



# Senate

General Assembly

**File No. 375**

January Session, 2023

Senate Bill No. 932

*Senate, April 3, 2023*

The Committee on Public Safety and Security reported through SEN. GASTON of the 23rd Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

## **AN ACT CONCERNING POLICE ANIMALS AND DOGS IN VOLUNTEER CANINE SEARCH AND RESCUE TEAMS.**

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

1 Section 1. Section 53-247 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2023*):

3 (a) Any person who (1) overdrives, drives when overloaded,  
4 overworks, tortures, deprives of necessary sustenance, mutilates or  
5 cruelly beats or kills or unjustifiably injures any animal, [or who,] (2)  
6 having impounded or confined any animal, fails to give such animal  
7 proper care or neglects to cage or restrain any such animal from doing  
8 injury to itself or to another animal or fails to supply any such animal  
9 with wholesome air, food and water, [or] (3) unjustifiably administers  
10 any poisonous or noxious drug or substance to any domestic animal or  
11 unjustifiably exposes any such drug or substance, with intent that the  
12 same shall be taken by an animal, or causes it to be done, [or,] (4) having  
13 charge or custody of any animal, inflicts cruelty upon it or fails to  
14 provide it with proper food, drink or protection from the weather or

15 abandons it or carries it or causes it to be carried in a cruel manner, or  
16 (5) fights with or baits, harasses or worries any animal for the purpose  
17 of making it perform for amusement, diversion or exhibition, shall, for  
18 a first offense, be fined not more than one thousand dollars or  
19 imprisoned not more than one year or both, and for each subsequent  
20 offense, shall be guilty of a class D felony.

21 (b) Any person who maliciously and intentionally maims, mutilates,  
22 tortures, wounds or kills an animal shall, (1) for a first offense, be guilty  
23 of a class D felony, and (2) for any subsequent offense, be guilty of a  
24 class C felony. The provisions of this subsection shall not apply to any  
25 licensed veterinarian while following accepted standards of practice of  
26 the profession or to any person while following approved methods of  
27 slaughter under section 22-272a, while performing medical research as  
28 an employee of, student in or person associated with any hospital,  
29 educational institution or laboratory, while following generally  
30 accepted agricultural practices or while lawfully engaged in the taking  
31 of wildlife.

32 (c) Any person who knowingly (1) owns, possesses, keeps or trains  
33 an animal engaged in an exhibition of fighting for amusement or gain,  
34 (2) possesses, keeps or trains an animal with the intent that it be engaged  
35 in an exhibition of fighting for amusement or gain, (3) permits an act  
36 described in subdivision (1) or (2) of this subsection to take place on  
37 premises under [his] such person's control, (4) acts as judge or spectator  
38 at an exhibition of animal fighting for amusement or gain, or (5) bets or  
39 wagers on the outcome of an exhibition of animal fighting for  
40 amusement or gain, shall be guilty of a class D felony.

41 (d) Any person who intentionally injures or kills any animal while  
42 such animal is in the performance of its duties under the supervision of  
43 a peace officer, as defined in section 53a-3, or intentionally injures or  
44 kills a dog that is a member of a volunteer canine search and rescue  
45 team, as defined in section 5-249, while such dog is in the performance  
46 of its duties under the supervision of the active individual member of  
47 such team, shall be guilty of a class [D] C felony.

48 (e) Any person who intentionally [~~kills~~] annoys, teases, torments or  
49 otherwise harasses any animal while such animal is confined in a motor  
50 vehicle while in the performance of its duties under the supervision of  
51 a peace officer, as defined in section 53a-3, [~~or intentionally kills a dog~~  
52 ~~that is a member of a volunteer canine search and rescue team, as~~  
53 ~~defined in section 5-249, while such dog is in the performance of its~~  
54 ~~duties under the supervision of the active individual member of such~~  
55 ~~team, shall be fined not more than ten thousand dollars or imprisoned~~  
56 ~~not more than ten years, or both]~~ shall be guilty of a class D  
57 misdemeanor.

