legislative body of such municipality may waive any
243 requirements as to age, sex, physical condition, education and training
244 applicable to other members of the police department. Any person so
245 appointed as a member of the police department shall be fully eligible
246 to participate in the retirement system of such department.

247 (b) Except as provided in section 22-331a, as amended by this act, the

248 chief or superintendent of police in each other city or town having a
249 police department and the selectmen or chief executive officer in each
250 town which has no police department, or such other appointing
251 authority as the charter of such town may designate, in their respective
252 jurisdictions, shall appoint a municipal animal control officer and such
253 assistants as are deemed necessary to administer and enforce the laws
254 relating to dogs and other domestic animals. Such officer and assistants
255 shall have such qualifications as the commissioner may prescribe and
256 shall serve for a term of at least one year.

257 (c) Each appointment made under the provisions of this section shall
258 be reported promptly to the commissioner. Each person appointed
259 under the provisions of subsection (a) of this section shall, and any
260 person appointed under the provisions of subsection (b) of this section
261 may, be paid a salary and expenses in lieu of the fees provided in section
262 22-334 and the amount thereof shall be transferred from the dog fund
263 account to the appropriation of the proper department.

264 (d) The municipal animal control officer so appointed in any [city]
265 municipality the limits of which are not coterminous with those of the
266 [town] municipality in which it is located shall have authority as such
267 municipal animal control officer throughout such town, and the town
268 treasurer or other fiscal officer shall annually reimburse the [city]
269 municipality, from the dog fund account, for the salaries and expenses
270 of such officer or his or her assistants. The municipal animal control
271 officer so appointed in any town having a borough within its limits shall
272 have authority as such municipal animal control officer throughout the
273 limits of such town. If, in any [city or town] municipality, the officer or
274 officers charged with such duty fail to report such appointment, the
275 commissioner shall notify such officer or officers to make and report
276 such appointment within ten days of receipt of such notification, and, if
277 such appointment is not made within such time, the commissioner shall
278 appoint a municipal animal control officer for such [city or town]
279 municipality.

280 (e) Notwithstanding any provision of the general statutes or any

281 special act, municipal charter or ordinance, any chief elected official of
282 any municipality or a regional animal control facility may appoint, on a
283 temporary basis not to exceed ninety days, any animal control officer or
284 regional animal control officer appointed pursuant to this section or
285 section 22-331a, as amended by this act, as applicable, to act as an animal
286 control officer in such municipality or region. Any animal control officer
287 or regional animal control officer who provides services pursuant to an
288 appointment made in accordance with this subsection shall have all the
289 powers and authority granted to such animal control officer in the
290 municipality or region in which such officer is appointed. Any such
291 appointment made pursuant to this subsection shall be made in writing
292 and be approved by each of the chief elected officials of the
293 municipalities affected by such appointment and by each regional
294 animal control facility that is affected by such appointment. Such
295 written appointment shall include, at a minimum, information
296 concerning the compensation to be paid to such officer, insurance
297 provided to such officer and the use of equipment, if any, for such
298 officer. The Commissioner of Agriculture shall be notified, in writing, of
299 any such appointment made pursuant to this subsection not later than
300 five days following such appointment.

301 Sec. 6. Section 22-331a of the general statutes is repealed and the
302 following is substituted in lieu thereof (*Effective from passage*):

303 Any two or more towns each of which has a population of less than
304 fifty thousand, and which have or will provide a dog pound facility
305 within their region, by action of their [legislative bodies] board of
306 selectmen, town council or other governing body, may agree to be
307 served by a regional animal control officer. Upon certification of such
308 agreement to the commissioner with assurances from the towns so
309 certifying that they will provide and continue to provide adequate
310 facilities and compensation for such officer, the commissioner may, after
311 giving due regard to the regional aspects of the proposed facilities and
312 whether the proposed region would be in the best interests of the towns
313 so certifying, establish such region. Each person so appointed shall have
314 the same powers and duties within the region to which he is assigned

315 as a municipal animal control officer in each town therein. All costs of
316 maintaining and operating such pounds and administering and
317 enforcing the laws relating to dogs within such regions shall be paid in
318 accordance with the provisions of the agreement certified to the
319 commissioner under this section. Any pound facility operated pursuant
320 to this section shall meet the construction, maintenance and sanitation
321 standards established pursuant to section 22-336 and any regulations
322 adopted pursuant to said section, including, but not limited to,
323 standards for the handling and transportation of dogs and other
324 domestic animals.

