



# House of Representatives

General Assembly

**File No. 403**

February Session, 2006

Substitute House Bill No. 5795

*House of Representatives, April 5, 2006*

The Committee on Environment reported through REP. ROY of the 119th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

***AN ACT CONCERNING THE SPAYING, NEUTERING AND VACCINATION OF DOGS AND CATS.***

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

1 Section 1. Section 22-380e of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2006*):

3 As used in sections 22-380e to 22-380m, inclusive:

4 (1) "Commissioner" means the Commissioner of Agriculture;

5 (2) "Program" means the animal population control program;

6 (3) "Account" means the animal population control account;

7 (4) "Participating veterinarian" means any veterinarian who has  
8 been certified to participate in the program by the commissioner;

9 (5) "Pound" means any state or municipal facility where  
10 impounded, quarantined or stray dogs and cats are kept or any  
11 veterinary hospital or commercial kennel where such dogs or cats are  
12 kept by order of a municipality;

13 (6) "Eligible [owner] person" means: [a person]

14 (A) A resident of this state who has purchased or adopted a dog or  
15 cat from a pound; [and who is a resident of this state;]

16 (B) A resident of this state who rescues free-roaming cats and has  
17 signed a form provided by the commissioner and issued by a  
18 registered nonprofit organization incorporated in this state certifying  
19 that cats presented for low-cost sterilization and vaccination, as  
20 provided in section 22-380i, as amended by this act, shall be free-  
21 roaming, delivered to the veterinarian in a humane trap and ear-tipped  
22 during the operation;

23 (C) A resident of this state who is recognized by a municipality as a  
24 keeper of free-roaming cats pursuant to section 22-339d, as amended  
25 by this act; or

26 (D) A resident of this state who is the owner or keeper of the dog or  
27 cat being spayed or neutered, has signed a consent form issued by the  
28 commissioner certifying that he or she is the owner or keeper and, if  
29 necessary, authorizing a designated person to present the dog or cat  
30 for the operation, and is a recipient of or eligible for one of the  
31 following public assistance programs or any other public assistance  
32 program determined by the commissioner to qualify as a low-income  
33 person:

34 (i) The food stamp program authorized by Title XIII of the federal  
35 Food and Agriculture Act of 1977, 7 USC 2011 et seq.;

36 (ii) The supplemental security income program authorized by Title  
37 XVI of the federal Social Security Act, 42 USC 1381 et seq.;

38 (iii) The federal Temporary Assistance for Needy Families Act  
39 authorized by 42 USC 601 et seq.; or

40 (iv) The Medicaid program authorized by Title IX of the federal  
41 Social Security Act, 42 USC 1381;

42 (7) "Medically unfit" means (A) unsuitable for a surgical procedure  
43 due to any medical condition that may place a dog or cat at life-  
44 threatening risk if a surgical procedure is performed on such animal,  
45 as determined by a participating veterinarian, or (B) unsuitable for  
46 sterilization due to insufficiency in age, as determined by a  
47 participating veterinarian, of a dog or cat under the age of six months;

48 (8) "Neuter" means the surgical procedure of castration on a male  
49 dog or cat;

50 (9) "Spay" means the surgical procedure of ovariohysterectomy on a  
51 female dog or cat; [and]

52 (10) "Voucher" means a nontransferable document provided by the  
53 commissioner and issued by a pound, the commissioner or a registered  
54 nonprofit organization incorporated in this state to an eligible [owner]  
55 person authorizing payment of a predetermined amount from the  
56 animal population control account to a participating veterinarian; and

57 (11) "Free-roaming cat" means a domestic cat that is not owned by a  
58 person.

59 Sec. 2. Section 22-380f of the general statutes is repealed and the  
60 following is substituted in lieu thereof (*Effective October 1, 2006*):

61 (a) No pound shall sell or give away any unspayed or unneutered  
62 dog or cat to any person unless such pound receives forty-five dollars  
63 from the person buying or adopting such dog or cat. Funds received  
64 pursuant to this section shall be paid quarterly by the municipality  
65 into the animal population control account established under section  
66 22-380g, as amended by this act. At the time of receipt of such  
67 payment, the pound shall provide a voucher, for the purpose of  
68 sterilization and vaccination benefits, as provided in section 22-380i, as  
69 amended by this act, to the person buying or adopting such dog or cat.  
70 Such voucher shall be on a form provided by the commissioner and  
71 signed by the eligible owner. Such voucher shall become void after  
72 sixty days from the date of adoption unless a participating veterinarian

73 certifies that the dog or cat is medically unfit for surgery. Such  
74 certification shall be on a form provided by the commissioner and  
75 specify a date by which such dog or cat may be fit for sterilization. If  
76 the surgery is performed more than thirty days after such specified  
77 date, the voucher shall become void. In the case of a dog or cat that has  
78 been previously sterilized or is permanently medically unfit for  
79 sterilization, as determined by a participating veterinarian, the  
80 voucher shall be void and the eligible owner may apply to the  
81 commissioner for a refund in the amount of forty-five dollars.

82 (b) Notwithstanding the provisions of subsection (a) of this section,  
83 no pound shall receive forty-five dollars from the Connecticut  
84 Humane Society for any unsterilized cat or dog that is given by such  
85 pound to the Connecticut Humane Society, provided such cat or dog is  
86 sterilized prior to the adoption of such animal from the Connecticut  
87 Humane Society. Such sterilization shall not be required if a licensed  
88 veterinarian certifies, in writing, that the animal is medically unfit for  
89 sterilization surgery.

90 (c) The Connecticut Humane Society shall submit a biannual report  
91 to the [Animal Population Control Fund] Commissioner of Agriculture  
92 that shall include, but not be limited to, the municipal facility from  
93 which any animal described in subsection (b) of this section was taken,  
94 the impound number of such animal, the species and gender of such  
95 animal, the date that the Connecticut Humane Society received the  
96 animal and the date of sterilization for such animal.

97 (d) Upon a finding that the Connecticut Humane Society has failed  
98 to comply with any provision of subsection (b) or (c) of this section, the  
99 Commissioner of Agriculture may terminate the Connecticut Humane  
100 Society's exemption from the payment of the forty-five-dollar fee  
101 required pursuant to subsection (a) of this section.

102 (e) An eligible person who receives public assistance may  
103 participate in the animal population control program established  
104 pursuant to section 22-380g, as amended by this act, if the person  
105 submits proof that he or she is an eligible person, signs and presents a

106 voucher received from the Commissioner of Agriculture to a  
107 veterinarian participating in the program and pays the participating  
108 veterinarian a fee of ten dollars for a cat and twenty dollars for a dog.

