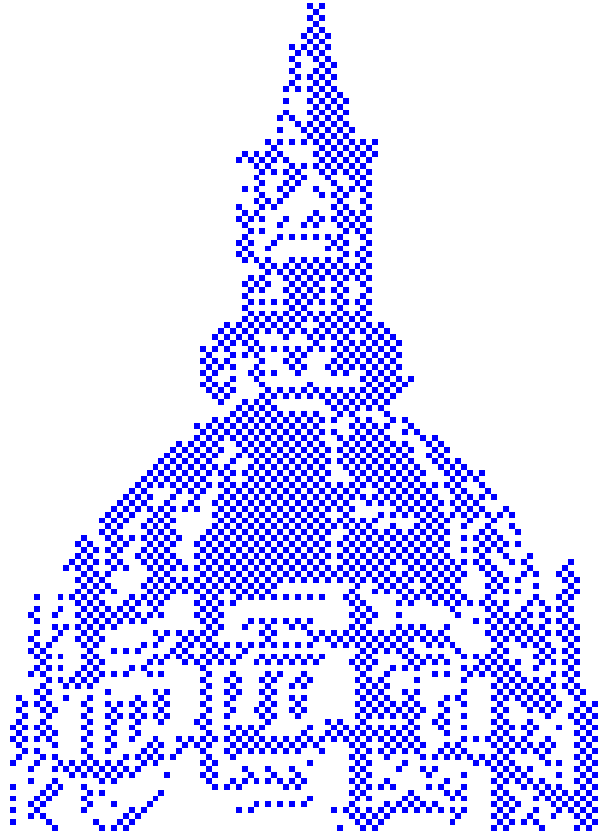




ACTS AFFECTING ANIMALS AND AGRICULTURE



2014-R-0166

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NOTICE TO READERS

This report provides highlights of new laws affecting agriculture enacted during the 2014 regular legislative session. In each summary, we indicate the public act (PA) or special act (SA) number.

Not all provisions of the acts are included here. Complete summaries of all 2014 public acts are available on OLR's webpage: <http://cga.ct.gov/olr/olrsums.asp>.

Readers are encouraged to obtain the full text of acts that interest them from the Connecticut State Library, House Clerk's Office, or the General Assembly's website: <http://www.cga.ct.gov>.

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"490 PROGRAM" AND CERTAIN PROPERTY TAX EXEMPTIONS

A new law makes procedural changes to the "490 program," in which eligible farm, forest, open space, and maritime heritage land is assessed for property tax purposes based on its current use, rather than its full market value. The act also:

1. allows municipalities to exempt all horses and ponies from local property taxes, regardless of their use;
2. expands the mandatory property tax exemption for farm machinery; and
3. extends the application deadline for property tax exemptions for farm machinery, horses, and buildings for farmers granted an extension to submit their personal property tax declarations ([PA 14-33](#), effective October 1, 2014, and applicable to assessment years starting on or after that date).

BREWERY, WINERY, AND AGRICULTURAL HIGHWAY SIGNS

Under this new law, signs bearing directions to farms and facilities related to agricultural tourism, Connecticut-made wine, and Connecticut-made beer may be erected and maintained within 300 feet of state highways with the

Department of Transportation's approval ([PA 14-199](#), §§ 12-14, effective upon passage).

CHILD ABUSE AND ANIMAL CRUELTY CROSS REPORTING

A new law broadens the circumstances under which an animal control officer must file an animal abuse report with the agriculture commissioner. It also requires the commissioner, by November 1, 2014, to include these additional reports in his monthly report to the Department of Children and Families commissioner ([PA 14-70](#), effective October 1, 2014).

FARM WINERY SALES AND TASTING PERMIT

A new law creates an off-site farm winery sales and tasting permit that allows farm winery permittees to sell bottles of wine and offer free wine samples manufactured on the farm at up to seven off-site events or functions per year. The permit is valid for one year and has a \$250 annual fee with a \$100 nonrefundable filing fee. At least five days before an off-site tasting or wine sale, the permittee must notify the Department of Consumer Protection of its date, hours, and location ([PA 14-189](#), effective July 1, 2014).

HISTORIC AGRICULTURAL STRUCTURES

A new law allows municipalities to establish, by ordinance, a property tax incentive program to encourage the preservation of certain historic agricultural structures that are at least 75 years old and meet other criteria. Under the program, a property owner agrees to offer a municipality a preservation easement for the historic structure for up to 10 years in exchange for a property tax break. The new law provides a mechanism for terminating easements under specified conditions and authorizes municipalities to penalize property owners who do not comply with their easement agreements ([PA 14-101](#), effective upon passage).

HUMANE EUTHANIZATION

With certain exceptions, state law requires that the euthanization of dogs or cats be performed only by licensed veterinarians in a humane manner. A new law adds to these exceptions by exempting euthanizations performed at facilities regulated by the U.S. Department of Agriculture (USDA) ([PA 14-226](#), § 4, effective upon passage).