325 Sec. 7. Section 22-332 of the general statutes is repealed and the
326 following is substituted in lieu thereof (*Effective from passage*):

327 (a) [The Chief Animal Control Officer, any animal control officer or
328 any municipal animal control officer] Any animal control officer or
329 regional animal control officer appointed pursuant to section 22-328, 22-
330 331, as amended by this act, or 22-331a, as amended by this act, as
331 applicable, shall be responsible for the enforcement of this chapter and
332 shall make diligent search and inquiry for any violation of any of its
333 provisions. Any such officer may take into custody (1) any dog found
334 roaming in violation of the provisions of section 22-364, (2) any dog not
335 having a tag or plate on a collar about its neck or on a harness on its
336 body as provided by law or which is not confined or controlled in
337 accordance with the provisions of any order or regulation relating to
338 rabies issued by the commissioner in accordance with the provisions of
339 this chapter, or (3) any dog or other domestic animal found injured on
340 any highway, neglected, abandoned or cruelly treated. The officer shall
341 impound such dog or other domestic animal at the pound serving the
342 town where the dog or other domestic animal is taken unless, in the
343 opinion of a licensed veterinarian, the dog or other domestic animal is
344 so injured or diseased that it should be [destroyed] euthanized
345 immediately, in which case the municipal animal control officer of such
346 town may [cause the dog or other domestic animal to be mercifully
347 killed] have such dog or other animal humanely euthanized by a
348 licensed veterinarian or disposed of as the State Veterinarian may direct.

349 The [municipal animal control] officer shall immediately notify the
350 owner or keeper of any dog or other [domestic] animal so taken, if
351 known, of its impoundment. [Such officer shall immediately notify the
352 owner or keeper of any other domestic animal which is taken into
353 custody, if such owner or keeper is known.] If the owner or keeper of
354 any such dog or other domestic animal is unknown, the officer shall
355 immediately tag or employ [such] other suitable means of official
356 identification of the dog or other domestic animal [as may be approved
357 by the Chief Animal Control Officer] and shall promptly cause (A) a
358 description of such dog or other domestic animal to be published once
359 in the lost and found column of a newspaper having a circulation in such
360 town or that has a state-wide circulation, and (B) a photograph or
361 description of such dog or other domestic animal and the date on which
362 such dog or other domestic animal is no longer legally required to be
363 impounded to be posted on a national pet adoption Internet web site or
364 an Internet web site that is maintained or accessed by the animal control
365 officer and that is accessible to the public through an Internet search,
366 except such posting shall not be required if: (i) The dog or other
367 domestic animal is held pending the resolution of civil or criminal
368 litigation involving such dog or other domestic animal, (ii) the officer
369 has a good faith belief that the dog or other domestic animal would be
370 adopted by or transferred to a public or private nonprofit rescue
371 organization for the purpose of placing such dog or other domestic
372 animal in an adoptive home even in the absence of such posting, (iii) the
373 dog or other domestic animal's safety will be placed at risk, or (iv) such
374 animal control officer determines that such dog or other domestic
375 animal is feral and not adoptable. If any animal control officer does not
376 have the technological resources to post such information on an Internet
377 web site as required by subparagraph (B) of this subdivision, such
378 officer may contact a public or private animal rescue organization and
379 request that such organization post such information, at such
380 organization's expense, on an Internet web site that is accessible to the
381 public through an Internet search. To the extent practicable, any such
382 posting by an animal control officer or a public or private animal rescue
383 organization shall remain posted for the duration of such dog's or other

384 domestic animal's impoundment in the municipal or regional dog
385 pound.

386 (b) If such dog or other domestic animal is not claimed by and
387 released to the owner within seven days after the date of publication,
388 [the municipal animal control] such officer, upon finding such dog or
389 other domestic animal to be in satisfactory health, may have a licensed
390 veterinarian spay or neuter such dog and sell such dog or other
391 domestic animal to any person who satisfies such officer that such
392 person is purchasing such dog or other domestic animal as a pet and
393 that such person can give it a good home and proper care. [The
394 municipal animal control] Such officer may retain possession of such
395 dog or other domestic animal for such additional period of time as such
396 [animal control] officer may deem advisable in order to place such dog
397 or other domestic animal as a pet and may have a licensed veterinarian
398 spay or neuter such dog. If, within such period, any dog or other
399 domestic animal is not claimed by and released to the owner or keeper
400 or purchased as a pet, the officer shall cause such dog or other domestic
401 animal to be [mercifully killed] humanely euthanized by a licensed
402 veterinarian or disposed of as the State Veterinarian may direct. Any
403 veterinarian who so [destroys] euthanizes a dog shall be paid from the
404 dog fund account. No person who [so destroys] euthanizes a dog or
405 other domestic animal shall be held criminally or civilly liable therefor
406 nor shall any licensed veterinarian who spays or neuters a dog pursuant
407 to this section be held civilly liable, [including, but not limited to,
408 liability for reconstructive neutical implantation surgery.]