109 (f) An eligible person who is a free-roaming cat rescuer may  
110 participate in the animal population control program with respect to  
111 the free-roaming cats if the person submits proof that he or she is an  
112 eligible person, presents a signed voucher received from a registered  
113 nonprofit corporation to a veterinarian participating in the program  
114 and pays the participating veterinarian a fee of ten dollars per cat.

115 (g) An eligible person recognized by a municipality as a free-  
116 roaming cat keeper pursuant to section 22-339d, as amended by this  
117 act, may participate in the animal population control program with  
118 respect to the free-roaming cats if the person submits proof that he or  
119 she is an eligible person, presents a signed voucher received from the  
120 commissioner to a veterinarian participating in the program, and pays  
121 the participating veterinarian a fee of ten dollars per cat.

122 Sec. 3. Section 22-380g of the general statutes is repealed and the  
123 following is substituted in lieu thereof (*Effective October 1, 2006*):

124 (a) The Commissioner of Agriculture shall (1) establish an animal  
125 population control program to provide for spaying and neutering  
126 services to eligible [owners of dogs and cats] persons, (2) establish an  
127 account to be known as the "animal population control account" that  
128 may contain any moneys required by law to be deposited in the  
129 account and any balance remaining in said account at the end of any  
130 fiscal year shall be carried forward in said account for the fiscal year  
131 next succeeding, and (3) create a standard dog licensing form and  
132 distribute said form to veterinarians who voluntarily agree to make  
133 such forms available for the convenience of dog owners and keepers.  
134 The commissioner shall use not more than seven hundred seventy  
135 thousand dollars in each fiscal year to provide low-cost sterilization  
136 and vaccination benefits, as provided by section 22-380i, as amended  
137 by this act, to eligible persons who have bought or received dogs or  
138 cats from pounds. The commissioner [may] shall set aside [up to forty]

139 three hundred fifty thousand dollars for each fiscal year for the  
140 purpose of [providing assistance to charitable programs for the  
141 sterilization and vaccination of feral] sterilizing and vaccinating free-  
142 roaming cats.

143 (b) The commissioner may solicit and accept funds from any public  
144 or private source of help to carry out the goals of the program,  
145 including, but not limited to, the sterilization of [feral] free-roaming  
146 cats as provided in section 22-339d, as amended by this act.

147 (c) Any revenue collected pursuant to the provisions of sections 12-  
148 743, as amended by this act, 22-332, as amended by this act, 22-332d, as  
149 amended by this act, 22-333, as amended by this act, 22-338, as  
150 amended by this act, 22-350a, as amended by this act, 22-364, as  
151 amended by this act, 22-380f, as amended by this act, and 22-380i shall  
152 be deposited in the animal population control account. All money in  
153 the account shall be used by the commissioner exclusively for the  
154 implementation and promotion of the program and for the costs  
155 associated with the administration of the program provided not more  
156 than [one hundred eighty] three hundred thousand dollars may be  
157 expended for administrative costs per year.

158 (d) The commissioner may suspend the program for all eligible  
159 persons at any time that the amount of money available in the account  
160 is less than three hundred thousand dollars. The commissioner [may]  
161 shall reinstate the program when such amount is equal to or exceeds  
162 three hundred thousand dollars. The commissioner may suspend that  
163 portion of the program for eligible persons who have not bought or  
164 received dogs or cats from pounds at any time when the amount of  
165 money available in the account is less than four hundred thousand  
166 dollars. The commissioner shall reinstate the program for eligible  
167 persons who have not bought or received dogs or cats from pounds  
168 when such amount is equal to or exceeds four hundred thousand  
169 dollars.

170 Sec. 4. Section 22-380i of the general statutes is repealed and the  
171 following is substituted in lieu thereof (*Effective October 1, 2006*):

172 (a) The program established under section 22-380g, as amended by  
173 this act, shall provide for payment to any participating veterinarian of  
174 an amount equivalent to the voucher issued pursuant to section 22-  
175 380f, as amended by this act, for each animal sterilization and  
176 vaccinations, coincident with sterilization, performed by such  
177 veterinarian upon a dog or cat [owned] presented by an eligible  
178 [owner] person. For a sterilization procedure, such voucher shall be in  
179 the amount of one hundred twenty dollars for a female dog, one  
180 hundred dollars for a male dog, seventy dollars for a female cat and  
181 fifty dollars for a male cat. In the case of a sterilization fee exceeding  
182 the amount of the voucher, the eligible [owner] person shall pay the  
183 participating veterinarian the difference between such fee and the  
184 amount of the voucher. [Such voucher] A sterilization fee may not  
185 exceed the amount of the voucher unless the eligible person has  
186 bought or received a dog or cat from a pound. Vouchers shall be in the  
187 amount of twenty dollars, in addition to the amount designated for  
188 sterilization, for vaccinations coincident with the sterilization of a dog  
189 or cat [owned] presented by an eligible [owner] person.

190 (b) The program established under section 22-380g, as amended by  
191 this act, shall further provide for a payment to any participating  
192 veterinarian for the presurgical immunization of dogs against rabies,  
193 distemper, hepatitis, leptospirosis and parvovirus, or the presurgical  
194 immunization of cats against rabies, feline panleukopenia, calici,  
195 pneumonitis and rhinotracheitis, as the case may be, on animals not  
196 previously immunized. The payment shall be for no more than ten  
197 dollars for each immunization procedure and, in any case, not more  
198 than twenty dollars for one animal. Such veterinarian shall be paid by  
199 the commissioner upon the submission of a voucher, to be provided by  
200 the commissioner and signed by the veterinarian performing such  
201 operation and by the [owner] eligible person, stating that the animal  
202 has been immunized coincident with a spaying or neutering operation  
203 under the program.

204 (c) The participating veterinarian shall be paid by the commissioner  
205 for sterilization and coincident vaccinations of a dog or cat [owned]

206 presented by an eligible [owner] person upon submission of the  
207 voucher issued pursuant to section 22-380f, as amended by this act,  
208 and signed by such veterinarian.