58 Sec. 2. (NEW) (*Effective from passage*) (a) On and after July 1, 2024,  
59 emergency medical services personnel, as defined in section 20-206jj of  
60 the general statutes, may provide emergency treatment to an animal  
61 that is injured in the performance of its duties under the supervision of  
62 a peace officer, as defined in section 53a-3 of the general statutes, and  
63 transport such animal by ambulance to a veterinary facility equipped to  
64 provide emergency treatment to such animal pursuant to regulations  
65 adopted under subsection (b) of this section, provided such treatment  
66 or transportation may not be provided if it would inhibit the ability of  
67 such personnel to provide emergency medical attention or transport to  
68 a person requiring such services.

69 (b) Not later than July 1, 2024, the Department of Public Health shall  
70 adopt regulations, in accordance with the provisions of chapter 54 of the  
71 general statutes, regarding (1) training of emergency services personnel  
72 in basic level first aid, cardiopulmonary resuscitation and life-saving  
73 interventions for such animals; (2) safe handling procedures for such  
74 animals; (3) identification of veterinary facilities that provide emergency  
75 treatment for such animals; and (4) decontamination and sterilization  
76 requirements for equipment and vehicles after transport of such  
77 animals.

78 Sec. 3. Subsection (a) of section 20-197 of the general statutes is  
79 repealed and the following is substituted in lieu thereof (*Effective from*  
80 *passage*):

81 (a) No person shall practice veterinary medicine, surgery or dentistry  
82 until such person has obtained a license as provided in section 20-199.  
83 A person shall be construed to practice veterinary medicine, surgery or  
84 dentistry, within the meaning of this chapter, who holds himself or  
85 herself out as being able to diagnose, administer biologics for, treat,  
86 operate or prescribe for any animal or bird disease, pain, injury,  
87 deformity or physical condition, or who either offers or undertakes, by  
88 any means or methods, to diagnose, administer biologics for, treat,  
89 operate or prescribe for any animal or bird disease, pain, injury,  
90 deformity or physical condition. The treatment of animals by emergency  
91 medical services personnel pursuant to section 2 of this act shall not be  
92 deemed to be the practice of veterinary medicine. The euthanizing of  
93 animals in accordance with applicable state and federal drug laws by  
94 the Connecticut Humane Society, the floating of teeth in horses by  
95 persons experienced in that practice and the performance of myofascial  
96 trigger point therapy by persons experienced in that practice shall not  
97 be deemed to be the practice of veterinary medicine. For the purposes  
98 of this section, (1) "floating teeth" means using hand-held rasps to  
99 reduce or eliminate sharp or uneven edges on a horse's upper and lower  
100 molars to avoid injury to the tongue and cheeks and to improve chewing  
101 food, but does not include treating decay or tumors or extracting teeth,  
102 [For the purposes of this section,] (2) "myofascial trigger point therapy"  
103 means the use of specific palpation, compression, stretching and  
104 corrective exercise for promoting optimum athleticism, and (3) "persons  
105 experienced in that practice" means persons who, prior to October 1,  
106 2003, have attended a minimum of two hundred hours of classroom,  
107 lecture and hands-on practice in myofascial trigger point therapy,  
108 including animal musculoskeletal anatomy and biomechanics, theory  
109 and application of animal myofascial trigger point techniques, factors  
110 that habituate a presenting condition and corrective exercise.

111 Sec. 4. (NEW) (*Effective July 1, 2023*) For the fiscal year ending June 30,  
112 2024, and each fiscal year thereafter, the Department of Emergency  
113 Services and Public Protection shall, within available appropriations,  
114 administer a grant program to provide law enforcement units that use  
115 one or more dogs to perform law enforcement duties as part of a state-

116 wide or municipal canine unit with body armor for such dogs. Not later  
117 than October 1, 2023, the department shall post in a conspicuous place  
118 on the department's Internet web site a description of the grant  
119 program, including, but not limited to, eligibility criteria and the  
120 application process for the program. A unit shall apply for such grants  
121 on such forms and in such manner as determined by the department.

|   |                        |             |
|---|------------------------|-------------|
| This act shall take effect as follows and shall amend the following sections: |                        |             |
| Section 1   | <i>October 1, 2023</i> | 53-247      |
| Sec. 2  | <i>from passage</i>    | New section |
| Sec. 3  | <i>from passage</i>    | 20-197(a)   |
| Sec. 4  | <i>July 1, 2023</i>    | New section |