409 (c) The town treasurer or other fiscal officer shall pay from the dog
410 fund account the advertising expense incurred under the provisions of
411 this section upon receipt of an itemized statement together with a copy
412 of the advertisement as published. Any person who purchases a dog as
413 a pet shall pay a fee of five dollars and procure a license and tag for such
414 dog from the town clerk, in accordance with the provisions of section
415 22-338. In addition to the five-dollar fee, any person who purchases a
416 dog as a pet may be charged the cost the municipality incurred, if any,
417 to spay or neuter and vaccinate the dog, provided such charge shall not

418 exceed one hundred fifty dollars.

419 (d) No regional or municipal dog pound facility, municipality,
420 [regional or municipal animal control officer] animal control officer or
421 regional animal control officer appointed pursuant to section 22-328, 22-
422 331, as amended by this act, or 22-331a, as amended by this act, as
423 applicable, or public or private nonprofit animal rescue organization
424 that arranges for the provision of treatment by a licensed veterinarian to
425 an injured, sick or diseased animal pursuant to a contract described in
426 section 22-332e shall be held civilly liable for such actions unless such
427 actions are performed in a wanton, reckless or malicious manner. No
428 licensed veterinarian who provides treatment free of charge or for a
429 reduced fee, to an injured, sick or diseased animal as a direct result of a
430 contract described in section 22-332e shall be held civilly liable for the
431 provision of such treatment unless such actions are performed in a
432 wilful, wanton or reckless manner.

433 Sec. 8. Section 22-344f of the general statutes is repealed and the
434 following is substituted in lieu thereof (*Effective from passage*):

435 (a) Any animal importer and any person who operates or maintains
436 an animal shelter, as defined in section 22-344, shall, not later than forty-
437 eight hours after importing any dog or cat into this state and prior to the
438 sale, adoption or transfer of such dog or cat to any person, provide for
439 the examination of such dog or cat by a veterinarian licensed under
440 chapter 384. Thereafter, such animal importer or person who operates
441 or maintains an animal shelter shall provide for the examination of such
442 dog or cat by a veterinarian licensed under chapter 384 every ninety
443 days until such dog or cat is sold, adopted or transferred, provided no
444 such dog or cat shall be sold, adopted or transferred to another person
445 by an animal importer or person who operates or maintains an animal
446 shelter unless (1) such dog or cat was examined by a veterinarian
447 licensed under chapter 384 not more than fifteen days prior to the sale,
448 adoption or transfer of such dog or cat, and (2) such veterinarian
449 provides such animal importer or person who operates or maintains an
450 animal shelter with a written certificate stating that such dog or cat is

451 free of any symptoms of any illness, infectious, contagious or
452 communicable disease. Such certificate shall list the name, address and
453 contact information of such animal importer or person who operates or
454 maintains an animal shelter. Any animal importer or person who
455 operates or maintains an animal shelter who violates the provisions of
456 this subsection shall be fined [not more than five hundred dollars for
457 each animal that is the subject of such violation] for a first violation, two
458 hundred fifty dollars for each animal that is the subject of such violation,
459 and for any subsequent violation, five hundred dollars for each animal
460 that is the subject of such violation.

461 (b) Each animal importer and each person who operates or maintains
462 an animal shelter shall maintain a record of the veterinary services
463 rendered to each dog or cat imported into this state by such animal
464 importer or person. Such record shall be maintained by such animal
465 importer or person for a period of three years. Any animal importer or
466 such person who violates the provisions of this subsection shall be fined
467 [five hundred dollars] two hundred fifty dollars for a first violation and
468 five hundred dollars for any subsequent violation.

469 Sec. 9. Section 22-345 of the general statutes is repealed and the
470 following is substituted in lieu thereof (*Effective from passage*):

471 Any [blind, deaf or mobility impaired] person with a disability who
472 is the owner or keeper of a dog [which has been trained and educated
473 to guide and assist such person in traveling upon the public streets or
474 highways or otherwise] that is a service animal shall receive a license
475 and tag for such [dog] service animal from the town clerk of the town
476 where such [dog] service animal is owned or kept. Such license and tag
477 shall be issued in accordance with the provisions of section 22-340, and
478 no fee shall be required of the owner or keeper of any such [dog] service
479 animal. [When any such dog has not been previously licensed by the
480 town clerk to whom application is being made, such town clerk shall not
481 license such dog or issue to the owner a license and tag unless written
482 evidence is exhibited to such clerk that the dog is trained and educated
483 and intended in fact to perform such guide service for such applicant.]