209 Sec. 5. Section 22-380j of the general statutes is repealed and the  
210 following is substituted in lieu thereof (*Effective October 1, 2006*):

211 In the event that any person who submits any cat or dog for spaying  
212 or neutering to a participating veterinarian fails to retrieve such cat or  
213 dog within the time recommended by such participating veterinarian,  
214 such veterinarian shall transfer custody of such dog or cat to a state  
215 animal control officer, regional animal control officer or a municipal  
216 animal control officer, as defined in section 22-327. No participating  
217 veterinarian who has performed services provided for in sections 22-  
218 380e to 22-380m, inclusive, as amended by this act, shall be denied  
219 payment from the account due to any failure of an [owner of a dog or  
220 cat] eligible person to retrieve such dog or cat.

221 Sec. 6. Subsections (a) and (b) of section 12-743 of the general  
222 statutes are repealed and the following is substituted in lieu thereof  
223 (*Effective October 1, 2006*):

224 (a) Any taxpayer filing a return under this chapter may contribute  
225 any part of a refund under this chapter to (1) the organ transplant  
226 account established pursuant to section 17b-288, (2) the AIDS research  
227 education account established pursuant to section 19a-32a, (3) the  
228 endangered species, natural area preserves and watchable wildlife  
229 account established pursuant to section 22a-27l, (4) the breast cancer  
230 research and education account established pursuant to section 19a-  
231 32b, [or] (5) the safety net services account established pursuant to  
232 section 17b-112f, or (6) the animal population control account  
233 established pursuant to section 22-380g, as amended by this act, by  
234 indicating on the tax return, in a manner provided for by the  
235 Commissioner of Revenue Services pursuant to subsection (b) of this  
236 section, the amount to be contributed to the account.

237 (b) The Commissioner of Revenue Services shall revise the tax

238 return form to implement the provisions of subsection (a) of this  
239 section which form shall include spaces on the return in which  
240 taxpayers may indicate their intention to make a contribution, in a  
241 whole dollar amount, in accordance with this section. The  
242 commissioner shall include in the instructions accompanying the tax  
243 return a description of the purposes for which the organ transplant  
244 account, the AIDS research education account, the endangered species,  
245 natural area preserves and watchable wildlife account, the breast  
246 cancer research and education account [and] the safety net account and  
247 the animal population control account were created.

248 Sec. 7. Subsection (c) of section 22-332 of the general statutes is  
249 repealed and the following is substituted in lieu thereof (*Effective*  
250 *October 1, 2006*):

251 (c) The town treasurer or other fiscal officer shall pay from the dog  
252 fund account the advertising expense incurred under the provisions of  
253 this section upon receipt of an itemized statement together with a copy  
254 of the advertisement as published. Any person who purchases a dog as  
255 a pet shall pay a fee of [five] twenty-five dollars and procure a license  
256 and tag for such dog from the town clerk, in accordance with the  
257 provisions of section 22-338, as amended by this act. Five dollars of  
258 said fee shall be paid by the town treasurer or other fiscal officer into  
259 the dog fund account. Fifteen dollars of said fee shall be paid by the  
260 town treasurer or other fiscal officer into the animal population control  
261 account established pursuant to 22-380g, as amended by this act.

262 Sec. 8. Section 22-332d of the general statutes is repealed and the  
263 following is substituted in lieu thereof (*Effective October 1, 2006*):

264 (a) Any animal control officer for a municipality which has adopted  
265 an ordinance under subsection (b) of section 22-339d, as amended by  
266 this act, may take into custody any cat found to be damaging property  
267 other than property of its owner or keeper or causing an unsanitary,  
268 dangerous or unreasonably offensive condition unless such cat can be  
269 identified as under the care of its owner or a registered keeper of  
270 [feral] free-roaming cats. The officer shall impound such cat at the

271 pound serving the town where the cat is taken unless, in the opinion of  
272 a licensed veterinarian, the cat is so injured or diseased that it should  
273 be destroyed immediately, in which case the municipal animal control  
274 officer of such town may cause the cat to be mercifully killed by a  
275 licensed veterinarian or disposed of as the State Veterinarian may  
276 direct. The municipal animal control officer shall immediately notify  
277 the owner or keeper of any cat so taken, if known, of its impoundment.  
278 If the owner or keeper of any such cat is unknown, the officer shall  
279 immediately tag or employ such other suitable means of identification  
280 of the cat as may be approved by the Chief Animal Control Officer and  
281 shall promptly cause a description of such cat to be published once in  
282 the lost and found column of a newspaper having a circulation in such  
283 town.

284 (b) If such cat is not claimed by and released to the owner [within]  
285 not later than seven days after the date of publication, the municipal  
286 animal control officer, upon finding such cat to be in satisfactory  
287 health, may have a licensed veterinarian spay or neuter any such cat  
288 and sell such cat to any person who satisfies such officer that he is  
289 purchasing it as a pet and that he can give it a good home and proper  
290 care. The municipal animal control officer may retain possession of  
291 such cat for such additional period of time as he may deem advisable  
292 in order to place such cat as a pet and may have a licensed veterinarian  
293 spay or neuter such cat. If, within such period, any cat is not claimed  
294 by and released to the owner or keeper or purchased as a pet, the  
295 officer shall cause such cat to be mercifully killed by a licensed  
296 veterinarian or disposed of as the State Veterinarian may direct. No  
297 person who so destroys a cat shall be held criminally or civilly liable  
298 therefor nor shall any licensed veterinarian who spays or neuters a cat  
299 pursuant to this section be held civilly liable, including, but not limited  
300 to, liability for reconstructive neutorial implantation surgery.

301 (c) Any cat captured or impounded under the provisions of  
302 subsection (a) of this section shall be redeemed by the owner or keeper  
303 thereof, or the agent of such owner or keeper, upon proper  
304 identification, and presentation to the municipal animal control officer