**PS**            *Joint Favorable*

*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:**

| <b>Agency Affected</b>                                    | <b>Fund-Effect</b>             | <b>FY 24 \$</b>     | <b>FY 25 \$</b> |
|---|--------------------------------|---------------------|-----------------|
| Judicial Dept. (Probation);<br>Correction, Dept.          | GF - Potential<br>Cost         | See Below           | See Below       |
| Resources of the General Fund                             | GF - Potential<br>Revenue Gain | See Below           | See Below       |
| Public Health, Dept.                                      | GF - Cost                      | 75,000              | None            |
| Department of Emergency<br>Services and Public Protection | GF - Cost                      | 81,000 -<br>135,000 | Potential       |

Note: GF=General Fund

**Municipal Impact:** None

**Explanation**

The bill establishes new policies and makes several changes to statutes affecting police animals and canine units, resulting in the various impacts to the state agencies described below.

**Section 1** changes the charge for injuring an animal performing duties in conjunction with a peace officer from a Class D felony to a Class C charge, and it also clarifies that this applies to an intentional killing of an animal performing duties in conjunction with a peace officer. These changes may result in a potential cost to the Department of Correction and Judicial Department and a potential revenue gain from fines. On average, the marginal cost to the state for incarcerating an offender for the year is \$2,500<sup>1</sup> while the average marginal cost for

<sup>1</sup> Inmate marginal cost is based on increased consumables (e.g. food, clothing, water, sewage, living supplies, etc.) This does not include a change in staffing costs or utility expenses because these would only be realized if a unit or facility opened.

supervision in the community is less than \$800<sup>2</sup> each year.

**Section 2** requires the Department of Public Health (DPH) to adopt regulations on: (1) training of emergency services personnel in basic level first aid, cardiopulmonary resuscitation, and life-saving interventions for certain animals; (2) safe handling procedures for certain animals; (3) identification of veterinary facilities that provide emergency treatment; and (4) decontamination and sterilization requirements for equipment and vehicles after transport of certain animals, resulting in a consultant cost of up to \$75,000 in FY 24.

This section also allows emergency medical services personnel to provide emergency treatment to injured police animals, resulting in no fiscal impact to the state or municipalities.

**Section 3** makes conforming changes, resulting in no fiscal impact to the state or municipalities.

**Section 4** requires the Department of Emergency Services and Public Protection (DESPP) to administer a grant program that provides canine body armor to law enforcement canine units. Such body armor can range from \$900 to \$1,500 per set and there are approximately 45 police canine units in the state. If each unit were to receive an average of two sets of armor under this grant program, the resulting cost to DESPP could range from \$81,000 to \$135,000. There is a potential cost in FY 25 to the extent that municipalities continue to apply for grants as needed.<sup>3</sup>

### ***The Out Years***

The annualized ongoing fiscal impact to the Department of Correction and Judicial Department identified above would continue

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<sup>2</sup> Probation marginal cost is based on services provided by private providers and only includes costs that increase with each additional participant. This does not include a cost for additional supervision by a probation officer unless a new offense is anticipated to result in enough additional offenders to require additional probation officers.

<sup>3</sup> Some law enforcement units only have one to two canines and are not expected to require replacement sets of armor for another five to ten years. Units with more than two canines may require more than two sets of armor.

into the future subject to the number of individuals incarcerated and fines imposed.

The demand to receive body armor grants is expected to decline after the first year of the program resulting in diminished costs to DESPP in the out years. The cost identified above to DPH is only in FY 24.



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**OLR Bill Analysis****SB 932*****AN ACT CONCERNING POLICE ANIMALS AND DOGS IN VOLUNTEER CANINE SEARCH AND RESCUE TEAMS.*****SUMMARY**

This bill makes several changes affecting animals that assist certain public safety organizations. Primarily, the bill:

1. modifies the criminal penalties for injuring or killing a peace officer's animal or a volunteer canine search and rescue team's dog and makes it a crime to harass a peace officer's animal,
2. allows emergency medical services (EMS) personnel to give emergency treatment to injured peace officers' animals and transport them by ambulance to veterinary facilities, and
3. creates a grant program to give body armor to dogs in law enforcement units.

The bill also makes technical changes.