484 Any person who has a dog that is a service animal placed with such
485 person temporarily, including for breeding purposes, by a nonprofit
486 organization established for the purpose of training or educating [guide
487 dogs to so assist blind, deaf or mobility impaired persons] service
488 animals shall receive a license and tag for such [dog] service animal from
489 the town clerk of the town where such [dog] service animal is kept. Such
490 license and tag shall be issued in accordance with the provisions of
491 section 22-340, and no fee shall be required for such license and tag,
492 provided such person presents written evidence that such [dog] service
493 animal was placed with such person by such organization. [As used in
494 this section and section 46a-44, "deaf person" means a person who
495 cannot readily understand spoken language through hearing alone and
496 who may also have a speech defect which renders such person's speech
497 unintelligible to most people with normal hearing.]

498 Sec. 10. Section 22-364b of the general statutes is repealed and the
499 following is substituted in lieu thereof (*Effective from passage*):

500 The owner or keeper of a dog shall restrain and control such dog on
501 a leash when such dog is not on the property of its owner or keeper and
502 is in proximity to a [blind, deaf or mobility impaired] person with a
503 disability who is accompanied by [his guide dog] a service animal,
504 provided the [guide dog] service animal is: [in] (1) In the direct custody
505 of such [blind, deaf or mobility impaired] person, (2) is wearing a
506 harness, vest or [an orange-colored] leash and collar which makes it
507 readily-identifiable as a [guide dog] service animal, and (3) is licensed
508 in accordance with section 22-345, as amended by this act. Any person
509 who violates the provisions of this section shall have committed an
510 infraction. If an owner or keeper of a dog violates the provisions of this
511 section and, as a result of such violation, such dog attacks and injures
512 the [guide dog] service animal, such owner or keeper shall be liable, as
513 provided in section 22-357, for any damage done to such [guide dog]
514 service animal, and such liability shall include liability for any costs
515 incurred by such [blind, deaf or mobility-impaired] person with a
516 disability for the veterinary care, rehabilitation or replacement of the
517 injured [guide dog] service animal and for reasonable attorney's fees.

518 Sec. 11. (NEW) (*Effective from passage*) Notwithstanding any provision
519 of chapter 435 of the general statutes, the Commissioner of Agriculture
520 shall develop a waiver request process and form for the owner, keeper
521 or veterinarian for any animal that was attacked and that may have been
522 exposed to rabies as a result of such attack to request a reduction of the
523 requisite quarantine period for such animal from six months to four
524 months if such owner, keeper or veterinarian submits proof with such
525 waiver request that such animal was vaccinated for rabies not more than
526 ninety-six hours after such attack. Such waiver request process and form
527 shall be: (1) Posted on the Internet web site of the Department of
528 Agriculture, (2) made publicly available and accessible, and (3) made
529 known to veterinarians throughout the state by said department.

530 Sec. 12. Subsection (b) of section 22-380g of the general statutes is
531 repealed and the following is substituted in lieu thereof (*Effective October*
532 *31, 2021*):

533 (b) Not more than [ten] twenty per cent of the funds deposited in the
534 animal population control account in accordance with subsection (f) of
535 section 14-21h, subsection (a) of section 22-338, section 22-380f and
536 section 22-380l shall be used for the sterilization and vaccination of feral
537 cats program in accordance with subdivision (4) of subsection (a) of this
538 section.

539 Sec. 13. Subsection (a) of section 22-380i of the general statutes is
540 repealed and the following is substituted in lieu thereof (*Effective October*
541 *31, 2021*):

542 (a) The program established under section 22-380g, as amended by
543 this act, shall provide for payment to any participating veterinarian of
544 an amount equivalent to the voucher issued pursuant to section 22-380f
545 for each animal sterilization and vaccinations, coincident with
546 sterilization, performed by such veterinarian upon a dog or cat owned
547 by an eligible owner. For a sterilization procedure, [such voucher shall
548 be in the amount of one hundred twenty dollars for a female dog, one
549 hundred dollars for a male dog, seventy dollars for a female cat and fifty
550 dollars for a male cat] the Commissioner of Agriculture shall establish a

