



Acts Affecting Animals & Agriculture

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Notice to Readers

This report provides summaries of new laws (public acts and special acts) significantly affecting animals and agriculture enacted during the 2021 regular session and June 2021 special session. OLR's other Acts Affecting reports, including Acts Affecting Environment, are, or will soon be, available on OLR's website: <https://www.cga.ct.gov/olr/actsaffecting.asp>.

Each summary indicates the public act (PA) or special act (SA) number. Not all provisions of the acts are included. The report does not include vetoed acts unless the veto was overridden. Complete summaries of public acts are, or will soon be, available on OLR's website: <https://www.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 General Assembly's website: <http://www.cga.ct.gov>.

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Animals

Animal Control Officers and Facilities

Under a new law, when an animal control officer (ACO) seizes a neglected or cruelly treated animal and a veterinarian determines that it is too injured or diseased to be treated, the ACO must have it humanely euthanized by a licensed veterinarian. The new law also (1) allows municipalities and regional animal control facilities to appoint a temporary ACO from another municipality for up to 90 days and (2) requires regional animal control facilities to meet the same construction, maintenance, and sanitation standards as municipal pounds ([PA 21-90](#), §§ 3-7, effective upon passage).

Animal Population Control Program

A new law (1) increases, from 10% to 20%, the maximum amount of animal population control account funds that may be used to sterilize and vaccinate feral cats under the Department of Agriculture's (DoAg) animal population control program and (2) updates the reimbursement amount paid to veterinarians participating in the program ([PA 21-90](#), §§ 10-11, effective October 31, 2021).

Animal Shelters and Importers

A new law requires animal shelters to (1) have dogs and cats examined regularly by a licensed veterinarian and (2) maintain records of veterinary services rendered, which existing law requires of animal importers. It also revises fines for violations by setting the fine for a first offense at \$250 and a subsequent offense at \$500, rather than making any violation subject to a \$500 fine ([PA 21-90](#), § 8, effective upon passage).

Cannabis and Animals

Provisions in the new cannabis law (1) make it a class C misdemeanor to provide cannabis to a domesticated animal and (2) prohibit cannabis establishments from producing, manufacturing, or selling cannabis or cannabis products intended for use or consumption by animals ([PA 21-1](#), June Special Session (JSS), §§ 20 & 28, effective July 1, 2021, except October 1, 2021, for the criminal provision).

Possessing Certain Endangered Species

A new law bans possessing, importing, selling, offering for sale, or transporting in Connecticut a specimen (dead or alive) of certain elephants, lions, leopards, giraffes, and rhinoceros, unless covered by the law's exemptions (e.g., federal permit; ivory; certain circuses, zoos, institutions, and

taxidermy services). It has a graduated penalty structure for violations, ranging from no penalty for someone who, unaware and in good faith, violates the ban, to a class D felony, for someone with at least two prior violations subject to penalty ([PA 21-52](#), effective October 1, 2021).

Rabies Quarantine Period

A new law requires the DoAg commissioner to develop a process for an animal's owner to request a reduction, from six to four months, in the rabies quarantine period under specified circumstances ([PA 21-90](#), § 9, effective upon passage).

Veterinarians

Investigations. The legislature passed a new law requiring the Department of Public Health (DPH) to provide information to someone who filed a complaint against a veterinarian when the case is closed with no finding (i.e., DPH makes a finding of no probable cause or fails to make a finding within the required 12-month investigation period). The new law also specifically extends to veterinarian investigations certain procedures that apply to investigations of several other DPH-licensed professionals. For example, before resolving a complaint with a consent order, DPH must give the complainant at least 10 business days to object ([PA 21-121](#), §§ 20 & 21, effective October 1, 2021).

Reporting Animal Diabetes Treatment. Under a new law, veterinarians no longer must upload to the electronic Prescription Drug Monitoring Program's database, or report to the Department of Consumer Protection, information on insulin and glucagon drugs and diabetes and diabetic ketoacidosis devices dispensed to animal patients ([PA 21-182](#), effective upon passage).

Veterinary Practice and Telemedicine. A new law requires a veterinarian, in order to practice veterinary medicine on an animal, to establish a veterinarian-client-patient relationship with the animal and the animal's owner or caretaker. It identifies the conditions that must be met to establish this relationship and allows the relationship to be maintained through veterinary telemedicine ([PA 21-90](#), § 12, effective July 1, 2021).