INDUSTRIAL HEMP FEASIBILITY STUDY

A new law requires the agriculture, consumer protection, and economic and community development commissioners to study the feasibility of legalizing industrial hemp to

encourage economic development and increase the number of new businesses in Connecticut. Each commissioner must study a different aspect of legalizing industrial hemp. The agricultural commissioner must study its production; the consumer protection commissioner, its possession; and the economic and community development commissioner, its sale ([PA 14-191](#), effective upon passage).

LANDS OF PUBLIC USE AND BENEFIT

A new law authorizes the Department of Energy and Environmental Protection (DEEP) commissioner to designate department-owned lands as "lands of public use and benefit," which includes land used for conservation, public enjoyment, or recreational purposes, or activities to improve or maintain these purposes. It requires the commissioner to establish, by January 1, 2015, a publicly accessible geographic information map system and database that has a public use and benefit land registry. Lastly, the new law allows the DEEP and agriculture commissioners to place conservation or preservation restrictions on any lands their departments own ([PA 14-169](#), effective upon passage).

LIABILITY FOR HORSES

A new law specifies that, in any civil action brought against the owner or keeper of any horse (or related animal) to recover damages for an injury the animal allegedly caused, these animals do not belong to a naturally mischievous or vicious species. Additionally, the act creates a presumption in any civil action that the individual animal does not possess a propensity for behavior that would foreseeably be dangerous to humans. This presumption is rebuttable by evidence that the animal exhibited behavior in the past that alerted the owner or keeper that it had a propensity to engage in the behavior that allegedly caused the injury. The act also prohibits state courts from holding owners or keepers of such animals strictly liable for damages the animals cause ([PA 14-54](#), effective upon passage).

MUNICIPAL COSTS FOR CARING FOR CONFISCATED ANIMALS

By law, a court may vest temporary ownership of neglected or cruelly treated animals in a person or state, municipal, or other agency. When it does, the animal's owner generally must either (1) give up ownership of the animal or (2) post a surety or cash bond with the agency or person in whom the court vested the temporary care and custody. A new law increases the bond amount

from \$500 total to \$500 per animal. It also allows the agriculture commissioner to use the animal abuse cost recovery and animal population control accounts to reimburse a municipality for providing temporary care to animals for more than 30 days that exceeds the posted bond amount ([PA 14-205](#), §§ 1 & 2, effective upon passage).

MUNICIPAL SHELTERS TASK FORCE

A new law establishes a nine-member task force to study (1) the humane treatment of animals in municipal and regional shelters and (2) other matters concerning these shelters. The task force must report its findings and recommendations to the Environment and Planning and Development committees by January 1, 2015 ([PA 14-205](#), § 3, effective upon passage).

PARTICIPATION IN WIC AND SENIOR NUTRITION FARMERS' MARKET PROGRAMS

A new special act requires the agriculture commissioner to implement a two-year pilot program for up to three nonprofit farmers who engage in cooperative retail marketing of Connecticut-grown farm products. Under the pilot program, the farmers would participate as vendors in Connecticut's farmers' market

Women, Infants, and Children (WIC) and Senior Nutrition programs (SA [14-3](#), effective upon passage).

PET SHOPS

A new law makes various changes in the pet shop licensee statutes. It:

1. requires the agriculture commissioner to develop a standard of care applicable to in-state dog and cat breeders;
2. prohibits pet shop licensees from purchasing or selling dogs or cats from breeders who have violated USDA animal welfare regulations and increases the fine for violating related requirements;
3. increases, under the "pet lemon law," the amount of money a pet shop licensee must reimburse a customer for veterinarian expenses incurred to treat a dog or cat that becomes ill shortly after purchase from the shop; and
4. requires a pet shop licensee to post certain USDA inspection reports for breeders of any dog offered for sale ([PA 14-77](#), effective October 1, 2014).

SAVIN FARM PRESERVATION

A new law authorizes the agriculture commissioner to place a conservation or preservation restriction on the state's "Savin Farm" property in Lebanon. A conservation or preservation restriction on the farm may (1) conserve the property for agricultural use and (2) enable the

commissioner to lease, permit, or license any part of the farm to one or more people or entities to engage in agriculture ([PA 14-80](#), effective upon passage).

SEED LAW

A new law replaces Connecticut's seed law with provisions based on the Association of American Seed Control Officials' Recommended Uniform State Seed Law. Similar to prior law, the act establishes labeling requirements for seed sold, offered for sale, or transported in Connecticut. Unlike prior law, the act:

1. applies to flower, tree, and shrub seeds, instead of just agricultural and vegetable seeds;
2. specifies that its provisions supersede and preempt any municipal law or ordinance regarding the registration, sale, labeling, storage, transportation, distribution, notification, or use of seeds;
3. increases the penalty for violating the seed law from a fine to a class D misdemeanor with a mandatory fine; and
4. eliminates a requirement that seed sellers or transporters register annually with the agriculture commissioner ([PA 14-223](#), effective October 1, 2014).

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