305 of a license, tag or other means of identification for such cat, and upon  
306 the payment by such owner or keeper or his agent of (1) if the cat is  
307 unsterilized, the redemption fee established by the municipality,  
308 [which shall not exceed fifteen dollars] provided the fee shall be not  
309 less than twenty-five dollars, and (2) the cost of advertising incurred  
310 under the provisions of subsection (a) of this section. Not less than  
311 twenty dollars of said fee shall be paid by the town treasurer or other  
312 fiscal officer into the animal population control account established  
313 pursuant to 22-380g, as amended by this act. Not less than five dollars  
314 of said fee shall be paid by the town treasurer or other fiscal officer  
315 into the dog fund account. A cat found at large shall be spayed or  
316 neutered not later than sixty days after being redeemed, except where  
317 the cat is already spayed or neutered, or the cat shall be impounded.  
318 When the owner or keeper of any [such] unsterilized impounded cat  
319 fails to redeem such cat [within] not later than twenty-four hours after  
320 receiving notification to do so, or, where the owner or keeper was  
321 unknown, [within] not later than twenty-four hours after notification  
322 was effected by means of publication in a newspaper, such owner or  
323 keeper shall pay, in addition to such [redemption] public safety fee  
324 and the cost of advertising, the amount determined by the  
325 municipality to be the full cost of detention and care of such  
326 impounded cat. In addition, any owner or keeper of any [such]  
327 unsterilized impounded cat who fails to redeem such cat [within] not  
328 later than one hundred twenty hours after receiving notification to do  
329 so shall have committed an infraction. The legislative body of the  
330 municipality shall set any fees imposed by the municipality under this  
331 section, provided the fee for purchasing a cat for a pet shall be not less  
332 than twenty dollars. Five dollars of said fee shall be paid by the town  
333 treasurer or other fiscal officer into the dog fund account. Fifteen  
334 dollars of said fee shall be paid by the town treasurer or other fiscal  
335 officer into the animal population control account established pursuant  
336 to section 22-380g, as amended by this act.

337 Sec. 9. Section 22-333 of the general statutes is repealed and the  
338 following is substituted in lieu thereof (*Effective October 1, 2006*):

339 Any dog, cat or other animal captured or impounded under the  
340 provisions of this chapter shall be redeemed by the owner or keeper  
341 thereof, or the agent of such owner or keeper, upon proper  
342 identification, and, if the animal in question is a dog, upon  
343 presentation to the municipal animal control officer of a license and tag  
344 for such dog, and upon the payment by such owner or keeper or his  
345 agent of (1) the redemption fee established by the municipality, [which  
346 shall not exceed fifteen dollars] provided the fee shall be not less than  
347 twenty-five dollars, and (2) the cost of advertising incurred under the  
348 provisions of section 22-332, as amended by this act; provided no dog,  
349 cat or other animal seized for doing damage under the provisions of  
350 section 22-355, as amended, shall be released except upon written  
351 order of the commissioner, the Chief Animal Control Officer or an  
352 animal control officer. Not less than twenty dollars of said fee shall be  
353 paid by the town treasurer or other fiscal officer into the dog fund  
354 account. A dog found running at large shall be spayed or neutered not  
355 later than sixty days after being redeemed, except where said dog is  
356 already spayed or neutered, or the dog shall be impounded. When the  
357 owner or keeper of any such impounded dog, cat or other animal fails  
358 to redeem such dog, cat or other animal [within] not later than twenty-  
359 four hours after receiving notification to do so, or, where the owner  
360 was unknown, [within] not later than twenty-four hours after  
361 notification was effected by means of publication in a newspaper, such  
362 owner or keeper shall pay, in addition to such redemption fee and the  
363 cost of advertising, the amount determined by the municipality to be  
364 the full cost of detention and care of such impounded dog, cat or other  
365 animal. The owner or keeper of any dog, cat or other animal  
366 impounded for the purposes of quarantine, as set forth in sections 22-  
367 358, as amended, and 22-359, shall pay the amount determined by the  
368 municipality to be the full cost of detention and care of such  
369 quarantined animal. In addition, any owner or keeper of any such  
370 impounded dog, cat or other animal who fails to redeem such dog, cat  
371 or other animal [within] not later than one hundred twenty hours after  
372 receiving notification to do so shall have committed an infraction. The  
373 legislative body of the municipality shall set any fees imposed by the

374 municipality under this section.

375 Sec. 10. Section 22-334 of the general statutes is repealed and the  
376 following is substituted in lieu thereof (*Effective October 1, 2006*):

377 (a) On or before the tenth day of each month, each municipal animal  
378 control officer shall present to the chief administrative officer of the  
379 town a sworn statement of the services rendered by the municipal  
380 animal control officer in the performance of official duties during the  
381 previous month. The commissioner shall provide the forms for such  
382 statements and a copy of each such statement shall be forwarded to the  
383 commissioner by the chief administrative officer promptly upon  
384 receipt. Upon presentation of such statement, each municipal animal  
385 control officer, other than an officer employed on a salary basis, shall  
386 be paid by such city or town from the dog fund account (1) [five] ten  
387 dollars for each dog returned to its owner or sold as a pet and four  
388 dollars for each dog captured, impounded and killed, or otherwise  
389 disposed of as provided in this chapter, (2) such expenses as the  
390 appointing authority may approve, and (3) such other remuneration as  
391 the officers having jurisdiction thereof direct. Each municipal animal  
392 control officer employed on a salary basis shall be paid, in addition to  
393 a regular salary, a bonus of [one dollar] six dollars for each dog  
394 returned to its owner or sold as a pet. Each municipal animal control  
395 officer shall pay to the town treasurer or other fiscal officer [for deposit  
396 in the dog fund account] all moneys received by the officer in the  
397 performance of official duties. Each regional animal control officer  
398 shall pay to the commissioner for deposit with the State Treasurer all  
399 such moneys received by the officer. Such moneys shall be deposited  
400 in the dog fund account and credited to the town from which it was  
401 collected for purposes of payment of the amount due under subsection  
402 (b) of section 22-331a.

403 (b) On or before the tenth day of each month, any registered  
404 nonprofit corporation that has issued a low-cost sterilization and  
405 vaccination voucher to a free-roaming cat rescuer shall present to the  
406 Commissioner of Agriculture a signed statement, including, but not

407 limited to, the number of vouchers issued, the dates of issue and the  
408 recipients of the vouchers.

409 Sec. 11. Subsection (a) of section 22-338 of the general statutes is  
410 repealed and the following is substituted in lieu thereof (*Effective*  
411 *October 1, 2006*):

412 (a) Each owner or keeper of a dog of the age of six months or older,  
413 except dogs kept under a kennel license as provided in section 22-342,  
414 shall cause such dog to be licensed in the town clerk's office in the  
415 town where such dog is kept, on or before June thirtieth, annually, or  
416 at such time as such dog becomes six months old, and annually  
417 thereafter, on or before June thirtieth. The owner or keeper shall pay to  
418 such town clerk for such license the sum of seven dollars for each  
419 neutered male or spayed female dog and the sum of twelve dollars for  
420 each unneutered male dog and each unspayed female dog, and one  
421 additional dollar in each case as the town clerk's fee for issuing a tag  
422 and license as provided in section 22-340. Two dollars from each  
423 license fee collected for a neutered or spayed dog shall be deposited  
424 into the [Animal Population Control Fund] animal population control  
425 account established pursuant to section 22-380g, as amended by this  
426 act. If an owner or keeper of a dog fails to procure a license as required  
427 by this section, such owner or keeper shall pay the appropriate license  
428 fee specified in this section, the town clerk's fee and a penalty of [one  
429 dollar for each month or fraction thereof the dog remains unlicensed]  
430 five dollars. Any fines paid pursuant to this subsection shall be paid to  
431 the town treasurer or other fiscal officer into the animal population  
432 control account.