Agriculture

Agricultural Education Programs

In the budget implementer, the legislature increased the annual state grant for each student enrolled in a vocational agricultural center from \$4,200 to \$5,200. As under existing law, the grants are within available appropriations ([PA 21-2](#), JSS, § 418, effective July 1, 2021).

The legislature also requires UConn to study the feasibility of establishing or expanding certain programs related to food and agricultural literacy by increasing opportunities for individuals to interact with farms in rural, suburban, and urban communities. The university must submit their findings to the Higher Education and Employment Advancement Committee by January 1, 2022 ([SA 21-27](#), effective upon passage).

Cannabis Cultivation Excluded From Farming Definition

The new cannabis law specifies that the general statutory definition of “agriculture” and “farming” does not include cannabis cultivation ([PA 21-1](#), JSS, § 143, effective July 1, 2021).

Connecticut Grown Program

A new law allows farm products grown or produced in Connecticut to be marketed as “CT-Grown” and revises sign requirements for these products at farmers’ markets. It also revises who must furnish proof of a farm product’s point of origin, within 10 days of sale, to the DoAg commissioner, or his designee, upon request ([PA 21-155](#), § 3, effective October 1, 2021).

Additionally, the law implementing the biennial budget requires DoAg, in consultation with an advisory committee, to administer the new CT Grown for CT Kids grant program to help local and regional boards of education develop farm-to-school programs to do things such as increase the availability of local foods in child nutrition programs and teach students about nutrition and farm-to-school connections. Local school boards, day care centers, and other organizations are eligible for the grants ([PA 21-2](#), JSS, § 364, effective July 1, 2021).

Connecticut Market Authority Repeal

The legislature passed a new law eliminating the Connecticut Market Authority (CMA). Ownership of the Hartford regional market, for which CMA was previously responsible, transferred to the Capital Region Development Authority in 2019 ([PA 21-155](#), §§ 11-13, effective upon passage).

Farm Viability Matching Grant Program

A new law expands the purposes of the farm viability matching grant program to include developing urban and nontraditional farming practices. By law, farm viability grants are available to nonprofit agricultural organizations, municipalities, groups of municipalities, and regional councils of government ([PA 21-155](#), § 10, effective upon passage).

Farmers' Market Nutrition Programs

A new law allows participants of the Connecticut farmers' market nutrition programs for women, infants, and children (WIC) and seniors to redeem program vouchers for chicken eggs and increases the value of the vouchers to at least \$20. For the WIC program, it also (1) allows proxies to pick up and redeem vouchers, (2) revises voucher signature requirements, and (3) extends the duration of a market vendor certification from one to three years ([PA 21-155](#), §§ 1, 2 & 6-9, effective various dates).

Hemp

A new law makes changes to the state's hemp production program statute to comply with the U.S. Department of Agriculture's final rules for hemp production, which took effect March 22, 2021. Among other things, it (1) allows remediation of noncompliant crops, (2) specifies that the ban on having a producer license is for 10 years after the conviction date, and (3) requires license applicants to submit their employer identification number or Social Security number to DoAg ([PA 21-89](#), effective upon passage).

Additionally, new laws allow licensed medical marijuana producers and cannabis producers, cultivators, micro-cultivators, and product manufacturers to manufacture, market, cultivate, or store hemp and manufacturer hemp products and obtain them from other legal sources. The new laws require tracking these purchases throughout the manufacturing process ([PA 21-37](#), §§ 49-53 and [PA 21-1](#), JSS, § 147, effective July 1, 2021).

On-Farm Anaerobic Digestion Facilities

The legislature changed the law's siting and permitting exemption for on-farm anaerobic digestion (AD) facilities. Among other things, the act (1) requires an animal feeding operation collocated on a farm with an AD facility to maintain a comprehensive nutrient management plan; (2) increases the on-farm AD facility feed stock requirement for food scraps, food processing residuals, and soiled or unrecycled paper from 5% to 40% by volume; and (3) requires the Department of Energy and Environmental Protection (DEEP) commissioner to act within 180 days after receiving a solid waste permit application from an on-farm AD facility operator ([PA 21-16](#), § 1, effective upon passage).

Soil Health

A new law expands the Council on Soil and Water Conservation's responsibilities to include developing guidelines for improving and preserving soil health that under prior law only addressed soil erosion and sediment control. By law, the council coordinates the activities of soil and water conservation districts and their boards with those of state, regional, and local agencies. The new

law also (1) requires updating regulations on the districts and boards to include soil health matters and (2) allows the DEEP commissioner to have soil health research done and take certain actions to provide the districts and boards with federal resources to study and improve soil health ([PA 21-88](#), §§ 2-4, effective October 1, 2021).

