



House of Representatives

General Assembly

File No. 265

January Session, 2023

Substitute House Bill No. 5575

House of Representatives, March 28, 2023

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 REQUIRING THE DEPARTMENT OF AGRICULTURE TO REVISE MUNICIPAL ANIMAL SHELTER REGULATIONS.

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

1 Section 1. (NEW) (*Effective October 1, 2023*) (a) Each municipal or
2 regional dog pound shall provide mechanical heating and cooling
3 systems of appropriate design and capacity to maintain an indoor
4 ambient temperature of between fifty-five and eighty degrees
5 Fahrenheit, unless other temperatures are medically required by a
6 Connecticut licensed veterinarian.

7 (b) (1) In any municipal or regional dog pound, dogs shall not share
8 the same primary enclosure, except dams or foster dams and their
9 puppies.

10 (2) In any municipal or regional dog pound, primary enclosures shall
11 be provided for each cat with space equal to or more than the space
12 requirements for cats pursuant to 9 CFR 3.6(a) and 9 CFR 3.6(b), as
13 amended from time to time.

14 (3) Whenever dogs or cats are kept in respective groups at any
15 municipal or regional dog pound, the following shall apply:

16 (A) Females in heat shall not be kept with males;

17 (B) Any dog or cat exhibiting a vicious or aggressive disposition shall
18 be kept separately; and

19 (C) Puppies or kittens four months of age or less shall not be kept
20 with adult dogs or cats other than their dams or foster dams.

21 (c) (1) Any dog or cat that has or is suspected of having a contagious
22 disease at any municipal or regional dog pound shall be isolated from
23 and have no nose-to-nose contact with healthy animals.

24 (2) Any dog or cat at a municipal or regional dog pound that has or
25 is suspected of having a contagious disease shall be examined, treated
26 and handled as directed by a Connecticut licensed veterinarian.

27 (d) The Commissioner of Agriculture may enforce the provisions of
28 this section, as necessary, to protect the health and well-being of any
29 animal at a municipal or regional dog pound.

30 Sec. 2. Section 22-336 of the general statutes is repealed and the
31 following is substituted in lieu thereof (*Effective from passage*):

32 Each city or town, other than towns participating in a regional dog
33 pound, shall (1) provide and maintain for use as a dog pound a suitable
34 building, which shall be made comfortable for the detention and care of
35 dogs and other domestic animals and kept in a sanitary condition, or (2)
36 provide, through written agreement, for the detention and care of
37 impounded dogs or other domestic animals by a licensed veterinarian,
38 or in a licensed veterinary hospital, licensed commercial kennel, a dog
39 pound maintained by another city or town, or other suitable facility
40 approved by the commissioner. Any city or town may provide for the
41 use of such building or facility to shelter other domestic animals that are
42 found injured, mistreated or roaming in a manner that endangers the
43 domestic animal or the public. The commissioner may adopt

44 regulations, in accordance with the provisions of chapter 54, concerning
 45 the construction and maintenance of dog pounds or other facilities
 46 where impounded dogs or other domestic animals are kept, and the
 47 care, handling and transportation of dogs or other domestic animals by
 48 municipal animal control officers. The commissioner may inspect any
 49 dog pound or other facility where impounded dogs or other domestic
 50 animals are kept and may issue such orders as the commissioner deems
 51 necessary to correct any improper conditions found to exist. A report of
 52 any such inspection and the findings from such inspection shall be
 53 provided to the applicable municipal animal control officer not later
 54 than five days after such inspection. Such animal control officer shall
 55 provide a copy of the inspection report and any such findings to the
 56 chief elected official of such city or town and the applicable police
 57 department or supervisor of such municipal animal control officer not
 58 later than thirty days after receipt of such report and findings. If such
 59 orders are not complied with, the commissioner may request the
 60 Attorney General to bring an action for their enforcement, including suit
 61 for an injunction in the judicial district in which the dog pound or
 62 facility is located.

63 Sec. 3. (*Effective from passage*) Any revision to regulations concerning
 64 the construction and maintenance of dog pounds adopted by the
 65 Department of Agriculture pursuant to section 22-336 of the general
 66 statutes, as amended by this act, that was initiated as of the effective date
 67 of this section, shall be submitted to the legislative regulation review
 68 committee not later than September 1, 2023.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2023</i>	New section
Sec. 2	<i>from passage</i>	22-336
Sec. 3	<i>from passage</i>	New section

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: None

Municipal Impact:

Municipalities	Effect	FY 24 \$	FY 25 \$
Various Municipalities	Potential Cost	See Below	See Below

Explanation

The bill may result in significant costs to some municipalities beginning in FY 24 as it requires municipal or regional dog pounds to have mechanical heating and cooling systems that can maintain an indoor temperature of between 55- and 80-degrees Fahrenheit. It also prescribes certain conditions for these dog pounds; for example, certain dogs and cats cannot share the same primary enclosure, under certain conditions.

The municipalities with shelters that comply with the bill's requirements will have no fiscal impact. Those that will need to adjust temperature or space configuration will have potentially significant costs. Each municipality is required to have a dog pound either independently or with others.

It should be noted that there are multiple towns that share pounds with their neighbors but are not considered regions.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis

sHB 5575

AN ACT REQUIRING THE DEPARTMENT OF AGRICULTURE TO REVISE MUNICIPAL ANIMAL SHELTER REGULATIONS.

SUMMARY

This bill requires municipal or regional dog pounds to have mechanical heating and cooling systems that can maintain an indoor ambient temperature of between 55 and 80 degrees Fahrenheit, unless a state-licensed veterinarian requires other temperatures for medical reasons. It also imposes additional rules for these dog pounds (see below), and authorizes the agriculture commissioner to enforce these provisions.

By law, the commissioner may inspect dog pounds and other facilities where domestic animals are kept and issue orders to correct any deficiencies found. The bill requires the commissioner to give municipal animal control officers (ACOs) an inspection report with findings within five days after an inspection. The ACO must give a copy of the report to the municipality's chief elected official and police department or ACO supervisor within 30 days after receiving it.

Lastly, the bill requires the commissioner to submit any revised regulations for municipal dog pounds that are in process as of the bill's passage to the Regulation Review Committee by September 1, 2023. (By law, he may adopt regulations on the construction and maintenance of dog pounds or other facilities where domestic animals are kept.)

EFFECTIVE DATE: Upon passage, except the provisions setting out rules for municipal or regional dog pounds are effective October 1, 2023.

REQUIREMENTS FOR MUNICIPAL OR REGIONAL DOG POUNDS

In addition to the air temperature requirement, the bill imposes the following rules for a municipal or regional dog pound:

1. dogs cannot share the same primary enclosure, except dams (i.e., the mother of a puppy or puppies) or foster dams and their puppies;
2. primary enclosures must be provided for each cat with space equal to or greater than that required by federal regulations (e.g., at least 24 inches high and at least 3 or 4 square feet, depending on the size of the cat);
3. females in heat cannot be kept with males;
4. a dog or cat with a vicious or aggressive disposition must be kept separately;
5. until they are over four months old, puppies or kittens cannot be kept with adult dogs or cats, other than their dams or foster dams; and
6. a dog or cat that may have a contagious disease must be (a) isolated from, and have no nose-to-nose contact with, healthy animals and (b) examined, treated, and handled as directed by a state-licensed veterinarian.

COMMITTEE ACTION

Environment Committee

Joint Favorable Substitute

Yea 33 Nay 0 (03/10/2023)