433 Sec. 12. Section 22-339c of the general statutes is repealed and the  
434 following is substituted in lieu thereof (*Effective October 1, 2006*):

435 (a) A certificate of rabies vaccination shall be (1) a Form 50  
436 approved by the National Association of Public Health Veterinarians,  
437 (2) any form approved by the State Veterinarian, or (3) any form that  
438 has the following information regarding the vaccinated animal: (A)  
439 The name and address of [its] the owner or keeper; (B) a description of

440 the animal [which] that specifies [its] the species, breed, age, color or  
441 markings and sex of the animal; (C) the date of the vaccination, the  
442 duration of the immunity provided by the vaccination, the producer of  
443 the vaccine and the vaccine serial number; (D) the rabies tag number;  
444 and (E) the signature and license number of the veterinarian  
445 administering the vaccination. Such certificate shall be the official  
446 proof of rabies vaccination submitted to a town clerk in accordance  
447 with the provisions of this section and section 22-338, as amended by  
448 this act, or 22-339a.

449 (b) A veterinarian, at the time of vaccinating a dog, shall complete a  
450 rabies certificate in triplicate. The veterinarian shall distribute the  
451 original copy to the owner or keeper of the dog and one copy to the  
452 town or city clerk where the dog is kept, and shall retain one copy for  
453 the veterinarian's records. Upon receipt of a copy of a rabies certificate,  
454 the town clerk shall send written notice to the owner or keeper of an  
455 unlicensed dog in accordance with the licensing requirements  
456 provided for in section 22-338, as amended by this act. If the owner or  
457 keeper of the unlicensed dog fails to license the dog not later than  
458 thirty days after receipt of the notice, the town clerk shall notify the  
459 municipal or regional animal control officer of a violation of section 22-  
460 338, as amended by this act. The names and addresses of dog owners  
461 and keepers listed on rabies certificates received by town clerks shall  
462 not be made public and shall be used for no other purpose than to  
463 enforce the licensing requirements provided for in section 22-338, as  
464 amended by this act.

465 [(b)] (c) The owner or keeper of a dog or cat shall keep a certificate,  
466 or copy thereof, stating that such dog or cat has been vaccinated  
467 against rabies and shall make such certificate or copy available to any  
468 animal control officer, regional animal control officer or municipal  
469 animal control officer of any municipality for inspection.

470 [(c)] (d) An antirabies clinic, upon request of any municipal animal  
471 control officer or animal control officer, shall submit to such officer a  
472 copy of any such certificate issued. Such copy shall be used by the

473 officer to search for unlicensed dogs in accordance with the provisions  
474 of section 22-349, as amended by this act.

475 Sec. 13. Section 22-339d of the general statutes is repealed and the  
476 following is substituted in lieu thereof (*Effective October 1, 2006*):

477 (a) A municipality may adopt an ordinance requiring the  
478 [registration, within one year of the adoption of such ordinance,]  
479 registration of keepers of [feral] free-roaming cats in residential or  
480 commercial areas. Such ordinance shall require that any such keeper  
481 shall register with the animal control officer for such municipality who  
482 shall provide information to the registrant regarding the proper care  
483 and management of [feral] free-roaming cats. For purposes of this  
484 section, ["feral cat"] "free-roaming cat" means a [free-roaming]  
485 domestic cat which is not owned and "keeper" means any person or  
486 organization, harboring, regularly feeding or having in his or its  
487 possession any [feral] free-roaming cat. Refusal to permit any animal  
488 control officer to impound a [feral] free-roaming cat shall be deemed  
489 evidence of keeping. Such ordinance shall require that such keepers  
490 shall provide for the vaccination of such cats against rabies and the  
491 sterilization of such cats. Such keeper shall be considered an eligible  
492 [owner] person for purposes of the animal population control program  
493 established under sections 22-380e to 22-380m, inclusive, as amended  
494 by this act. [provided such cats are adopted from a municipal pound.]

495 (b) A municipality may adopt an ordinance providing that no  
496 person owning or keeping any cat shall permit such animal to (1)  
497 substantially damage property other than the property of the owner or  
498 keeper, or (2) cause an unsanitary, dangerous or unreasonably  
499 offensive condition. Violation of such provision shall be an infraction.

500 (c) A municipality and an officer or employee of a municipality that,  
501 in order to control cat overpopulation, adopts an ordinance for the  
502 registration of free-roaming cat keepers pursuant to section 22-339d, as  
503 amended by this act, shall be immune from criminal and civil liability,  
504 except for wilful and wanton misconduct, for damages resulting from  
505 a free-roaming cat. A municipality and an officer or employee of a

506 municipality that allows a dog park shall be immune from criminal  
507 and civil liability, except for wilful and wanton misconduct, for  
508 damages resulting from the use of the park by dogs.

509 (d) A veterinarian who sterilizes free-roaming cats and a keeper of  
510 free-roaming cats who is recognized by a municipality pursuant to  
511 section 22-339d, as amended by this act, shall be immune from  
512 criminal and civil liability, except for wilful and wanton misconduct,  
513 for damages that may result from his or her act or omissions.

514 Sec. 14. Subsection (b) of section 22-340 of the general statutes is  
515 repealed and the following is substituted in lieu thereof (*Effective*  
516 *October 1, 2006*):

517 (b) The town clerk shall provide for the issuance and renewal  
518 through the mail of licenses issued under sections 22-338, as amended  
519 by this act, and 22-339, as amended by this act. The town clerk [may]  
520 shall make applications for such licenses available at such facilities as  
521 kennels, pet stores, veterinarian offices, humane society offices and pet  
522 grooming establishments.