Violations of Agriculture Laws

The legislature passed laws concerning violations of state agriculture laws.

A new law expands the DoAg commissioner's authority by expressly allowing him, or his agent, to issue citations for infractions or violations of laws under his authority. It also adds numerous agriculture-related violations to the list of violations handled by the Superior Court's Centralized Infractions Bureau, which processes payments or not guilty pleas for committing infractions or violations ([PA 21-104](#), §§ 57-58, effective October 1, 2021).

The legislature also revised the penalties for violating Connecticut's produce safety and seed laws. Specifically, it (1) set the following fines for produce safety violations: \$50 for a first offense and \$200 for a subsequent offense and (2) reduced the penalty for violating the seed law (e.g., labeling, sales, and record keeping requirements) from a class D misdemeanor with a specified fine to only fines of \$100 for a first offense and \$200 for subsequent offenses ([PA 21-155](#), §§ 4-5, effective October 1, 2021, and [PA 21-104](#), § 59, effective October 1, 2021).

Aquaculture

Connecticut Seafood Development Council

A new law reconstitutes the Connecticut Seafood Advisory Council and renames it the Connecticut Seafood Development Council. It identifies the members and qualifications. By law, the council, which is within DoAg, helps promote Connecticut seafood products and examines market opportunities ([PA 21-24](#), § 3, effective October 1, 2021).

Shellfish Restoration Program

A new law expands the state's shellfish restoration program by allowing DoAg to (1) acquire shell or other cultch material to deposit on state shellfish beds, (2) contract to use a shell recovery vessel to collect and deposit shell on the beds, and (3) receive and deposit on the beds cultch from oyster shell recycling programs DoAg administers or authorizes. It also allows DoAg to use the Shellfish Fund for an oyster shell recycling program it administers with any other person ([PA 21-24](#), §§ 1-2, effective October 1, 2021).

Tax Assessments of Aquaculture Property

The legislature extended Connecticut's PA 490 program to underwater farms and certain waterfront property used for commercial aquaculture purposes. PA 490 allows certain farm, forest, open space, and maritime heritage land to be assessed for property tax purposes based on current use value rather than fair market value ([PA 21-24](#), §§ 4-5, effective October 1, 2021, and applicable to tax assessments on and after that date).

Miscellaneous

Highway Use Tax Exemption for Vehicles With Milk or Dairy Product

Beginning January 1, 2023, a new law imposes a highway use tax to operate or cause to be operated certain heavy, multi-unit motor vehicles on public roads in the state. But it exempts from the tax vehicles carrying or transporting milk or dairy product to or from a dairy farm with a license to ship milk ([PA 21-177](#), effective upon passage and applicable to calendar months beginning on or after January 1, 2023).

Property Tax Exemption for Residential Renewable Energy Sources

By law, Class I renewable energy sources (e.g., wind and solar) installed on or after October 1, 2007, for private residential use or for use on a farm are exempt from property tax. Under a new law, a facility cannot be disqualified from the exemption because it (1) uses or participates in net metering, a tariff policy, or another state program or (2) is owned by someone other than the property owner (e.g., leased solar panels). The prior law did not limit the size or number of installed facilities that were eligible for the exemption. However, the new law limits eligibility to those whose estimated annual production does not exceed the estimated annual load where the facility is located ([PA 21-180](#), effective October 1, 2021, and applicable to assessment years starting on or after that date).

Meteorological Evaluation Tower Marking

A new law sets marking requirements for meteorological evaluation towers (METs), which are used to collect data for evaluating a site's suitability for a wind turbine. METs fall under the height threshold for reporting and marking under Federal Aviation Administration (FAA) rules, but present visibility issues for low-flying aircraft, including those for agricultural operations. The law's marking rules correspond to FAA guidance and include requirements that METs be painted in alternating orange and white bands and have orange marker balls. Maximum penalties for violations range from \$500 to \$10,000, depending on whether the violation results in injury or death ([PA 21-175](#), § 56, effective October 1, 2021).

Stormwater Authorities

Provisions in a new law on climate change adaptation authorize all municipalities, rather than just the three that participated in DEEP's municipal stormwater pilot program, to designate a stormwater authority. The provisions expand the authorities' powers to assess fees and specifies a process by which municipal legislative bodies approve the fees. They also restrict the fees for, among other things, (1) farm, forest, or open space land and (2) property owners who use certain stormwater best management practices ([PA 21-115](#), §§ 1-3, effective July 1, 2021).

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