551 rate of reimbursement that is not more than seventy-five per cent of the
 552 market rate or the fee charged by veterinarians in the state as of October
 553 31, 2021. In the case of a sterilization fee exceeding the amount of the
 554 voucher, the eligible owner shall pay the participating veterinarian the
 555 difference between such fee and the amount of the voucher. Such
 556 voucher shall be in the amount of [twenty] thirty dollars, in addition to
 557 the amount designated for sterilization, for vaccinations coincident with
 558 the sterilization of a dog or cat owned by an eligible owner.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	22-327(10)
Sec. 2	<i>from passage</i>	22-327
Sec. 3	<i>from passage</i>	22-329
Sec. 4	<i>from passage</i>	22-329a
Sec. 5	<i>from passage</i>	22-331
Sec. 6	<i>from passage</i>	22-331a
Sec. 7	<i>from passage</i>	22-332
Sec. 8	<i>from passage</i>	22-344f
Sec. 9	<i>from passage</i>	22-345
Sec. 10	<i>from passage</i>	22-364b
Sec. 11	<i>from passage</i>	New section
Sec. 12	<i>October 31, 2021</i>	22-380g(b)
Sec. 13	<i>October 31, 2021</i>	22-380i(a)

ENV *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 22 \$	FY 23 \$
Department of Agriculture	Animal Population Control - Acceleration of Costs	See Below	See Below
Department of Agriculture	GF - Potential Revenue Gain	Less than 20,000	Less than 20,000

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill makes various changes to animal-related laws.

Section 1 of the bill makes a minor change to the definition of poultry within the dog and companion animal statutes which has no fiscal impact.

Sections 2, 9, and 10 update terminology in the environment statutes concerning guide dogs to conform with the federal American with Disabilities Act. These sections also have no fiscal impact.

Sections 3, 4, and 7 alter current law regarding how seized animals are humanely destroyed by licensed veterinarians and make other minor, technical, and conforming changes. These sections have no fiscal impact to the state or municipalities as they concern private third-party veterinarians.

Section 5 of the bill allows a municipality's chief elected official or a regional animal control facility to appoint an Animal Control Officer (ACO) from another municipality to act as the temporary ACO for the municipality for up to 90 days. This is not anticipated to result in a fiscal impact as it codifies current practice.

Additionally, **Section 8** of the bill extends to animal shelter operators the same requirement that animal importers currently have (that dogs and cats be examined by a veterinarian within 48 hours of the animals entering the state). Currently, violators are subject to a fine of up to \$500 for each animal in violation. The bill instead subjects an animal importer or animal shelter operator to a \$250 fine per animal for a first violation and \$500 fine per animal for subsequent violations.

This section also requires animal shelter operators or maintainers to keep records of certain veterinary services for each dog or cat for three years, as current law does for animal importers. The bill 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. These provisions may result in a minimal revenue gain, expected to be less than \$20,000 annually, to the extent violations occur.

Section 11 requires the Department of Agriculture (DoAg) to develop a waiver request process and form for an animal's owner or veterinarian to request a reduction of a rabies quarantine period from six months to four months for animals exposed to rabies. The bill requires DoAg to post the process and form on their website. This is not anticipated to result in a fiscal impact as the agency currently has expertise for this purpose.

Sections 11 and **12** increase, from 10% to 20%, the maximum amount of funds that may be expended from the animal population control account, administered by DoAg, that may be used for sterilizing and

vaccinating feral cats.¹

These sections update the reimbursement paid to veterinarians participating in the animal population control program up to 75% of the market rate for sterilization and vaccination services, plus \$30, instead of \$20 as under current law. Currently, a veterinarian receives, \$120 for a female dog, \$100 for a male dog, \$70 for a female cat, and \$50 for a male cat, per sterilization, which is expected to be less than market rate in most municipalities.

The increase in reimbursement rate would result in the animal population control account expending funds at a rate faster than it otherwise would under the bill. The current balance in the animal population control account is \$644,517. In 2020, there were 5,946 vouchers were issued under the animal population control program.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to the number of animals served under the program and the number of violations that occur.

¹ DoAg's Animal Population Control Program: (1) provides low-income Connecticut residents discounted sterilization and vaccination options for dogs and cats, and (2) assists registered nonprofit rescue groups with the sterilization and vaccination of feral cats. DoAg uses a separate, nonlapsing APC account for these costs. Revenue is derived from a surcharge on municipal dog licenses, certain animal adoption fees for pounds' unsterilized cats and dogs, and proceeds from commemorative APCP "Caring for Pets" license plates.

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)