523 Sec. 15. Section 22-349 of the general statutes is repealed and the  
524 following is substituted in lieu thereof (*Effective October 1, 2006*):

525 The town clerk of each town shall, annually, on or before July first,  
526 provide the municipal animal control officer or regional animal control  
527 officer with [a copy of each dog license issued by such clerk] the name  
528 and address of the owner or keeper of each licensed dog. Such  
529 municipal animal control officer or regional animal control officer shall  
530 thereupon make diligent search for any unlicensed dog required to be  
531 licensed by section 22-338, as amended by this act. The commissioner  
532 shall adopt regulations in accordance with the provisions of chapter 54  
533 establishing procedures for such search. If the owner or keeper of any  
534 such unlicensed dog is not known, the municipal animal control officer  
535 or regional animal control officer shall impound such dog. The owning  
536 or keeping of an unlicensed or impounded dog and the failure to  
537 purchase a license and pay the advertising and redemption fee within

538 one hundred and twenty hours from the time the dog was impounded  
539 shall be an infraction. No municipal or regional animal control officer  
540 may make public the name or address of any dog owner or keeper  
541 provided by a town clerk pursuant to the requirements of this section  
542 or use such name or address for any purpose other than to enforce the  
543 licensing requirements provided for in section 22-338, as amended by  
544 this act.

545 Sec. 16. Section 22-350a of the general statutes is repealed and the  
546 following is substituted in lieu thereof (*Effective October 1, 2006*):

547 Any person who confines or tethers a dog for an unreasonable  
548 period of time shall be fined not more than one hundred dollars for the  
549 first offense, not less than one hundred dollars or more than two  
550 hundred fifty dollars for a second offense, and not less than two  
551 hundred fifty dollars or more than five hundred dollars for any  
552 subsequent offense. One-quarter of a fine levied pursuant to this  
553 section shall be paid by the town treasurer or other fiscal officer into  
554 the dog fund account, and one-quarter of the fine shall be paid into the  
555 animal population control account established pursuant to section 22-  
556 380g, as amended by this act.

557 Sec. 17. Section 22-364 of the general statutes is repealed and the  
558 following is substituted in lieu thereof (*Effective October 1, 2006*):

559 (a) No owner or keeper of any dog shall allow such dog to roam at  
560 large upon the land of another and not under control of the owner or  
561 keeper or the agent of the owner or keeper, nor allow such dog to roam  
562 at large on any portion of any public highway and not attended or  
563 under control of such owner or keeper or his agent, provided nothing  
564 in this subsection shall be construed to limit or prohibit the use of  
565 hunting dogs during the open hunting or training season. The  
566 unauthorized presence of any dog on the land of any person other than  
567 the owner or keeper of such dog or on any portion of a public highway  
568 when such dog is not attended by or under the control of such owner  
569 or keeper, shall be prima facie evidence of a violation of the provisions  
570 of this subsection. Violation of any provision of this subsection shall be

571 an infraction and be fined not less than forty dollars.

572 (b) Any owner or keeper of any dog who, knowing of the vicious  
 573 propensities of such dog and having violated the provisions of  
 574 subsection (a) of this section within the preceding year, intentionally or  
 575 recklessly violates the provisions of subsection (a) of this section shall  
 576 be fined not more than one thousand dollars or be imprisoned not  
 577 more than six months, or both, if such dog, while roaming at large,  
 578 causes physical injury to another person and such other person was  
 579 not teasing, tormenting or abusing such dog.

580 (c) One-quarter of a fine levied pursuant to this section shall be paid  
 581 by the town treasurer or other fiscal officer into the dog fund account,  
 582 and one-quarter of the fine shall be paid into the animal population  
 583 control account established pursuant to section 22-380g, as amended  
 584 by this act.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2006	22-380e
Sec. 2	October 1, 2006	22-380f
Sec. 3	October 1, 2006	22-380g
Sec. 4	October 1, 2006	22-380i
Sec. 5	October 1, 2006	22-380j
Sec. 6	October 1, 2006	12-743(a) and (b)
Sec. 7	October 1, 2006	22-332(c)
Sec. 8	October 1, 2006	22-332d
Sec. 9	October 1, 2006	22-333
Sec. 10	October 1, 2006	22-334
Sec. 11	October 1, 2006	22-338(a)
Sec. 12	October 1, 2006	22-339c
Sec. 13	October 1, 2006	22-339d
Sec. 14	October 1, 2006	22-340(b)
Sec. 15	October 1, 2006	22-349
Sec. 16	October 1, 2006	22-350a
Sec. 17	October 1, 2006	22-364

**ENV**      *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

**OFA Fiscal Note**

**State Impact:**

Agency Affected	Fund-Effect	FY 07 \$	FY 08 \$
Department of Agriculture	GF/ animal population control account - Uncertain	See Below	See Below
Department of Revenue Services	GF/Cost	\$30,000	\$5,000

Note: GF=General Fund

**Municipal Impact:**

Municipalities	Effect	FY 07 \$	FY 08 \$
Various Municipalities	STATE MANDATE - Cost	Minimal	Minimal

**Explanation**

The bill expands the Animal Population Control Program Account (Account) to include sterilization and vaccination vouchers at a discount to sterilize and vaccinate free roaming cats and dogs and cats whose owners and keepers are certified as receiving public assistance. The bill increases funding for the Account through increased and new fees including: tax donations, the fee for buying a dog, the redemption fee for a captured or impounded dog, an increase in the municipal fee for redeeming free roaming cats, a fee for buying a cat, changes in the penalty for unlicensed dogs, changes in fines, and payment of a bonus to animal control officers. The funding is to enable the Department of Agriculture (DOA) to cover the costs of implementing and administering the program. The bill increases by \$120,000 (from \$180,000) the amount the DOA can utilize for administering these programs. The increase in revenue generated through the various fee/fine changes is indeterminate at the current time, and it is unclear if the revenues that would be generated through these changes would

support the new program without requiring suspension of the program. The current program has been continuously operating since 2001 and employs 3 people.

It is anticipated that the bill could increase administrative costs to various municipalities. The impact is anticipated to be minimal but would vary by town, and could result in unbudgeted costs for some. The exact impact is unknown at this time.

There is an administrative cost to the Department of Revenue Services for providing an additional "check off" box on the personal income tax return for taxpayers who choose to donate all or part of their tax refund to the Animal Population Account. Currently there are five "check off" choices to which taxpayers may contribute all or part of their tax refund.

There is a one-time cost of \$30,000 in FY 07 for form changes and for additional computer programming. There is an ongoing cost of \$5, 000 annually beginning in FY 07 and thereafter for annual computer program revisions and paper and electronic form design changes.

The following table presents the latest data available on income tax refund contributions made via the "check off" for the 2004 income year.