EFFECTIVE DATE: Upon passage, except the dog body armor grant program is effective July 1, 2023, and the criminal penalty changes are effective October 1, 2023.

**§ 1 — CRIMINAL PENALTIES FOR INJURING, KILLING, OR HARASSING PUBLIC SAFETY ANIMALS**

The bill increases the criminal penalty for intentionally injuring a peace officer's animal or a volunteer canine search and rescue team's dog while the animal is on duty and under supervision. Specifically, the bill raises the penalty from a class D felony to a class C felony, which increases the (1) maximum prison term from five to 10 years and (2)

maximum fine from \$5,000 to \$10,000.

The bill also formally classifies the intentional killing of these animals as a class C felony. Under current law, this crime is an unclassified felony with the same maximum imprisonment and fine as a class C felony.

Additionally, the bill makes it a class D misdemeanor to intentionally annoy, tease, torment, or otherwise harass a peace officer's animal when it is confined in a motor vehicle while on duty and under supervision. A class D misdemeanor is punishable by up to 30 days in prison, a fine of up to \$250, or both.

### **§§ 2 & 3 — EMERGENCY MEDICAL SERVICES PERSONNEL TREATING AND TRANSPORTING PEACE OFFICERS' ANIMALS**

Under the bill, the Department of Public Health (DPH) must adopt regulations by July 1, 2024, on the emergency treatment of peace officers' animals. Specifically, the regulations must cover the following:

1. training emergency services personnel in basic first aid, cardiopulmonary resuscitation, and life-saving interventions for the animals;
2. safe handling procedures for the animals;
3. identifying veterinary facilities that provide emergency treatment for them; and
4. decontaminating and sterilizing equipment and vehicles after transporting them.

Starting July 1, 2024, the bill authorizes EMS personnel to provide emergency treatment to a peace officer's animal that is injured while it is on duty and under an officer's supervision. It also allows EMS personnel to transport the injured animal by ambulance to a veterinary facility equipped to provide it with emergency treatment consistent with the DPH regulations. However, the bill prohibits the EMS personnel from treating or transporting the animal if it would inhibit

their ability to provide emergency medical attention or transport to a person requiring their services.

The bill specifies that an EMS personnel's treatment of a peace officer's animal is not deemed to be the practice of veterinary medicine. (Under existing law, practicing veterinary medicine requires licensure.)

#### **§ 4 — DOG BODY ARMOR GRANT PROGRAM**

The bill requires the Department of Emergency Services and Public Protection to administer, within available appropriations, a grant program to provide body armor for dogs in law enforcement units. The department may determine the application process and forms for the program, but the bill limits grant eligibility to units that use dogs to do law enforcement duties as part of a statewide or municipal canine unit. By October 1, 2023, the department must post, in a conspicuous place on its website, a description of the grant program that includes the eligibility criteria and application process. Grants must be made starting in FY 24 and annually afterwards.

### **BACKGROUND**

#### ***Definitions***

By law, the following people are designated "peace officers": state and local police, Division of Criminal Justice inspectors, state marshals exercising statutory powers, judicial marshals performing their duties, conservation or special conservation officers, constables who perform criminal law enforcement duties, appointed special policemen, adult probation officers, Department of Correction officials authorized to make arrests in a correctional institution or facility, investigators in the State Treasurer's Office, motor vehicle inspectors in the Department of Motor Vehicles who have received Police Officer Standards and Training Council certification, U.S. marshals and deputy marshals, U.S. special agents authorized to enforce federal food and drug laws, and certified police officers of a law enforcement unit created and governed under a state-tribal memorandum (CGS § 53a-3(9)).

A "volunteer canine search and rescue team" is a person and a dog

(1) appropriately trained and certified to do search and rescue operations by a nonprofit canine search and rescue organization that is a member of the National Association of Search and Rescue or its successor organization and (2) who jointly work at the request of a police or fire department and provide services without compensation (CGS § 5-249(d)).

“Emergency medical services personnel” is a certified emergency medical responder, emergency medical technician, advanced emergency medical technician, emergency medical services instructor, or a licensed paramedic (CGS § 20-206jj(5)).

**COMMITTEE ACTION**

Public Safety and Security Committee

Joint Favorable

Yea 25    Nay 0    (03/16/2023)