<b>2004 Income Year "Check Off" Contributions (1)</b>		
	<b>Contributions(1)</b>	
<b><u>Fund</u></b>	<b><u>Number</u></b>	<b><u>Amount</u></b>
Aids Research	5,577	\$50, 349
Breast Cancer	8,257	\$95,130
Organ Transplant	4,560	\$39,455
Safety Net	3,170	\$34,291
Wildlife	<u>6,183</u>	<u>\$65,740</u>
Total "Check Offs"	27,747	\$284,966
(1) Includes S-Corp, Trust & Estates and Group Filers as well as individuals		

***The Out Years***

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

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**OLR Bill Analysis**

**sHB 5795**

***AN ACT CONCERNING THE SPAYING, NEUTERING AND VACCINATION OF DOGS AND CATS.***

**SUMMARY:**

This bill expands the Animal Population Control Program. By law, the program provides sterilization and vaccination vouchers for people who pay a \$45 fee to adopt cats and dogs from a dog pound. This money and a portion of the dog licensing fee the law requires fund the animal population control account (APCA), which covers the vouchers.

The bill expands the program to include sterilization and vaccination vouchers at a discount to sterilize and vaccinate (1) free roaming cats (feral cats, under current law) rescued, kept, or owned by certified free roaming cat rescuers and owners and keepers and (2) dogs and cats whose owners or keepers are certified as receiving public assistance. The bill establishes a certification process. It allows registered nonprofit corporations to issue vouchers to free roaming cat rescuers and requires them to report on it.

By law, the agriculture commissioner may set aside \$40,000 of the APCA funds each fiscal year for charitable programs for the sterilization and vaccination of feral cats. The bill instead requires him to set aside \$350,000 for sterilizing and vaccinating free roaming cats.

The bill increases ACPA funding, adding portions of other fees, which it increases or establishes to support the expanded program. It also increases the amount the Agriculture Department can use annually to cover administrative costs of the program, from \$180,000 to \$300,000.

It makes several conforming and technical changes.

EFFECTIVE DATE: October 1, 2006

## **§§ 2 & 4 - ANIMAL POPULATION CONTROL PROGRAM**

### ***Participants***

The law forbids pounds from selling or giving away any fertile dog or cat to a Connecticut resident without receiving a \$45 deposit. The pound must submit the fees monthly to APCA. The person who adopted or bought the animal and paid the fee receives a voucher for sterilization and vaccination benefits and must use the voucher within 60 days of the dog's adoption or it is void (CGS § 22-380f).

Under current law, a person may participate in the program if he is an "eligible owner," which is a person who adopted or bought a dog or cat from a pound. The bill changes the definition to "eligible persons," which include state residents who:

1. rescue free-roaming cats (known as feral cats under current law) who have signed a form the agriculture commissioner provides and a state-incorporated registered nonprofit organization issues that certifies the cats presented for low-cost sterilization and vaccination under the bill, will be free-roaming, delivered to the veterinarian in a humane trap, and ear-tipped during the operation;
2. a municipality recognizes as a keeper of free-roaming cats; or
3. is the owner or keeper of the dog or cat being spayed or neutered, has signed a consent form issued by the commissioner certifying this fact, and, if necessary, authorizing a designated person to present the dog or cat for the operation, and is a recipient of or eligible for one of the following federal public assistance programs: (a) the food stamp program, (b) the supplemental security income program, (c) the Temporary Assistance for Needy Families Act, (d) Medicaid, or (e) any other public assistance program the commissioner determines

qualifies people as a low-income.

### **Vouchers**

The bill requires the agriculture commissioner to provide eligible low-income people and free roaming cat rescuers and owners and keepers with vouchers for the program.

People receiving public assistance may receive a voucher and must pay a \$10 fee for cats and \$20 for dogs to the participating veterinarian. People certified as free roaming cat rescuers and those certified as free roaming cat owners or keepers must pay the participating veterinarian \$10 per cat. All three of these groups must prove they are eligible and present a signed voucher from the commissioner, or a registered nonprofit corporation in the case of rescuers.

By law, the voucher is good to pay any participating veterinarian for each animal sterilization and vaccination he performs. For sterilization procedures, the voucher amounts are: \$120 for a female dog, \$100 for a male dog, \$70 for a female cat, and \$50 for a male cat. When a sterilization fee exceeds the voucher amount, the owner must pay the veterinarian the difference between the fee and the voucher amount. The bill specifies that sterilization fees cannot exceed the voucher amount unless the cats and dogs were bought or received from a pound, thus capping the amount for free roaming cats and low-income payers. Under the program, vaccination vouchers are good for \$20.

### **§ 3 - ACCOUNT FUNDING**

#### ***Animal Population Control Account***

By law, the account is funded by the \$45 fee people pay pounds to buy or adopt cats or dogs and the fee charged to owners when they license their unspayed or unneutered dogs.

The bill adds tax donations, and increases and adds existing fees, which go to the APCA to fund the expanded program. The bill:

1. adds the APCA to those accounts to those which people who pay Connecticut taxes may donate their Connecticut tax refunds;

2. increases, from \$5 to \$25, the fee for buying a dog, and requires the town treasurer to pay \$15 to the APCA, and \$5 to their dog account (see BACKGROUND);
3. increases the redemption fee for a dog captured or impounded from up to \$15 to at least \$25, with at least \$20 going to dog fund account;
4. increases the municipal fee from no more than \$15 to at least \$25 for redeeming free roaming (feral under current law) cats not sterilized, with at least \$20 going to the APCA and at least \$5 to the dog fund;
5. establishes a \$20 fee for buying a pet cat and requires the town treasurer or fiscal officer to pay \$15 to the APCA and \$5 to the dog account;
6. sets a flat \$5 penalty for dogs that should have been licensed \$5, instead of from \$1 for each month or a fraction thereof that the dog remains unlicensed, and requires it go to the APCA ;
7. requires a town treasurer to pay one quarter of the fine for unreasonably confining or tethering a dog (up to \$150 for a first offense, up to \$250 for a second offense, and between \$250 and \$500 for subsequent offenses) to the dog account and one quarter to the APCA;
8. establishes a minimum fine of \$40 for (1) allowing a dog to roam, unauthorized, on public or private property or (2) recklessly or intentionally allowing a known vicious dog to roam and the dog physically injures someone; and requires the town treasurer to place one quarter of the fine into the dog fund and one quarter in the APCA; and
9. increases by \$5 bonuses municipal and regional animal control officers (ACOs) are paid, which must go to towns' dog fund, for caught dogs that are euthanized, returned to their owners, or sold.

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**§ 3 - Funding Free Roaming Cat Sterilization and Program Suspension**

By law, the commissioner may set aside \$40,000 each fiscal year as assistance for charitable programs for the sterilization and vaccination of feral cats. The bill instead requires him to set aside \$350,000 for sterilizing and vaccinating free roaming cats. It prohibits the commissioner from using more than \$770,000 each fiscal year for providing low-cost sterilization and vaccination benefits to eligible people who have bought or received dogs or cats from pounds.

By law, the commissioner may suspend the program whenever the money available in the account is less than \$300,000. He may reinstate it when the amount exceeds \$300,000. The bill, requires him to reinstate the program when the amount equals or exceeds \$300,000. He may suspend the program portion for eligible people who have not bought or received dogs or cats from pounds at any time when the available money in the account is less than \$400,000. He must reinstate this portion when the money in the account meets or exceeds \$400,000.

**§ 13 - FREE ROAMING CAT ORDINANCES AND MUNICIPAL AND VETERINARIAN LIABILITY**

The law allows municipalities to adopt ordinances requiring feral cat keepers to register, within one year of the ordinance's adoption, feral cats in residential or commercial areas. The bill eliminates the requirement that keepers register within the one-year deadline.

By law, refusal to permit an ACO to impound a feral cat is deemed evidence of keeping the animals. The law requires the ordinance to specify that any feral cat keeper has to register with the municipality's ACO. The ACO must inform the feral cat keeper about the proper care and management of feral cats. A feral cat means a free-roaming domestic cat that is not owned, and "keeper" means any person or organization, harboring, regularly feeding or having in possession any feral cat.

By law, the ordinance must also require that keepers have the cats sterilized and vaccinated against rabies. The keeper is considered an

eligible owner for the animal population control program, if the cats are adopted from a municipal pound. The bill specifies that (1) feral cats are free roaming and (2) keepers are eligible for the bill's expanded program.

The bill makes municipalities and their officers and employees that, in order to control cat overpopulation, adopt an ordinance for the registration of free-roaming cat keepers, immune from criminal and civil liability, except for willful and wanton misconduct, for damages resulting from a free-roaming cat.

It provides immunity to municipalities and municipal officers or employees that allow a dog park from criminal and civil liability, except for willful and wanton misconduct, for damages resulting from the use of the park by dogs.

The bill immunizes from criminal and civil liability, veterinarians who sterilize free-roaming cats and keepers of free-roaming cats recognized by a municipality under the bill from damages that may result from his or her act or omissions, except for willful and wanton misconduct.

### **§§ 12 &15 - RABIES CERTIFICATE**

The bill requires that a veterinarian complete a rabies certificate in triplicate when he vaccinates a dog. He must give the original certificate to the dog owner or keeper, give one copy to the town or city clerk where the dog is kept, and retain one copy for his records. When the town clerk receives his copy, he must send written notice to the owner or keeper. If the owner or keeper fails to license the dog within 30 days after receiving the notice, the town clerk must notify the municipal or regional animal control officer of the license requirement violation.

The names and addresses of dog owners and keepers listed on rabies certificates received by town clerks cannot be made public and can only be used to enforce licensing requirements.

The bill prohibits municipal or regional animal control officers from publicly disclosing the name or address of any dog owner or keeper provided by a town clerk or using the information for any purpose other than to enforce the licensing requirements.

**§ 10 - NONPROFIT REPORTING**

The bill requires any registered nonprofit corporation that issues low-cost sterilization and vaccination vouchers to a free-roaming cat rescuer to provide the agriculture commissioner with a signed statement, including the number, date, and recipients of vouchers issued. The corporations must report by the 10<sup>th</sup> of each month.

**ADDITIONAL PROVISIONS**

**§§ 8&9 - Dogs and Cats at Large**

The bill requires a dog found running at large to be spayed or neutered not later than 60 days after being redeemed, or the dog must be impounded. It exempts sterilized dogs. The bill requires the same for cats found at large.

**§ 3 - Dog Licensing Form**

The law requires the commissioner to create a standard dog licensing form and distribute it to veterinarians who voluntarily agree to make the forms available for dog owners. The bill requires to give the forms to veterinarians who voluntarily agree to make them available to dog keepers as well.

**BACKGROUND**

***Dog License Fees***

By law, on or before June 1 annually, each owner or keeper of a dog must license it in the town clerk's office where the owner or keeper keeps the dog (except for dogs kept under a kennel license or dogs that are under six months old (CGS § 22-338)). For each neutered male or spayed female, dog owners or keepers must pay the town clerk \$7, \$2 of which go to the APCA, plus an additional \$1 in each case as the town clerk's fee for issuing a tag and license as required by law, bringing their total to \$8. Owners or keepers of unneutered male or

unspayed female dogs must pay the town clerk \$12 for each dog, with \$1 in each case as the town clerk's fee, plus an additional \$6 that goes to the APCA, bringing their total to \$19. The law requires the town clerk to issue a license and a tag for each dog that an owner or keeper pays to have licensed (CGS § 22-340).

### ***Town Clerk's Required Disbursements and the Dog Fund***

The law requires that within 30 days after receiving the fees for dog licenses, town clerks must deduct \$1 for each dog licensed, in addition to the APCA requirements. The balance goes to the municipal treasurer, or other proper municipal fiscal officer, who must place the funds into a separate dog fund account. Each town treasurer or fiscal officer must keep a separate dog fund account with all fees received from the town clerk and all receipts from, and expended by, the municipal ACO in his or her duties. On September 1 annually, the town treasurer or fiscal officer must pay the DOAg commissioner 50% of all funds he received from (1) the sale of dog licenses that the town clerk sold before July 1, (2) transfer or replacement tags, and (3) kennel licenses. However, if a municipality chose to have its ACO undertake a survey of unlicensed dogs as allowed under CGS § 22-349, the treasurer may instead choose to pay 40% of all funds to the commissioner. Either way, the treasurer must include with such payment a statement of the number of licenses issued during the year.

Additionally, all funds received from licenses sold after June 30 and all funds received from the municipal ACO must be kept by the town treasurer or other fiscal officer in the separate Dog Fund account. The town treasurer or other fiscal officer must, also on the ensuing September 1, send 50%, or 40% as the case may be, of all license fees in such account to the commissioner, including any penalty fees.

### **COMMITTEE ACTION**

Environment Committee

Joint Favorable Substitute

Yea 22 Nay 5 (03/20/2006)